

Abortion and the Morality of Nurturance

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I

The moral problem of abortion seemed simple to describe, if not resolve. There was consensus that at least some methods of birth control — avoiding or preventing the development of a conceptus — were not wrong. There was consensus that it was wrong to kill another person like ourselves. The problem seemed to be this: when in the development toward adult life does it become wrong to prevent or terminate that development? The conservatives said, 'from conception.' Liberals said that it became wrong after viability, or after birth, or after early infancy. Some moderate liberals have argued that there is an intermediate stage where stopping the development of a fetus is wrong — but not the same as killing a person — because of the fetus's similarity to or potential to become a person. While all agree on the moral principle that it is wrong to kill another person, there has been little progress toward agreement on how this principle applies to the fetus.¹

1 The conservative position on abortion is stated by John T. Noonan, Jr., 'An Almost Absolute Value in History,' in Noonan, ed., *The Morality of Abortion* (Cambridge, MA: Harvard University Press 1970) 1-59. The last several pages are frequently reprinted. A more developed argument for the conservative view is given by Baruch Brody, *Abortion and the Sanctity of Human Life* (Cambridge, MA: MIT Press 1975). A widely discussed presentation of an extremely liberal position (defending the innocuousness of infanticide) is Michael Tooley, 'Abortion and Infanticide,' *Philosophy and Public Affairs* 2 (1972) 37-65. Tooley amplifies his argument in *Abortion*

The present paper explores a different approach. Perhaps the abortion controversy derives less from disagreement about how to apply the principle prohibiting the killing of another person and more from the part of our morality that concerns parental duties of nurturance to the young: what are our duties to our offspring? when do those duties take hold?²

The proposal that the abortion controversy is a dispute about the morality of nurturance brings a number of issues into focus: it gives a better articulation of the objection to abortion than the claim that abortion is murder; it allows us to understand why many believe that later abortions are morally more problematic than earlier ones; it puts the issue of abortion in the context of the morality that governs family life; and, most important, it allows us to understand why there is, on the one hand, a connection between conservatism on abortion and traditional women's roles and, on the other, a connection between liberalism and affirmation of equality between men and women.

and Infanticide (Oxford: Clarendon Press 1983). Mary Anne Warren defends a similar position, but tries to back off on the issue of infanticide, in 'On the Moral and Legal Status of Abortion,' *The Monist* 57 (1973) 43-61. Martha Brandt Bolton, 'Responsible Women and Abortion Decisions,' in Onora O'Neill and William Ruddick, eds., *Having Children* (New York: Oxford University Press 1979) puts the issue of abortion in the context of the array of moral responsibilities that may be part of a woman's life. The papers by Noonan, Warren, and Bolton are reprinted in Ronald Munson, ed., *Intervention and Reflection*, 3rd ed. (Belmont, CA: Wadsworth Publishing 1988).

I use the terms 'conservative' and 'liberal' for what are sometimes called the 'pro-life' and 'pro-choice' positions because I believe the latter terms are politically more loaded and less accurate. As I will argue, the former terms capture the essence of much of the political difference between the two camps.

- 2 Carol Gilligan, *In a Different Voice* (Cambridge, MA: Harvard University Press 1982) suggests that women's orientations toward moral problems are often different from those of men. She does not suggest what is proposed here: that both men and women have within their repertoires of moral competence both the morality of relations between adults and the morality of nurturance. Also the morality of nurturance is not the same as what she calls ethic of care, which is a fully developed orientation toward moral problems. Still, this work is relevant to the discussion at hand. For the morality of relations between adults is the morality that governs the relations between agents in the world of business and commerce in capitalist societies, a domain of social life traditionally dominated by men. The morality of nurturance, in contrast, is an important component of the morality that governs family relations, where women have traditionally concentrated their concerns.

II The Morality of Nurturance

The central norm of the morality of nurturance is that it is the duty of parents to nurture their offspring, to provide them with sustenance and guidance until they reach self-sufficiency.³ Evidence that we accept this norm is found in laws requiring child support and punishing child neglect and in our moral condemnation of those who abandon or neglect, and particularly those who abuse their children. The norm applies in the first instance to biological parents and to others only by special arrangement. I am concerned with this norm as an important component of the morality of our culture, although I suspect that *some* principle regarding care of the young is part of the moral norms of every human society.

