Abortion, Potential, and Value

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This article challenges an important argument in the abortion debate, according to which at least early abortions are acceptable because they do not terminate the actual existence of something of moral significance (i.e., a 'person'), but rather prevent a potentially significant entity from becoming actual, which happens whenever one uses contraceptives. This article argues that insofar as we see something as morally significant or valuable, we tend to think it wrong to deliberately terminate its actual existence *and* to deliberately prevent a corresponding potential entity from becoming actual, a principle I call the 'Inverse Proportional Value Principle'. After defending this principle and showing it to oppose the idea that abortion is acceptable since it simply prevents the existence of something of moral worth or value, I show this principle to sanction some abortions, given that the entity which stands to result from a pregnancy is sufficiently lacking in value.

I. INTRODUCTION

A longstanding defense of abortion turns on the idea that fetuses, at least prior to the onset of brainwaves, lack the capacity for consciousness, are thus not 'persons', and so can be justifiably killed under certain conditions.[1] Opponents of abortion, however, have argued that even if such fetuses are not 'actual persons', they are 'potential persons', assuming at least that they are developing typically. On this view, then, typical fetuses already have it in them to become full-blown persons if they are just allowed to follow their natural course of development. Moreover, according to this 'argument from potential', abortion is wrong because it deprives the fetus of its potential to become a person.

Now, the literature contains some important objections to the argument from potential. Peter Singer, for instance, argues that not all fetuses are potential persons, e.g., anencephalic fetuses.[2] And even more important, due to the broader scope of their objections, David Boonin and Singer have argued that abortion cannot be condemned on the grounds that it deprives a fetus of its potential because, generally speaking, it is not believed that entities should be treated according to their potential.[3] Thus, to take a classic example, acorns just *are not*

[1] See, for example, Michael Tooley, 'Abortion and Infanticide', *The Problem of Abortion*, ed. Susan Dwyer and Joel Feinberg, 3rd edn. (Belmont, CA, 1996), pp. 40–58.

[2] For Singer's treatment of anencephaly, see *Practical Ethics*, 2nd edn. (New York, 1993), pp. 86, 204, and 342.

[3] See Singer's *Practical Ethics*, p. 153 and Boonin's *A Defense of Abortion* (New York, 2003), pp. 46–9.

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oak trees. And this explains why we would treat them differently, seeing the wanton destruction of the latter as much more serious than that of the former.[4] Indeed, as Boonin and Singer point out, we do not even treat clear-cut persons according to their potential. George W. Bush, for instance, is entitled to live in the White House now that he is President of the United States. But Bush was not so entitled as a potential President. We did not think that Bush deserved to live in the White House, say, upon merely winning the Presidential election of 2000. He had to be inaugurated as our actual President before moving into the White House.[5]

Jeff McMahan provides another important response to the argument from potential. On his view, a fetus is not an actual person prior to the onset of brainwaves; or, as McMahan more precisely says, prior to the point at which cortical neurons form synaptic connections, which is approximately the twentieth week of a pregnancy.[6] And according to McMahan, abortions prior to this stage of a pregnancy do not *terminate* the life of a being of moral worth, i.e., an actual object of moral worth or value. Such abortions simply *prevent* an object of moral worth from coming to exist, or from becoming actual, which equally happens whenever one uses contraceptives, and whenever one abstains from sex, for that matter. In McMahan's words:

> [W]e do not begin to exist until our organisms develop the capacity to generate consciousness. Only then is there *someone* present rather than merely *something*. Let us define an *early abortion* as an abortion that is performed prior to that point – that is, the point at which the fetal brain acquires the capacity to support consciousness and at which one of us consequently begins to exist in association with the fetal organism. . . . An early abortion does not kill anyone; it merely prevents someone from coming into existence. In this respect, it is relevantly like contraception and wholly unlike the killing of a person. For there is, again, no one there to be killed.[7]

[4] For other treatments of the acorn-oak tree example, see William Cooney, 'The Fallacy of All Person-denying Arguments for Abortion', *Journal of Applied Philosophy* 8 (1991), p. 162, and Phillip E. Devine, *Ethics of Homocide* (Notre Dame, 1990), p. 52.

[5] The 'President example' is usually framed as a question of whether a six-year-old Jimmy Carter had the right to command the armed forces since he was even then a potential President of the United States. It is time that we philosophers update our example, though. For other treatments of the President example, see Paul D. Feinberg, 'The Morality of Abortion', *Thou Shalt Not Kill*: *The Christian Case against Abortion*, ed. Richard L. Ganz (New Rochelle, NY, 1978), pp. 127–49, and Burleigh T. Wilkins, 'Does the Fetus Have a Right to Life?', *Journal of Social Philosophy* 24 (1993), pp. 123–37.

[6] See *The Ethics of Killing* (New York, 2002), p. 267.

[7] This quote appears on p. 267 of *Ethics of Killing*. And it actually does not appear in McMahan's treatment of the argument from potential, which occurs on pp. 302–29. But McMahan makes the same point, in just a less easily quotable way, in his treatment of the argument from potential. See pp. 306 and 308.

