

Inconsistency arguments still do not matter

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ABSTRACT

William Simkulet has recently criticised Colgrove *et al*'s defence against what they have called inconsistency arguments—arguments that claim opponents of abortion (OAs) act in ways inconsistent with their underlying beliefs about human fetuses (eg, that human fetuses are persons at conception). Colgrove *et al* presented three objections to inconsistency arguments, which Simkulet argues are unconvincing. Further, he maintains that OAs who hold that the fetus is a person at conception fail to act on important issues such as the plight of frozen embryos, poverty and spontaneous abortion. Thus, they are morally negligent. In response, we argue that Simkulet has targeted a very narrow group of OAs, and so his criticisms are inapplicable to most OAs. We then explain why his responses to each of Colgrove *et al*'s objections do not succeed, even for this restricted group. Finally, we note that Simkulet fails to provide evidence for his claims regarding OAs' supposed failures to act, and we show that OAs veritably do invest resources into these important issues. We conclude that Colgrove *et al*'s reasons for rejecting inconsistency arguments (*en masse*) remain intact.

THE TARGET OF INCONSISTENCY ARGUMENTS

William Simkulet¹ has recently criticised Colgrove *et al*'s defence against what they have called inconsistency arguments.² Inconsistency arguments aim to show that opponents of abortion (OAs) act inconsistently with their underlying beliefs about human fetuses (eg, that human fetuses are persons). In response to Colgrove *et al*, Simkulet argues that those who hold that fetuses are persons at conception (PAC) believe that fetuses (and therefore all persons) have 'a positive right to life', and this implies PAC theorists should act on a variety of issues such as spontaneous abortion, poverty and capital punishment—which they fail to do.¹ He goes on

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to criticise Colgrove *et al*'s objections to inconsistency arguments.

From the outset, Simkulet's response misses the target. At a minimum, OAs are those who affirm that elective abortion is morally impermissible—and this does not entail an obligation to provide resources to those in need, do more to prevent spontaneous abortion, etc. If OAs have an obligation to aid those in need, this obligation must come from some commitment other than their (mere) opposition to abortion. Simkulet essentially concedes this point when shifting the discussion from OAs generally (who were the subjects of Colgrove *et al*'s essay) to a focus on certain OAs—PAC theorists.

Yet, PAC theorists (generally) are not really Simkulet's target either. Rather, he focuses on a kind of PAC theorist: those who also hold that people have 'a positive right to life' (ie, 'a right to be given what they need to survive').¹ We are unaware of any PAC theorists who affirm this 'positive right.' After all, it is widely accepted that people who need an organ for survival do not have a right to take it from unwilling donors.^{3,4} Thus, Simkulet's arguments only target a *very* small subset of OAs overall (if any): PAC theorists who also believe in a 'positive right to life.'ⁱ We do note, however, that people's lack of a positive right to life does not eliminate our moral obligations towards persons who we have the ability to save. Of course, such obligations apply not just to OAs, but to us all.

OTHER BELIEFS OBJECTION

The first major objection to inconsistency arguments that Colgrove *et al* advance is the 'Other Beliefs Objection.'² This objection states that OAs (including PAC theorists) hold other beliefs that may explain what Simkulet regards as their 'apparent indifference' to other relevant issues (eg, spontaneous abortion).¹ Simkulet is unconvinced that other beliefs PAC theorists might hold

ⁱDoes rejection of a 'positive right to life' undermine OAs' opposition to abortion? No. As Hendricks shows, OAs may maintain that fetuses have a right to use their mothers' bodies, even though a positive right to life does not exist.⁴

are sufficient—he argues this indifference must be justified by their other beliefs, and he is sceptical this is possible.¹

In response, there is an obvious belief that justifies PAC theorists' actions and priorities—PAC theorists believe that induced abortion is a more important priority than these other issues. This is not an unfounded belief. As Blackshaw and Rodger explain, induced abortion is the leading preventable cause of death of human beings, as spontaneous abortions are largely unpreventable.⁵ If OAs sincerely believe these claims, then they are acting consistently with their beliefs, and the Other Beliefs Objection succeeds.