It may seem that the application of this principle to the fetus raises essentially the same problems as applying the principle prohibiting the killing of another person: in one case we must decide when something is a person, in the other when something is 'one's offspring.' But while the problems are parallel in many ways, they are different. The paradigm of someone protected by the principle prohibiting the killing of another is an adult with developed capabilities. The paradigm of one protected by the morality of nurturance is precisely the undeveloped, vulnerable, and dependent being biologically related to us. One reason that our babies have a moral claim on our care is precisely that they are not developed beings.

There are other significant differences between the two principles. It is during the transition from infancy to adulthood that we come to regard someone as a person, but, as I will argue in this section, it is *during pregnancy* that we come to regard something as our baby to be protected and nurtured. And, as we shall see in the next section, while both the concept of a person and that of an offspring are ones that we come to apply as a being acquires more and more characteristics paradigmatic of the concept, in borderline cases our conception of women's roles may

3 The suggestion of this paper is that this norm is part of the morality of our culture. I doubt that the morality of nurturance is derivable from principles governing moral relations between adults, the principle prohibiting killing of another person being paradigmatic of morality between adults. Hence I doubt the significance of both the attempts to derive a prohibition on abortion from potential to become an adult like ourselves, and the vindications of abortion which rely on criticisms of such arguments. For the latter see Tooley, *Abortion and Infanticide*, 178-83. Since the purpose of the present paper is only to understand the abortion debate, I adopt, methodologically, a moral intuitionism which articulates the moral imperatives commonly accepted in our culture.

be decisive in determining when we should regard something as our offspring.

Duties of nurturance, at least as they are understood in our society, apply paradigmatically to newborns.⁴ By a natural extension of principles specifying our nurturing duties toward children, we condemn abuse of the fetus with drugs or alcohol. (Of course, moral condemnation of *addicts* may be pointless and inappropriate.) Well before birth we come to believe we are bound by a responsibility to care for the fetus and its future. We may feel obligated to give up cigarettes, alcohol, prescription drugs, and aspirin and to maintain a well balanced diet including adequate vitamins. We may take walks or swim. (These changes usually apply more particularly to the mother; others may apply equally to both parents.) We may take out insurance, stop picking up hitchhikers, sell the motorcycle, and try to drive more carefully. We may find a new place to live, paying particular attention to the schools in the neighborhood. If a rift has developed with the family of one of the parents, there may be an effort to repair it. We do these things because we believe ourselves responsible to a developing life; we are coming to regard the fetus as our offspring and ourselves as parents.

Neither our sense of responsibility toward the fetus nor a corresponding loving attitude springs suddenly into existence. As Rawls has stressed, there is a connection between the development of natural attitudes and of moral responsibilities: the attitudes entail moral commitments and among the commitments are to have certain attitudes.⁵ It is our responsibility to love this child because without this love she cannot be properly nurtured.

As soon as we accept our pregnancy, we cultivate feelings which will allow this child to develop. We may personify the fetus, giving the fetus a name, not the name it will bear as a separate person, but a whimsical fetal name. The parents stroke the abdomen of the expectant mother, talking to and about the fetus. As the fetus grows, the personification of

4 I would speculate that our abhorrence of infanticide is related to the development of the technology of birth control. Societies that have had to limit population but have not had contraceptive technologies (all human societies throughout most of human prehistory) almost certainly had to practice infanticide. However emotionally difficult such a practice may have been, it was probably not severely condemned morally. The present controversy over abortion is probably partly due to the availability of pre-conceptive means of population control.