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This article will contend that, despite such important commentaries, the argument from potential has not been given its due in the literature. For even if terminating the existence of an actual entity and preventing a potential one from becoming actual are two different things – even if we see the former as worse than the latter – there are good grounds for thinking that we often take both of these actions to be wrong. Specifically, a case can be made for thinking that all things being equal, to the extent that we see an entity as valuable, we tend to believe that it is wrong to deliberately terminate its actual existence *and* to deliberately prevent a corresponding potential entity from becoming actual: a principle that we shall call the 'Inverse Proportional Value Principle' (hereafter, 'the IPV-Principle').[8]

Section II of this article will defend the general validity of the IPV-Principle, presenting several cases in which we would condemn, not only deliberately terminating the actual existence of something valuable, but deliberately preventing the existence of the very same entity. And Section II below will address several objections to the IPV-Principle, including McMahan's claim that such a principle cannot 'ground a strong objection to early abortion' because 'whatever reason there is to promote the early fetus's potential is equally a reason to ensure that the potential of the sperm and egg is also realized'.[9] Section III below will apply the IPV-Principle to the abortion debate, probing several questions about the value of persons. Finally, Section IV will offer some concluding remarks on this article's argument and significance. Before proceeding, however, three points of clarification are in order.

First, Boonin distinguishes two kinds of value: 'existence value' and 'integrity value'. And Boonin contends that there are some entities whose existence itself is valued, such that an opportunity to bring one of them into existence and to increase the population of its kind is seen as a good thing. There are other entities, however, of which we only value the preservation, i.e., entities which we only value once they have come to exist. According to Boonin, moreover, persons are the latter sort of entity.[10] But since our focus is on the distinction between terminating

[8] Note that these 'all things being equal' and 'tend to believe' phrases are intended to acknowledge that there might be exceptions to the general rule that the more valuable we think something is, the more wrong we think it is both to deliberately terminate its actual existence and to deliberately prevent it from becoming actual. For example, in the case of abortion, we might not condemn one's preventing a potentially valuable person from becoming actual if the potential person in question was the result of rape. This article, however, will not pursue this sort of exception to the IPV-Principle – concentrating its efforts on other objections below.

[9] See *Ethics of Killing*, pp. 306 and 308.

[10] It seems to be Boonin's notion of 'existence value' that McMahan has in mind when he speaks of 'instrumental value'. McMahan, for example, states: 'To the extent that it is

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the existence of something of value and preventing something of value from coming to exist, we cannot follow Boonin and take the value of persons to be integrity value because it makes no sense to speak of something's integrity value if it does not already exist.[11]

The second point that must be made here is that the notion of value, even that of 'existence value' presupposed below, is abstract and could mean different things to different people. In particular, ethicists typically distinguish 'intrinsic' and 'instrumental' value, or worth. So one could ask whether this article's claims – and its IPV-Principle, specifically – purport to hold for entities of intrinsic *and* instrumental value or for only one of these categories of objects.

The examples in Section II below will involve entities which are themselves stipulated to be of *no value*, and this will be assumed to mean that the said entities are devoid of both intrinsic and instrumental value; they will themselves be completely worthless. If allowed to follow their natural course of development, though, these utterly worthless entities will give rise to other distinct entities which are valuable to varying degrees. The question, then, will be whether it is wrong to prevent these latter entities from existing.

Now, for the sake of clarity, it should be noted that, in the examples below, all of these latter entities will turn out to be of instrumental value – always helping to secure other goods such as health and food. Ultimately, though, there will be no reason to see our discussion of these

good or desirable that new people should exist with lives worth living, the early fetus's potential is instrumentally important'. And McMahan argues that on this conception of value, one's opposing early abortions would commit one to opposing contraception. See *Ethics of Killing*, p. 306.

[11] Three points are worth noting here. First, Boonin himself acknowledges that it only makes sense to speak of something's integrity value if it already exists. For Boonin speaks of 'the kind of integrity that you and I have, given that we do exist'. See *A Defense*, p. 42. Second, Boonin's treatment of the acorn-oak tree example confirms that we must adopt his notion of existence value in this discourse, simply addressing the objections that this notion elicits as they arise in the course of our discussion. When Boonin discusses acorns and oak trees, after all, his controlling question is: What is 'wrong about *destroying* an oak at a certain point in time . . . including when it was a budding acorn' (emphasis added)? See *A Defense*, p. 43. The very notion of destroying something, however, presupposes that it exists. Moreover, the notion of destroying 'something when it was something' presupposes that the latter something existed as the former something at the time of its possible destruction. Such presuppositions therefore must be avoided in a discourse on the alleged difference between terminating the existence of something of value and preventing something of value from coming to exist in the first place. Third, Boonin's project in *A Defense* is to show that the abortion opponent's own views naturally lead to the conclusion that abortion is at least sometimes justified. And Boonin takes the 'critic of abortion' to hold that integrity value is the sort of value that applies to persons. This article, by contrast, does not purport to lead one from the views of an abortion critic to those of an abortion defender. So there will be no principled reason for us to eschew assessing persons in terms of 'existence value', so long as we address the relevant objections to this view as they arise in the course of our discussion.