Simkulet may object that the 'other belief'—that spontaneous abortions cannot, on the whole, be prevented—is false. But that changes the subject. Whether the belief is true or false is a different issue than whether or not the inconsistency argument has been undermined. It has been undermined, very easily. That is Colgrove *et al*'s point: the Other Beliefs Objection shows that inconsistency arguments are fragile.² If critics of PAC theorists want to change the subject—to examining whether the things PAC theorists believe are true or false, rather than fixating on PAC theorists' alleged inconsistency—then Colgrove *et al*'s essay has succeeded.

We note, in passing, that Simkulet's response makes the error common to most PAC critics: he treats spontaneous abortion as a single *cause* of death that overwhelms all other causes, including induced abortion.ⁱⁱ Spontaneous abortion is not a cause of death, however; the term denotes the death of the embryo or fetus without outside intervention.^{5,6} It has many causes, the leading one being chromosomal abnormalities, which are not currently preventable.^{5,6}

OTHER ACTIONS OBJECTION

Next, the 'Other Actions Objection' states that 'there are often many different options for acting on one's beliefs.'² Before accusing PAC theorists of inconsistency regarding a particular issue (such as spontaneous abortion), the objection requires that their other actions be considered. Simkulet misunderstands this objection, framing it as the claim that 'PAC theorists may have other possible (consistent, moral) methods to address the problems at hand rather than those proposed

ⁱⁱAs Simkulet puts it, 'spontaneous abortion kills more people than all other causes combined.'¹

by inconsistency theorists.¹ The Other Actions Objection is concerned, however, with how PAC theorists act on their beliefs, not how they address certain issues. The primary belief in question is PAC. Rather than criticise the response of PAC theorists to particular issues (eg, spontaneous abortion), critics should examine whether their actions are consistent with PAC.

Opposing induced abortion is clearly consistent with PAC. The pertinent question is whether it is inconsistent of PAC theorists to focus on this particular issue more than on other issues. Induced abortion is the leading preventable cause of death for all human beings, however, so charges of inconsistency seem dubious.⁵ Relatedly, as Colgrove notes, the number of lives affected is not the only relevant factor—PAC theorists must also consider the probability of success in their efforts.⁶ Preventable causes can reasonably be preferred over apparently intractable ones. Focusing heavily on a single issue (that one's beliefs indicate is important) may be prudent as well, rather than trying to address every possible issue. This is not to say PAC theorists should ignore other issues. But the question is whether or not it is reasonable to focus more heavily on elective abortion than other issues; Simkulet's arguments fail to demonstrate that such prioritisation is unreasonable.

HYPOCRISY OBJECTION

Against inconsistency arguments, the hypocrisy objection claims that even if PAC theorists are shown to act inconsistently with their beliefs, all this demonstrates is that they are hypocrites (not that their beliefs are wrong).² Simkulet cites Francis Beckwith's claim that this is an ad hominem fallacy and argues that Beckwith is mistaken.^{1,7} Rather than a purely personal attack, Simkulet claims, these criticisms are predicated on a person's specific beliefs and their implications.

Suppose that is correct. Even so, such criticisms hardly advance the debate regarding claims made by PAC theorists (eg, that abortion is impermissible). Perhaps some, or even most, PAC theorists are hypocrites. Perhaps some, or even most people are hypocrites. But that does not affect the truth or falsity of PAC theorists' beliefs.

ARE PAC THEORIST HYPOCRITES?

Claims of apparent hypocrisy are rife throughout Simkulet's response. PAC theorists allegedly fail to address issues such as spontaneous abortion, the plight of surplus frozen embryos and child

hunger.¹ Child hunger is especially prominent in Simkulet's discussion. For instance, he describes a thought experiment concerning Jack, who shares a room with a starving child. Jack has a surplus sandwich he could offer the child. Jack, however, chooses to let the child starve to death because he has other ways of dealing with the problem of child starvation, such as 'raising awareness.'¹ Of course, this is morally horrendous. Yet, Simkulet claims, it illustrates how PAC theorists act with regard to child hunger and other relevant issues.

This illustration is problematic in several ways. First, PAC theorists are not sharing a room with a starving child who they could easily save. They live in a world where there are many important issues clamouring for their attention. A better illustration would be to place Jack in a large room with 100 children, some starving, some sick, and some in danger of being killed. Jack, however, only has the resources to save one child, which he does, choosing the nearest starving child and giving her his sandwich. His critics (eg, Simkulet) would then claim Jack did not care about the other children, but of course, he did.