5 John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press 1971), 453-512 ('The Sense of Justice'), esp. 485-90

the fetus becomes more intense: we may scold it for taking up too much room, moving about and kicking, or getting the hiccups.⁶

I have described here how the morality of nurturance takes hold when we accept our pregnancy. But when a woman becomes aware that she is pregnant, she may not accept her pregnancy. She may, in fact, regard the thing developing inside her as alien.⁷ Accordingly, she may seek to terminate the pregnancy if she can find a way to do so. It is true that in accepting a pregnancy, we begin to accept responsibility to nurture that fetus, to regard it as an offspring, and to develop the corresponding attitudes. But are we morally required to accept the pregnancy? I will turn to this question shortly.

III Nurturance, Abortion, and Women's Roles

Once it is accepted that a fetus is an offspring protected by the central norm of the morality of nurturance, it is easy to derive a condemnation of abortion. Recall the widely displayed photograph of the feet of an eight week fetus held in the fingers of an adult hand. We are supposed to respond, 'It's a miniature *baby!*' To destroy that is to destroy what we should nurture. By showing us an enlarged picture of tiny feet, appeals such as this try to convince us that the fetus is already an offspring.

The suggestion of this paper is that the morality of nurturance is central to the abortion debate. If this suggestion is correct, then the arguments of Warren, Tooley, and many others that the fetus lacks those characteristics that make one a full-fledged person, a member of the moral community, may be correct, but fail to respond to objections to abortion derived from the morality of nurturance. *Of course* the fetus is not a full-fledged person; it is, after all, a baby, or becoming one, and in need of our care if it is to become a full-fledged person. The duties of nurturance are strongest precisely when the one to be nurtured lacks developed human capacities.

6 For a published description of the personification of the fetus in late pregnancy see Barbara Katz Rothman, *Recreating Motherhood* (New York: Norton 1989), 97-105.

7 The idea that accepting a pregnancy is a crucial stage was suggested to me by a discussion with Charlotte Jackson. Laura Coleman pointed out to me that one can carry to term and never accept the pregnancy or develop a nurturing attitude. See Sandy Robey, 'Weighing the Mother Load,' *The Chicago Tribune*, May 14, 1989, Sect. 6, 1 for an account of a decision to accept a pregnancy. In that case, however, it seemed that nurturing attitudes were already at work in that decision. This suggests that the physical development of the fetus, combined with our awareness of what it will become, can cause us to accept a pregnancy.

But Warren, Tooley, and the others were in fact only responding to the way the issue was defined by the conservatives on abortion. It was Noonan and others who argued that abortion is the taking of a human life comparable with the life of the mother. If this were true, then legal penalties for abortion should be comparable to those for any other murder. Few opponents of legal abortion are willing to accept the full consequences of the view that abortion is murder.⁸

If the morality of nurturance is the hidden issue in the abortion debate, then the condemnation of abortion is not condemnation of it as murder, a term whose paradigmatic application is to the morality between adults. As a violation of nurturing duties, abortion is less and more than murder. It is more than murder just as stuffing a newborn baby into a garbage can shocks us in a special way: we wonder what kind of monster could kill its own child.⁹ What shocks us about infanticide is that it violates the morality of nurturance. Yet abortion and infanticide both are significantly less than murder. We are appalled by infanticide, but many human societies have tolerated it at the same time as they condemned murder.¹⁰ The suggestion of this paper is that we accept Tooley's claim that abortion and infanticide are akin but recognize that there are serious objections to both based on duties of nurturance. If this is correct, the concession that abortion is not murder does not end the argument about tolerating it. If the morality of nurturance can generate a condemnation of infanticide or abandonment of an infant, then it may also generate a condemnation of abortion.

So the condemnation of abortion within the morality of nurturance is not the same as the condemnation of murder, but carries comparable emotional and moral weight. Earlier I said that once we accept a pregnancy, the morality of nurturance begins to take hold: we come to regard the fetus as an offspring and come to believe ourselves responsible for its care. I earlier set aside the question whether we are morally required to accept our pregnancies. Now we must deal with that question.

8 But see Brody (63) for an attempt to explain why we might treat this particular instance of murder differently. I assume here that the conservatives are wrong, that abortion is not murder and that Warren and Tooley are correct. Otherwise there is no need for an alternative conception of the objection to abortion.