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entities, or the implications of our discussion, as restricted to entities of instrumental value. So the proposal will be that, to the extent that we see an entity as either intrinsically or instrumentally valuable, we tend to believe that it is wrong both to deliberately terminate its actual existence and to deliberately prevent a corresponding potential entity from becoming actual.

The third point of clarification here is this: the central feature of this article will be the aforementioned IPV-Principle, and the IPV-Principle will be used below to criticize the idea that abortion is permissible since it merely prevents the potential existence of something of moral worth or value – rather than terminating the actual existence of such an entity. From this, however, it should not be inferred that this article represents an argument against abortion per se. For one thing, even if fetuses were shown to be actual persons of full-blown moral worth (for which this article will not argue), it still would not necessarily follow that a fetus ought never to be aborted. One need only to read Judith Jarvis Thomson's classic 'A Defense of Abortion' to appreciate this point.[12] In addition, while Section II below will show the IPV-Principle to speak against deliberately aborting fetuses whose natural course of development stands to result in the existence of persons of value, this principle will *only* be shown to speak against deliberately aborting fetuses whose natural course of development stands to result in the existence of persons of value – which is to say that our treatment of the IPV-Principle will allow for the possibility, probed in Section III below, that it could be justified and even good to deliberately abort some fetuses if their natural course of development does not stand to result in the existence of persons of value.

To recap, then, the IPV-Principle presented above does not represent a definitive argument against abortion. As we will see, rather, the IPV-Principle provides an account of why some abortions seem wrong, of why some abortions seem worse to us than others, and of why some abortions might actually be a good thing. Furthermore, the IPV-Principle is important because it stands to regulate our intuitions about abortion and to make them more reliable.

II. POTENTIAL REVISITED

George W. Bush, again, was the potential President of the United States by mid-November of 2000, before being inaugurated, as he had already won the 2000 Presidential election. But presumably no one would have thought that Bush deserved to live in the White House by virtue of his being a potential President of the United States. One has to be the

[12] See *Philosophy and Public Affairs* 1 (1971), pp. 47–66.

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actual President to live in the White House. And this fact – that in such cases we believe that people should be treated according to who they actually are, rather than according to their potential – has been used to argue that at least early abortions are permissible. For a fetus is not actually a person at certain stages of its development, even if it is a potential person at these stages. Moreover, it is argued, an abortion at these stages of pregnancy simply prevents the existence of an actual person of moral worth or value; such an abortion does not terminate the existence of such a person.

The first point worth noting here is that while it is certainly implausible to say that an early abortion kills an actual person, it is questionable and arguably misleading to describe early abortions abstractly as but 'preventing the existence' of something of moral worth or value. For while early abortions do prevent an *actual person* from coming to exist, and while it thus can be said that such abortions do not terminate the existence of an *actual person*, it is also the case that abortions, even early abortions, deliberately terminate the existence of an already present *life* which under typical circumstances *becomes* an actual person. Abortions, in other words, do not presumably terminate one life that just gives rise to, or is loosely associated with, another. Having an abortion is not presumably like terminating someone's income – which, after thirty or sixty days, will result in the termination of one's phone service and electricity. That whose existence is terminated via abortion is presumably, numerically speaking, one and the same thing which at one time is a non-person and later turns into a person.[13]

Ultimately, though, we need not pursue the question of whether abortion is best understood as the termination of something which, if allowed to continue existing, would become or simply give rise to something of value. For the fact is that myriad examples suggest that we think it wrong to deliberately terminate the existence of something which lacks value and merely stands to give rise to something else of value. To see this, consider the following scenarios:

(1) *The Tree and Medicine Case*: Imagine that a given tree – call it the *Wondera Druga Yucca* – produces a delicious fruit which we know to cure cancer. Imagine, further, that only ten of these special Yuccas exist and that their fruit represents our only viable cancer treatment. Eating this fruit, as it were, is like undergoing our real-life radiation and chemotherapy

[13] Boonin raises this issue; see *A Defense*, p. 50. See, also, Stephen Schwarz, *The Moral Question of Abortion* (Chicago, 1990), p. 83.

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treatments, just tasty and more effective, with a 97 percent cure-rate.

(2) *The Seed and Food Case*. Imagine that we have embarked on a day-hike in the country, and we stumble upon an abandoned farm that is stocked with hundreds of seeds – seeds which, if planted, will produce a variety of vegetables. The farm, let us say, is totally abandoned and has been for a long time; we know this by just looking at the place. Hating to see things wasted, then, we intend to plant these seeds in the soil surrounding this farm – figuring that the resulting crops will grow best there. And we plan to reap a variety of vegetables come harvest season.