Second, the revised thought experiment makes clear another failure throughout Simkulet's response: his suggestion that addressing relevant issues (spontaneous abortion, etc) would be as easy as handing a hungry child a sandwich. As we have shown, addressing spontaneous abortion is not 'easy'—and neither are issues such as surplus IVF embryos and child hunger. On this point, Simkulet asserts that 'legislation restricting the creation of surplus IVF embryos is relatively morally innocuous and would face little opposition.'¹ Not so. Italy, for example, passed a law in 2004 prohibiting the freezing of embryos, and requiring that all embryos be implanted.⁸ The law was swiftly condemned, eventually overturned and, in one case, actions prescribed by the law were declared by the UN to have constituted a 'human rights violation.'⁹ Thus, relevant laws would likely face *international* resistance. So, a central problem Simkulet puts forth as having an 'easy' solution does not.

Third, Simkulet offers no empirical evidence for his claims regarding PAC theorists' supposed lack of interest in relevant issues. He seems largely unaware of organisations such as the Roman Catholic Church, which rejects abortion while having been long committed to hunger relief programmes; many Protestant denominations also reject abortion and are heavily involved in hunger charities, both

locally and globally.ⁱⁱⁱ The Roman Catholic Church has also been vocal for decades on issues such as in vitro fertilisation,¹⁰ and groups such as the Thomas More Society have lobbied for stricter laws on frozen embryos.¹¹ And, as Colgrove *et al* noted, 'the practice of 'embryo adoption' is almost exclusively one that takes place within the prolife community.'²

Ultimately, Colgrove *et al* stated that critics of PAC theorists 'should present empirical support that substantiates' their claims (eg, that PAC theorists are inactive or indifferent towards relevant issues).² Simkulet's response makes no attempt to do so.¹ If anything, the data suggest that the opposite is true.

CONCLUSION

We have argued that Simkulet has failed in his criticisms of Colgrove *et al*'s objections to inconsistency arguments. Further, when it comes to the question of whether or not OAs are 'doing enough,' 'indifferent' or 'inactive' concerning issues like spontaneous abortion, surplus embryos, child hunger, etc, rather than recycling stereotypes of OAs without any evidence, we ask that critics substantiate their assertions about what OAs (supposedly) fail to do.

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ⁱⁱⁱThese include, for example, World Vision, TearFund, World Hunger Relief, Food for the Hungry, Bread for the World, Samaritan's Purse.

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REFERENCES

- 1 Simkulet W. The inconsistency argument: why apparent pro-life inconsistency undermines opposition to induced abortion. *J Med Ethics* 2021. doi:10.1136/medethics-2020-107207. [Epub ahead of print: 20 May 2021].
- 2 Colgrove N, Blackshaw BP, Rodger D. Prolife hypocrisy: why inconsistency arguments do not matter. *J Med Ethics* 2020.
- 3 Flaherty J, Shimp Mv. 10 PA. D. & C. 3d 1978;90.
- 4 Hendricks P. My body, not my choice: against legalised abortion. *J Med Ethics* 2021. doi:10.1136/medethics-2020-107194. [Epub ahead of print: 18 May 2021].
- 5 Blackshaw BP, Rodger D. The problem of spontaneous abortion: is the pro-life position morally monstrous? *New Bioeth* 2019;25(2):103–20.
- 6 Colgrove N. Miscarriage is not a cause of death: a response to Berg's 'abortion and miscarriage'. *J Med Philos forthcoming* 2019.
- 7 Beckwith FJ. *Defending life: a moral and legal case against abortion choice*. Cambridge: Cambridge University Press, 2007.
- 8 Riezzo I, Neri M, Bello S, et al. Italian law on medically assisted reproduction: do women's autonomy and health matter? *BMC Womens Health* 2016;16(1):1–7.
- 9 Scaffidi S. Forced pregnancy in Italy violated 'woman's human right to health', UN experts rule, 2019. Available: <https://news.un.org/en/story/2019/03/1035601> [Accessed 31 May 2021].
- 10 Paul J. I appeal to world's scientific authorities: halt the production of human embryos! 1996. Available: <https://www.ewtn.com/catholicism/library/i-appeal-to-worlds-scientific-authorities-halt-the-production-of-human-embryos-8784> [Accessed 31 May 2021].
- 11 Thomas More Society. Frozen embryos, people or Propertyproperty? Thomas more Society attorney explains, 2016. Available: <https://thomasmoresociety.org/frozen-embryos-people-or-property-thomas-more-society-attorney-explains/>