9 Of course, someone who does this is not necessarily a monster, but someone who, for whatever reason, did not develop a nurturing attitude toward this baby.

10 Infanticide is a common form of birth control when there are few other ways to limit births. See, for example, Marvin Harris, *Cultural Anthropology* (New York: Harper and Row 1983), 56-7. Killing of children may be murder *and* a violation of the morality of nurturance.

The morality of nurturance requires us to care for our offspring, but when does something become 'our offspring'? Just as we gradually acquire the characteristics of personhood, so also, at an earlier stage of our development, the ovum, zygote, blastocyst, embryo, and fetus gradually acquire the characteristics of an offspring. By the time a pregnancy has reached the ninth month, the fetus is an offspring of its parents. The facts speak too clearly for there to be room for dispute. We have duties to nurture the nine month fetus. But earlier in the pregnancy there is room for argument. Just as, in the case of personhood, any decision that 'now this is a person' seems arbitrary, so also any judgment that 'now this is your baby and you must care for it' also will seem arbitrary. So, at least in the case of the early fetus, the morality of nurturance cannot tell us that now something is our offspring and that a pregnancy must be accepted.

Because the fetus gradually becomes more and more like a baby, most of us believe that later abortions are morally and emotionally more problematic. Even if there is no precise point at which it is clear that the morality of nurturance must apply to the fetus, it is clear that the longer we wait to abort, the more like a baby is the thing we destroy. Conversely, for most of us early abortions seem consistent with the morality of nurturance. But not everyone would agree. For some people there are *other* considerations that lead them to apply the morality of nurturance to the early fetus. These people believe that all pregnancies must be accepted.

It is part of a traditional conception of a woman's role that a sexually active woman should bear and nurture children. On this conception a pregnancy is a fulfillment of one's role. Combining this traditional conception of a woman's role with the morality of nurturance generates a condemnation of abortion: it is our duty to accept our pregnancies and to nurture developing human life. The traditional morality of a woman's role leads us to apply the morality of nurturance to the early fetus (and even to earlier forms). It thus leads us to classify the early fetus as an offspring and hence generates the condemnation of even early abortions as akin to infanticide.¹¹

11 This conception of women's roles *by itself* is enough to generate a condemnation of abortion, but not as akin to infanticide. That is, this conception of women's roles does not by itself explain the focus on the fetus by the opponents of abortion.

If I am right about the importance of the conceptions of women's roles to the abortion dispute, then the issue of abortion was raised in a more forthright way in the nineteenth century when, according to Linda Gordon, the criminalization of abortion was justified on the grounds that 'abortion was a sign of women's selfish-

IV Explaining the Abortion Controversy

The greatest advantage of interpreting the abortion controversy as a dispute centering on the morality of nurturance is that it allows us to understand what issues separate conservatives and liberals. The morality of nurturance generates a condemnation of all abortions when combined with a traditional conception of women's roles. This suggests that there are two foci of the dispute about abortion: (1) what does the morality of nurturance require of us, and (2) what is the proper role of women? These are in fact two major issues that separate conservatives and liberals.

If the abortion controversy really centers on the morality of nurturance, then one would expect that conservatives would see themselves as defenders of children and would perceive liberals as failing to appreciate our nurturing duties toward children. This is precisely what we find. Kristin Luker's study of activists is a rich source of data on (and useful interpretations of) the outlooks of both conservatives and liberals.¹²

We can draw the following (oversimplified) portrait of the conservative attitude toward duties of nurturance: duties of nurturance represent the highest expression of human morality, making women (the defenders of nurturance) morally superior to men (163). Children need to be looked upon more positively, the responsibilities of raising children being a full-time job (170, 161). Liberals tend to value money and material possessions too highly, with the consequence that they view children as an obstacle to good things that money can buy (168). Money is not important to proper nurturance, and those who think that the rearing of children requires that they be provided with expensive possessions are misguided (206-7). The unconditioned love of parent for child 'where none of us has a price tag' is the highest expression of human morality, and those who value children for their potential for achievement and would abort embryos that are defective have a bad morality (207-8). (The conservative activists Luker interviewed were for the most part of very modest means and generally less affluent than the liberal activists.)

ness in evading their prescribed destiny as mothers.' See Linda Gordon, review of Barbara Katz Rothman, *Recreating Motherhood*, *New York Times Book Review*, April 16, 1989.