(3) *The Wood and Warmth Case*. Imagine that we are camping in the high Sierras and that it is early winter. It is cool out, not deadly cold, but certainly cooler than we care to experience without a campfire. And it turns out that we have thirty-five sticks at our disposal – only thirty-five – any two of which can be rubbed together to start a fire with the remaining thirty-three. Furthermore, we have no other means of starting a fire on our campout. Accordingly, we plan to rub two of our sticks together and to start a fire to keep warm.

What would we think of someone, let us say a man named John, who deliberately, for no good overriding reason, destroyed the ten special Yucca trees mentioned in our first scenario, or the seeds in our second scenario, or the thirty-five sticks in our third scenario? What would we say, in particular, if John argued: 'Hey, look, I'm not doing anything wrong by destroying these items because they are completely lacking in value – lacking in actual value'? Suppose that John continued thus:

> These trees aren't used for shade, or shelter, or anything else currently. Nor are they of any intrinsic worth: No one considers these trees aesthetically pleasing or sacrosanct. And so, too, with the aforementioned seeds and sticks. They're not edible or beautiful. Moreover, even if these trees, seeds, and sticks produce things that are valuable, the former items are distinct from the latter ones of value. And I only destroyed the former items: items that have but the potential of giving rise to objects of value. So you can't fault me for my behavior. You can't claim that I did anything wrong because I didn't destroy anything of value. All I did was to deliberately prevent something of value from coming to exist.

What are we to make of such an argument, and of one who expounds it? Do we not take John to be guilty of a serious wrong-doing, despite what he has said to the contrary?

Let us assume, for the sake of argument, that John is correct when he says that the above trees, seeds, and sticks are themselves devoid of value. Let us say that these *actual* Yuccas, seeds, and sticks are completely devoid of value, which means that if we could not get these

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entities to produce something valuable from which they are distinct, they would be useless and entirely worthless to us, intrinsically and instrumentally. Given these stipulations, would we be inclined to think that John has done nothing wrong by deliberately destroying the above trees, seeds, and sticks? Or would we say that he committed a wrong, in some of the scenarios perhaps a serious wrong, because even though the actual entities which he destroyed were of no value, these entities were well on their way to giving rise to entities of value, whose existence he was thus wrong to deliberately prevent?

One could argue that John cannot be faulted for preventing the existence of the above entities of value because if we take deliberately preventing the existence of something of value to render one guilty of a wrongdoing, then we would have to see *any way* in which one might deliberately prevent the existence of something of value as a wrongdoing. Accordingly, in our second scenario, we would have to see John as having done wrong, not only by deliberately destroying the seeds that we found at the above farm, but by not helping us find these seeds had we needed his assistance locating them. One could even argue that John's not joining us on our day-hike would have constituted a wrongdoing had he known that we needed his help finding the above seeds. And one could similarly argue that in our third scenario, we would have to see John's skipping our campout as a wrongdoing if he knew that we needed his help finding the above sticks.

Now, admittedly, these last three claims are absurd: John should not be faulted for skipping a hike or campout on which we happened to need his help locating the aforementioned seeds and sticks, regardless of whether he knew that we would happen to need his help locating them. Given this, moreover, one could argue that the above scenarios are implausible because they have absurd implications. And this objection is important. For as we saw in Section I of this article, it is often argued that if abortion amounts to preventing the existence of persons of moral worth, rather than terminating the existence of such persons, then abortion should not be considered wrong, as abstinence and contraception prevent the existence of persons but are not considered wrong. Similarly, then, one could argue that if John should not be faulted for skipping the above hike and campout, thus preventing us from obtaining the food and warmth which the concomitant seeds and sticks stood to engender, then we should not fault John for preventing us from obtaining the said food or warmth by destroying the otherwise worthless seeds and sticks.

Upon inspection, though, this objection seems less serious than one might suppose. For if, all things being equal, the more valuable something is, the more we tend to condemn deliberately preventing its existence, it is also natural to think that only when something is of

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tremendous value would we condemn *just any* manner in which one might deliberately prevent its existence – i.e., that we would condemn, not only deliberately causing there not to be one object or state of affairs, X, which *itself directly* stood to engender another of value, Y, but also deliberately causing there not to be one object or state of affairs, X′, which stood to engender another, Y′, which *in turn*, stood to engender a third one of value, Z. In addition, if all things being equal, the more valuable something is, the more we tend to condemn deliberately preventing its existence, it is also natural to think that when something is of but slight or modest value, we would not condemn just any deliberate act that ends up preventing its existence. It is plausible to think that, in such an instance, we would only condemn a deliberate act that results in there not being something which *itself* stood to engender the relevant object of value.

Given these provisos, the scenarios that we have considered need not be thought to entail that every deliberate act which prevents the existence of something valuable is wrong. In our third scenario, for example, we do not have to fault John had he deliberately skipped our campout, even if his doing so resulted in our being less than ideally warm, because our being less than ideally warm is not a tremendously bad state of affairs; nor is our failing to harvest the potential vegetables in the second scenario above. Regarding our first scenario, however, it must be granted that John would be guilty of a wrongdoing had he deliberately prevented us, in virtually any manner, from obtaining the tremendously valuable fruit of the aforementioned Yucca trees. And, yes, to address a difficult objection head on, it would seem similarly wrong to abstain from procreating if, to take an extreme example, we knew that humanity would likely die out unless as much procreating took place as possible.

Assuming that the survival of humans is of tremendous value, which seems plausible, our treatment of the above scenarios, particularly of our first scenario, suggests that even abstinence and the use of contraceptives would be wrong in the event that the survival of humans is sufficiently threatened. And while one may see this implication as absurd, I for one do not take it to be. Under such extreme circumstances, it *does* seem wrong to deliberately prevent the existence of persons, be it via abortion, abstinence, or contraception. But two points must be made at this juncture.

First, one must be careful not to infer that our argument shows abortion to be generally wrong – let alone that it shows abstinence or contraception to be generally wrong. On the one hand, Section III of this article will present several grounds for thinking that our argument in this section does not imply that abortion is generally wrong, despite perhaps suspicions to the contrary. On the other hand, even if our

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argument above *did* show abortion to be generally wrong, our argument would be consistent with the idea that abstinence and contraception are generally acceptable. One would simply have to argue that while persons or human lives are valuable enough to deem abortion wrong in general, it would only be under the sort of extreme circumstances sketched above that persons or human lives would be so tremendously valuable as to render it wrong to deliberately prevent their existence in virtually any manner (no matter how indirect).

The second point to be made here is that even if the three scenarios presented above impugn the general idea that deliberately preventing the existence of something valuable is more acceptable than is deliberately terminating the existence of such an entity, one could take these scenarios to establish nothing about abortion specifically. For the fetus whose existence is at stake in the case of abortion can be seen as inhibiting women from doing as they wish with their bodies, thus distinguishing abortion cases from the three scenarios above.

The idea here would be that a woman's body should be seen as her property, which she has the right to control. John, however, was not the rightful owner of the trees, seeds, or sticks in our original scenarios. And one could add that while we did entertain the idea that John was first to 'stumble upon' the seeds and sticks in our second and third scenarios, and while we said that it seemed wrong for John to deliberately destroy these entities for no good reason even if he had stumbled upon them first, one could argue that we *would* likely see it as John's prerogative to deliberately destroy these seeds and sticks for no good reason if they had been in his private garage prior to our hike and campout, with John simply bringing them on our excursions in order to destroy them when we most needed them.

Such behavior would be odd and mean for sure, but we *would* likely see it as John's prerogative to do as he wishes with the above seeds and sticks had they clearly existed as his private property prior to our hike and campout – the possibility of which we did not entertain above. Similarly, one could argue that deliberately preventing and terminating the existence of a fetus is a woman's prerogative in the event that its existence is inhibiting her from doing as she wishes with her body – i.e., her personal or 'private' body.

This objection is important because it is often argued that abortion is justified by virtue of its being a woman's right to do as she wishes with her body. Of course, as stated, this argument is far from definitive because it begs the question of whether women should have the right to control their bodies in a way that deliberately prevents or terminates the existence of a fetus. We, however, need not pursue this question because even if one sees it as John's prerogative to do as he wishes with the above seeds and sticks had they been his private property

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prior to our hike and campout, this just seems to reveal another way in which our first scenario differs from our second and third scenarios. Specifically, this shows our first scenario to have the most purchase against abortion – with the other scenarios simply helping to establish the extent to which our evaluation of something tends to be inversely proportionate to our evaluation of deliberately preventing and terminating its existence. For even if one is not inclined to condemn John's deliberately destroying the above seeds and sticks had he owned them all along, we would presumably condemn John's deliberately destroying the trees in our first scenario even had he owned them all along – e.g., had they been growing in his backyard. In point of fact, after all, we do not allow one to kill endangered and thus particularly valued species, such as California's Morro Bay kangaroo rat, even when they are on one's private property.[14]

Minimally, then, our first scenario above provides an account of how one could take abortion to be wrong on the condition that what results from a pregnancy is deemed valuable. And Section III below will have much more to say about this condition. Before pursuing this matter, though, a clear statement of the present section's upshot is in order.

So what follows from our argument in this section? One thing seems clear: In our three scenarios above, one's deliberately destroying an object of value and one's deliberately preventing an object of value from existing in the first place have the same consequences. Whether one destroys the *Wondera Druga Yuccas* or the medicine to which they can give rise, cancer victims will have to forego their treatment and to suffer from incurable disease. And so, too, with the other scenarios. Whether one destroys the seeds in our second scenario or the food to which they can give rise, we will be deprived of valuable food. Finally, whether one destroys the thirty-five sticks in our third scenario or the campfire to which they can give rise, we will have to forego warmth on our campout.