12 *Abortion and the Politics of Motherhood* (Berkeley: University of California Press 1984). Page references to Luker's study are in the text.

Conservatives regard the nurturing role as the *main life role* of sexually active people, particularly women. 'Women who choose to be in the public world of work should eschew the role of wife and mother, or, if they marry, should be prepared to put the public world of work second to their role as wife and mother' (169). 'To try to balance a number of competing commitments — especially when parenthood gets shuffled into second or fourth place — is...morally wrong' (170). Hence, given only the qualification of sexual activity, those who oppose abortion express an ideal of life, particularly for women, where nurturing is the responsibility that takes priority over every other responsibility. If a woman fulfils her highest role in life by being a mother, then if she discovers she is pregnant, she should continue the pregnancy, not end it. So we can see how the anti-abortion position can be derived from a conception that the woman's role is to be a mother and uphold the morality of nurturance.

Those who uphold abortion rights might reply in two ways. First, they might deny the moral ideal of a woman's role as being to have and nurture children above all other duties. Second, they might reply, within the morality of nurturance, that nurturing the children one already has or preparing oneself to nurture children properly in the future may require, when other contraceptive means fail, availing oneself of abortion. Both replies are found both in the philosophical literature and in Luker's survey of activists.

Martha Bolton objects to the conservative conception of women's roles:

I think it is also central to the life of a morally responsible person that he/she develop abilities which make him/her a useful, productive, contributing member of the community. Doing so often requires large commitments of a person's time, thought, and other personal resources; such commitments are liable to conflict with the activity of nurturing a fetus and raising a child.¹³

Bolton's view is echoed among abortion rights activists. According to Luker, they argue that '*control* over reproduction is essential for women to be able to live up to their full human potential.' Women's reproductive and family roles are 'potential barriers to full equality' (176; cf. 92). Hence, there are weighty moral reasons why the nurturing role cannot have absolute predominance, and abortion must be allowed where other means of birth control fail.

The second argument, within the morality of nurturance, that responsible parents must sometimes abort, is also made by both philosophers

13 Bolton in Munson, 99

and activists. Bolton points out that development of the fetus and care of it may be in conflict with a woman's other commitments and may undermine her ability to fulfil responsibilities to others who are dependent on her.¹⁴ From the context it is clear that commitments to living children are among those she has in mind. The people Luker interviewed gave a slightly different argument: that commitment to any children one might bear requires that we have the emotional and financial resources to give them the best possible life, and that this in turn requires control of fertility and, where other methods might fail, the availability of abortion (181-2). This argument is in direct conflict with the conservatives' views that it is natural to be a parent (and hence we need no special preparation for it) and that material things are not very significant for proper nurturance.¹⁵

V Conclusion

The purpose of most papers on abortion is to make practical recommendations about the legality of abortions. My purpose has been different, one step removed: to argue that the arguments, in the philosophical literature, for the past twenty years have focused on the wrong set of issues, trying to judge the morality of abortion by moral concepts more appropriate to relations between adults.

Nevertheless, the proposal that conservatives have misarticulated their objection to abortion, that, at worst, abortion violates the morality of nurturance rather than the prohibition on killing a person, has practical consequences. Early abortions seem consistent with the morality of nurturance unless we take the conservative view of women's roles. Conservative objections to early abortions derive from the norm, based on traditional women's roles, that sexually active women should accept their pregnancies and regard the early fetus as a baby. Hence, it seems, our view of the morality of abortion depends in part on our view of women's roles.

If objections to abortion are based on the morality of nurturance, there is a second issue: what is the connection between abortion and our

14 Ibid.

15 Many complexities of Luker's study are omitted or inadequately covered here. She gives a sensitive account of how the conservatives' views on abortion are tied to their conceptions of sexuality, spirituality, birth control, relations between husbands and wives, and human relationships generally. Most important, she shows how the dispute about abortion is an attempt by women whose lives exemplify different conceptions of women's roles to defend the dignity and value of their lives.

concern for children? Is there any justice to the conservatives' claims that liberalism about abortion is linked to indifference to children or excessive valuation of material things?