The above scenarios also imply that when we see something as valuable, we believe that deliberately terminating its actual existence and deliberately preventing its coming to exist can both constitute serious wrongdoings. Whether or not they are equally serious, the fact is that in some cases at least, we are inclined to think that it

[14] Code 2080 of California's Fish and Game Code states: 'No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species.' And in this context, 'taking' means to 'hunt, pursue, catch, capture, or kill' *or* to 'attempt' any of these activities. See *Fish & Game Code 2006 California Edition* (San Clemente, CA, 2006), pp. 15, 118, and 219. In addition, Codes 2081 and 2081.1 make clear that endangered species' appearing on one's private property does not exempt one from this prohibition of 'taking them'. See *Fish & Game Code*, pp. 118–19.

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is wrong to deliberately terminate the actual existence of something valuable and to deliberately prevent it from coming to exist in the first place. In addition, it makes sense that we would see both the deliberate termination and deliberate prevention of something valuable as wrong. For seeing something as valuable (i.e., as meriting a positive evaluation) seems to commit one to seeing its deprivation as bad (i.e., as meriting a negative evaluation), and it is natural to see one who is responsible for the existence of a bad (or negative) state of affairs as guilty of a wrongdoing (i.e., given that one deliberately brought the said state of affairs about, etc.).

The point here is that if one takes something to be valuable, it stands to reason that one will take its absence to be negative, as Thomas Nagel argues that to the extent that one takes one's life to be good (or bad perhaps due to poor health), one can be expected to see one's death as bad (or good qua relief).[15] If, in turn, one sees the absence of something as negative, one will presumably see this absence as such, be it the result of something's being destroyed or of its never being introduced in the first place. For if, in general, one sees something as valuable, one presumably sees it as such, whether or not it already exists. Furthermore, it seems that in general at least, the more valuable one takes something to be, the more negatively one is inclined to view its absence, be it through destruction or deprivation. This seems both true and to follow from the scenarios presented above. For we would presumably see the absence of the Yucca trees in our first scenario as worse than the absence of the thirty-five sticks in our third scenario, and this is presumably because the cancer treatment which the former stood to yield is more valuable than the comfort provided by the potential campfire in our third scenario.

If this discussion is plausible, then, the above scenarios bolster the IPV-Principle presented in Section I of this article, according to which all things being equal, the more that we see something as valuable (i.e., the more that we see something's existing as good or positive), the more wrong (or negative) we tend to think it is *both* to deliberately terminate its actual existence *and* to deliberately prevent it from existing in the first place. In addition, if the IPV-Principle is correct, it explains many people's intuition that deliberately terminating the actual existence of something deemed considerably valuable and deliberately preventing the existence of the very same entity can both be seriously wrong – even if it is also intuitive to think that deliberately terminating such an entity's actual existence is more seriously wrong than deliberately preventing the said entity's existence.

[15] See 'Death' in *The Metaphysics of Death*, ed. John Martin Fischer (Stanford, 1993), pp. 61–9.

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We can now see how the IPV-Principle might inform an opposition to abortion. For all things being equal, if one endorses the IPV-Principle, and if one sees that which stands to result from a pregnancy as considerably valuable, then one will presumably see an abortion of the pregnancy as wrong, even if one does not take the abortion to deliberately terminate the actual existence of something of value. The reason is that such an abortion would still deliberately prevent the existence of something that one takes to be of considerable value, thus violating the IPV-Principle. But while this opposition to abortion is understandable, in certain cases perhaps even justified, the IPV-Principle's implications for abortion are more subtle than we have seen in this section. In particular, although the IPV-Principle speaks against attempts to justify abortion on the grounds that it merely 'prevents the existence' of something valuable (e.g., a 'person'), further investigation is required to determine the precise extent to which the IPV-Principle speaks against abortion generally. Before we pursue this investigation, though, one final objection to the above analysis must be addressed.

Just four paragraphs back, it was assumed 'natural' to see one who is 'responsible for the existence of a bad (or negative) state of affairs as guilty of a wrongdoing', given that one deliberately brought the bad state of affairs about. One could object, however, that it does not follow from the idea that one has done something *bad* that one has done something *wrong*. Indeed, one could argue, to do something bad is one thing; to do something wrong, another. On this view, then, our argument in this section is implausible because it assumes a mistaken understanding of the relationship between 'bad' and 'wrong'.

It is surely *not* the case that 'doing something bad' and 'doing something wrong' mean the same thing, nor do these notions seem biconditional. It is entirely conceivable, after all, that even deliberately 'doing something bad', or bringing about a bad state of affairs, could be the 'right thing to do' in certain circumstances – e.g., when a person or nation is already doing something wrong and so deserves to be harmed. It is also conceivable that one be deliberately doing wrong and at least inadvertently bring about a good state of affairs. Imagine, for instance, a klutzy wrongdoer whose deliberate mischief ends up helping those it is intended to harm. But while 'doing something bad' and 'doing something wrong' are neither identical nor biconditional notions, it is still plausible to think that it is at least generally wrong to deliberately bring about bad states of affairs. To see this, moreover, simply consider the denial of this claim: the proposition that it is *not* the case that it is generally wrong to deliberately bring about bad states of affairs.