Let us deal first with the relation between abortion and the welfare of children. In our society we condemn infanticide rather strongly, and legally it is homicide. Yet even infanticide, where it has been practiced, has often coexisted with nurturing attitudes toward children. So it is doubtful that the conservatives can argue that widespread practice of abortion will undermine nurturing attitudes generally.

Still, our psychology sets limits to our morality. Wherever infanticide is practiced it seems to create emotional and moral difficulties, presumably because nurturing attitudes and morality take hold before birth.¹⁶ This means that cavalier attitudes toward abortions and the insistence that late abortions are innocuous might undermine the morality of nurturance if these attitudes were widely held. I have in mind here Warren's remarks that abortion ought to be regarded as morally innocuous, like cutting one's hair, and that there is no moral wrong in aborting a seven month fetus to avoid postponing a trip to Europe. If such attitudes were widespread, would we develop a proper sense of our duties of nurturance toward our children? It is hard to be unaware that one is considering aborting what one might raise to an adult.¹⁷

The conservatives also claim that the liberals incorrectly identify proper nurturance with material wealth. This claim may contain a grain of truth, but no more. Generally, the conservatives show a pollyannish disregard for the difficulties many face in trying to provide proper nurturance for children. In our society, the conflict between what a woman must do to function adequately and the responsibilities of a pregnancy carried to term are real.

The issue of women's roles is much clearer. Women's labor in capitalist society has been demeaned: jobs stereotyped as women's jobs have received low pay and low status. Women are demeaned by sexist epithets; in the workplace they are routinely called 'honey' and referred to by their bosses as 'my girl.' The demeaning of women is linked

16 On the difficulty of infanticide see Robert F. Spencer, *The North Alaskan Eskimo: A Study in Ecology and Society*, Smithsonian Institution Bureau of American Ethnology Bulletin 171 (Washington, DC: US Government Printing Office 1959), 94, also 87-8, 92-3. On secrecy about infanticide, a secrecy that seems to indicate shame, see Richard Lee, *The Kung San* (Cambridge: Cambridge University Press 1979), 451-2.

17 Two friends have reported to me that they have raised children that they considered aborting. They were explaining why they could not take abortion lightly. See also Robey (cited in n. 7).

ideologically to their role as mothers and childbearers: it is implied that women are good for this role and little else and that the things women can do have little value. Thus the conservatives' claim that women are morally superior is hypocritical, for they accept these traditional roles and their demeaned status. If the conservatives believed their own claim that women are morally superior because they are more committed to nurturance, then they would attempt to cultivate nurturing attitudes equally among men.

The liberals are right that equality between men and women requires that women be able to control their reproduction. Of all the moral issues implied in the abortion controversy the issue of equality of men and women is the clearest and the most favorable to the liberals. But even here I would add a qualification. The conservatives argue that if women as much as men pursue high status and success in our present business and academic environments, we will all be worse off, for the competitive environments of these worlds subordinate commitment to people to pursuit of status and success (Luker, 163). Even if this is, as I believe, one of their stronger arguments, the solution is not to advocate that women be confined to a demeaned status as servants of men and nannies to children. The conservatives glorify servility by calling it morality.

Let me suggest a twofold solution. First, instead of allowing the communism of the family to be undermined by the competitiveness of the capitalist order, the egalitarianism and commitment to others that characterize family relations at their best should be spread to the larger world. Second; nurturing attitudes can represent morality rather than servility in a world where they are cultivated equally among all adults; the duties of nurturance must fall equally on men. But where much of our social life is governed by market imperatives, it becomes impossible to share nurturing equally among men and women. This suggests that a satisfactory solution to the problems surrounding the abortion issue will require changing the economic structures of our society. The moral problems of abortion are really social problems of capitalist society.¹⁸

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