This last proposition seems patently absurd, and it is thus plausible to think that it is at least generally wrong to deliberately bring about bad states of affairs. If, in turn, it is generally wrong to deliberately

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bring about bad states of affairs, and if one takes the prevention of something good to be itself bad à la the IPV-Principle, we can see how one might see abortion as wrong – given that one sees, as good, that whose existence abortion prevents. As noted, though, more analysis is needed to determine the extent to which abortion is impugned by this article and its IPV-Principle. So let us pursue the matter without further ado.

III. ABORTION

We have seen that the abortion debate frequently focuses on the alleged difference between terminating and preventing the existence of something of moral worth or value. Opponents tend to see abortion as the deliberate killing, if not murder, of something extremely valuable – e.g., of persons, of human life, of *a* human life, etc. Defenders of abortion, in turn, tend to argue that fetuses are not themselves actual persons or anything of moral significance. At most, they say, a fetus is a potential person; so abortion does not kill a person, but rather prevents one from coming to exist, as happens anytime one abstains from sex or uses contraceptives.

If this article is correct, though, the abortion debate should not focus on the alleged difference between killing something and preventing it from existing. This whole debate, in fact, seems like a red herring. For given our treatment of the IPV-Principle, the fact is that regardless of whether abortion is seen as a deliberate act of killing or of prevention, to the extent that we deem valuable that which results from a pregnancy, we are inclined to deem abortion wrong. So the real question becomes: How valuable *is* the entity which abortion either kills or prevents from coming to exist?

One might be tempted to think that given the IPV-Principle, and given that abortion involves either the deliberate killing or deliberate prevention of human life, it is extremely wrong to have an abortion – human life, on this view, being an extremely valuable thing. This, moreover, is a natural inference to draw from the IPV-Principle. But two questionable assumptions are being made by this inference.

First, should we be evaluating abortion *simpliciter* or particular abortions? That is, should the abortion debate be framed as a debate about the permissibility of the general practice of abortion? Or should the issue of abortion be evaluated on a case-by-case basis? Is it even reasonable to expect that we can obtain a blanket answer to the question of whether abortion is acceptable? Is abortion the kind of issue, like slavery, of which we should someday be able to say that it *just is or is not* acceptable in a given society? Or is abortion in this sense

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more akin to lying, which is presumably acceptable in some instances but wrong in others?

Second, and related, should we be discussing the value of human life *simpliciter*? Or should we be assessing individual human lives and their prospects? Is it the case that human life is itself valuable, that all human lives are in a sense equally valuable, and that they should thus all be equally allowed to realize their potential? Or is it the case – controversial, to be sure, but still perhaps true – that some human lives are not valuable? Is it possible that not all human lives are equally valuable or sufficiently valuable to warrant being brought to fruition?

These are difficult questions which will not be answered definitively in this article. It should, however, be understood that the above issues show it to be hasty to assume that this article entails that all abortions are wrong – or even that *any* abortion is necessarily wrong. For on the view defended in this article, which is to say according to the IPV-Principle, whether abortions are right or wrong depends on how valuable that which results from a pregnancy is. So again, on the one hand, if this entity is valuable, then an abortion's even deliberately preventing it from coming to exist would be seen as wrong, all things being equal. On the other hand, it must be observed that if that which results from a pregnancy is negative in value, then one would be not merely permitted to have an abortion, as on certain 'defenses of abortion'. According to the IPV-Principle, one would be doing a good thing by deliberately preventing such an entity from coming to exist.[16]

Now, granted, one could object at this point: What sort of human being is so 'negative in value' that it would be a good thing to deliberately prevent him or her from coming to exist? This is a very tricky issue, and it merits an extended investigation of its own because there is room for intelligent disagreement about where to draw the line between humans who should and should not be deliberately prevented from coming to exist. For a possible example of a human of the former sort, though, imagine an anencephalic human that is not wanted or cared for by its parents, that cannot be used for scientific research or as an organ donor, and that can be maintained only by the state, whose medical resources are finite and scarce. And for another interesting possibility, imagine a context in which our planet is so overpopulated that the addition of virtually any humans decreases the prospects of our planet's sustaining life in the future. Under such (theoretical?) circumstances, would not

[16] Boonin is an example of someone who argues that an abortion can be permissible but still not necessarily good. As he explains, '[I]t follows . . . that the claim that an action is permissible does not justify the conclusion that it should be performed. So even if we conclude that it is morally permissible for a woman to have an abortion, it will not follow that having an abortion is what she ought to do' (see *A Defense*, p. 7).

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preventing the existence of most additional humans be a good thing (i.e., save those whose contributions would outweigh the additional stress that their existence would put on the planet)?

Given the IPV-Principle, if human persons in general become too numerous and pose a threat to the sustainability of the environment, then their existence at those levels could be seen as negative, with the deliberate prevention of additional human persons representing something positive. And it was with such possibilities in mind that the issue of context was raised above. For it is entirely conceivable that abortion (qua the deliberate prevention of something's coming to exist) could be wrong in some contexts (e.g., when that which results from a pregnancy is deemed good) but right in other contexts (e.g., when that which results from a pregnancy is deemed bad).

At this point, however, the present discourse faces another objection because according to the IPV-Principle, to the extent that something is of value, deliberately preventing it from existing *and* deliberately terminating its existence are wrong. Given this, in turn, one could argue that, to the extent that something is negatively valued, deliberately preventing and terminating its existence would both have to be, not merely justified or pardonable, but good. And so one could further argue that, according to the IPV-Principle, if full-blown persons are, in general, deemed a burden on the environment and negative in value, then it would not only be a good thing to deliberately prevent their existence; deliberately killing such persons would have to be good as well. But the thought of deliberately killing persons to relieve the environment of a burden seems absurd – indeed, frightening.

Two points must be made in response to this objection. First, we have allowed all along that even if it is wrong both to deliberately terminate the actual existence of something of value and to deliberately prevent such an entity from coming to exist, the former is more wrong than the latter. Second, we have said that if something is of value, it would have to be of tremendous value for us to condemn just any deliberate means of preventing its existence. For example, we would have to see a potential person as tremendously valuable to think it wrong to deliberately prevent him or her from existing by using contraceptives. Given these provisos, then, the IPV-Principle would only sanction deliberately killing a full-blown person under the most dire circumstances – much more dire than those which render it good to prevent a person from existing. And it goes without saying that such circumstances would not include something's being just any sort of 'burden on the environment'.

If we found that, when alive, someone's body harbored a highly contagious life-threatening disease that could not be quarantined, vaccinated against, or cured, deliberately killing him or her, this,

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while tragic, would presumably be a good thing overall – i.e., for the sake of the 'greater good'. And to address another difficult objection head on, if the quantity of human persons on our planet stood to destroy the environment and thus humanity itself if not drastically reduced, presumably it would be another tragic but good thing overall to deliberately kill many human persons. For it would be odd, at best, were the prescriptions of morality not in line with the preservation of at least some human persons. After all, barring 'Divine Command Theory' and suchlike, morality is a cultural phenomenon that is the product of such persons.

To be perfectly clear, then, the IPV-Principle presented in this article *does* imply that deliberately killing certain full-blown persons *could* be good; this theoretical possibility must be granted. It must be underscored, however, that the IPV-Principle, as explicated here, only implies that deliberately killing a person could be good under the most extreme, and thus rare, circumstances – circumstances, moreover, that seem, pre-theoretically, to warrant killing a person. So it should not be inferred that, according to the IPV-Principle, deliberately killing persons is generally good or an easily justified action. This simply does not follow from our argument. Some controversial claims, however, *do* follow from our argument. This article will therefore conclude by reiterating the central positions which it has and has not defended.

IV. CONCLUDING REMARKS

Abortion is a difficult topic, and the first point that must be underscored here is that this article in no way purports to resolve the difficulty surrounding abortion. On the contrary, in almost Kierkegaardian fashion, it likely makes the abortion debate more difficult than it already was because this article does not provide an account of how abortion *simpliciter* is either right or wrong.[17] Rather, this article carves out a sort of middle ground on the abortion debate, according to which some abortions would be quite wrong, some abortions would be less so, and some abortions would not be wrong at all, even being a 'good thing'. Ultimately, though, the aim of this article is simply to illuminate the abortion debate: to shed new light on what continues to be a tough issue, both in theory and in practice. So what light does it purport to shed on abortion?

This article's primary aim was to illuminate our intuitions against abortion, and there are at least two reasons for doing so. First, many

[17] In the first volume of his *Concluding Unscientific Postscript* (Princeton, 1992), pp. 185–8, Kierkegaard claims to have seen his life mission as that of 'making difficulties' wherever he found life to have become 'too easy' – e.g., in 'Christendom'.

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people are opposed to abortion outright. And this is true of both educated and uneducated people, philosophers and non-philosophers alike. Second, there are some powerful defenses of abortion in the literature, e.g., in the work of Singer, Boonin, and McMahan. In particular, these thinkers have persuasively criticized what is likely the most common argument against abortion: the 'argument from potential'. Yet many people who encounter these criticisms, including Grade-A philosophy students and bona fide philosophers, end up endorsing the argument from potential at the end of the day.

For these reasons, then, this article has probed the common intuition that there is something to the argument from potential. And it has attempted to identify the principle which underlies this intuition: the IPV-Principle. Interestingly, though, the IPV-Principle not only seems to underlie much sympathy with the argument from potential and to provide a theoretical basis for condemning certain abortions. The IPV-Principle seems to sanction certain abortions as well. Indeed, as seen, the IPV-Principle seems to provide a basis for seeing certain abortions as, not merely justified or permissible, but *good*.

These findings, of course, make this article controversial. On the one hand, this article's defense of the argument from potential will cost it fanfare among defenders of abortion. On the other hand, its countenancing the idea that an abortion can be good will outrage opponents of abortion. In the last analysis, then, this article will likely have few, if any, allies in the abortion debate – vexing proponents and opponents alike. Hopefully, however, it will push the debate forward because abortion is a topic that is as important as it is difficult.

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