

Phenomenology of Abortion: Some Metaphysical Consequences of Killing Your Own

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The issue of abortion remains one of the most emotive, politicised, and socially divisive controversies of our time. Both the pro- and anti-abortion sides are driven by strong and often dogmatic beliefs, making them appear irreconcilable. This impasse may be largely caused by the choice of criteria the debate is focussed through: religious belief, morality, and human rights. None of these criteria are firmly grounded in observable facts, but are more akin to *terms of art*: conceptual constructs that reflect specific ways of thinking that are not very amenable to critique in external terms. Religious beliefs are generally not open to revision by non-religious reasoning, and are therefore often irreconcilable with agnostic or atheistic points of view. Non-theistic morality, on the other hand, can be socially constructed (culture-dependent moral conventionalism); private (moral subjectivism); or based on alleged moral facts (moral realism); and the associated debate about the truth about ethics is no closer to an even broadly satisfying solution than is the abortion debate itself. Human rights, in turn, purport to reflect what most people already believe morality entails; but again, that's a highly partisan issue. And yet none of these disparate criteria fares better than any other in terms of objectively grounding the arguments.

Phenomenology presents a unique normative perspective on abortion which avoids the pitfalls associated with arguments from human rights, religious belief or morality. Instead, it obtains normative reasons not to abort from the ontological conditions of agency and the value-commitments intrinsic to intentional action, without negating the possibility that abortion may be justified for other reasons. Less formally, abortion 'hurts' us because it involves killing something we involuntarily identify with, and we constitute ourselves (or identify *as*) just in terms of what we identify *with*.

Being an unwanted child is a tragedy in itself. Growing up without natural parents is an irreplaceable loss, a gaping hole in who you are that cannot be completely filled by anyone else, because only biological parents possess the unique characteristics that their child has inherited. Seeing yourself, your own behaviour, traits and tendencies embodied and expressed by your parents (or, conversely, children) is possibly the deepest layer of human reflexivity, the strongest link between individuality and humanity, but also the primary site of transcendence of our hereditary and cultural limitations. Nobody is ontologically more *like* us than our natural parents or children, and 'kinship' with what we are like is, according to Neo-Kantian theorists (esp. Christine Korsgaard), how we constitute ourselves as rational agents.

It was possibly the greatest phenomenological insight that an individual can identify as Self (that is, exist as a sentient being) only in terms of other individuals that are like *me* (but are not *me*). "The fact that an organism has conscious experience *at all* means, basically, that there is something it is like to *be* that organism." (Nagel 1974, 436; for similar views see Flanagan 1993, 194; Kriegel 2003, 106; Pitt 2004; Zahavi and Parnas 1998, 689-92; Zahavi 2005, 119) The famous phenomenological question – *What is it like to be me?* – can be objectively answered by a conscious being only by identifying with a kind of beings whose members actually are *like* that being. It may be objected that to facilitate reflexive self-constitution in terms of *likeness* we only need a mirror, what is evidently true in a world consisting of strangers, families, friends and mirrors, but I could not recognise a reflected image as my own if the outside world consisted *only* of mirrors. (Prinz 2012, 54) When I recognise my image in a mirror, or simply think about myself, I already recognise myself as a member of a particular kind that, via evolutionary ancestry or heuristic origin, grounds my identity as a human subject. Significance of this relational dependency was strongly emphasised by Jürgen Habermas: "Subjectivity (...) is itself constituted through intersubjective relations to others. The individual self will only

emerge through the course of social externalization, and can only be stabilized within the network of undamaged relations of mutual recognition.” (2003, 34) “...the self of the practical relation-to-self cannot reassure itself about itself through direct reflection but only via the perspective of others.” (1992, 186) For similar views see Mead 1934, 155; Vandenberghe 2010; Apel 1996, 210-211.

The primary question pertaining phenomenology of abortion is therefore not necessarily the degree of agency possessed by the foetus, which may indeed be lacking, but the degree of *likeness* in terms of which we define ourselves. Do we see a being of our kind in the foetus or even in the unicellular zygote? A zygote is not a person or a functional agent, at least not in the same sense as a healthy human adult, but, unlike spermatozoid or egg, it is already a genetically definite human being which under normal conditions is bound to progressively acquire predetermined features, its parents' likeness, then unique functional agency and, ultimately, the status of personhood and membership in our communication-community. The more this organism-stage of human development appears to be *like* us the more its dismemberment and death involuntarily affects us. Killing may not be morally wrong in any case, but killing is objectively damaging to self-constitution insofar as we identify with what we are killing. This effect is so strong that even if we were to 'kill' just a computer simulated human we would still be likely to experience distress, commensurate with the degree of life-likeness of the simulation.

There is no common necessary and sufficient features that could be ascribed to a human life form in order to be sure that these features constitute a person. (English 1975) Rather, it is our existential need to relate to other beings in a reflexive manner that drives us to seek out humanity and personhood. As argued above, to exist as conscious agents we must remain committed to the existence of a kind of beings to which we belong, defined in terms of likeness. The more features we recognise in others as constitutive of ourselves the more real we are to ourselves. Since self-existence is intrinsically valuable to agency (whenever we choose to act we are committed to value our capacity to act, and therefore our own existence) we have normative reasons (and we probably are constitutively predisposed) to seek out and protect what we are *like*, rather than deny it.

We can witness hundreds of corpses of animals, killed and dismembered, without experiencing distress. We can feel regret for animal suffering but we do not see non-human animals as Our kind. If we were to witness the same carnage of humans we would never be the same, shocked by the sight and probably traumatised for life. Were we to cause a human death, even if justified, the effect would be even more damaging. Every attack on our ontological kind, even if justified, negatively affects what Korsgaard (1996, 102) refers to as our constitutive 'integrity'. Another way, in disassociating from my kind, my *reflection* or *likeness* would not be true to the kind of an individual that I objectively am. Killing a human may sometimes be unavoidable to preserve one's own life, but it still damages the killer, even if killing is justified. Abortion may in some cases be necessary for self-preservation, or otherwise justified even if the parents are aware that this would negatively affect their self-constitution, but killing our own child at any stage of development just for convenience may diminish our agential capacity more than any other form of killing. An individual with a metaphysically diminished degree of humanity obviously does not disappear from the world as a material being (an object) but may experience progressive estrangement, demoralisation, depersonalisation or identity fragmentation (as a subject). This may in turn correlate with the diminished capacity to act intentionally. According to Korsgaard (2009, 25), “an action that is less successful at constituting its agent is to that extent less of an action. So on this conception, *action* is an idea that admits of degrees.” The lowest degree of agency is that of a “tyrannized soul” who is no longer an agent but “a mere force of nature, an object, a thing.” (2009, 173)

There is one hypothetical case for abortion that may be compatible with parents' interests despite the metaphysical self-harm entailed by the intentional act of killing *your own*. Since the capacity to bear and raise children is limited, and an unhealthy child may radically diminish the capacity to provide healthy children with a reasonable standard of care, it may be rational for parents to choose aborting a severely disabled child. While pragmatic justification in favour of healthy reproduction may compensate for the negative effect of killing a human, this compensation does not erase the negative effect of abortion but generates a positive effect only in addition to the negative effect.

Nothing here is meant to suggest that abortion should be illegal, or that it is ethically or morally wrong, or that there are no normative reasons to choose abortion. I have only argued that abortion has some negative metaphysical consequences for the agents who are involved in its execution. The phenomenological account of abortion presents normative reasons not to abort, without demanding that agents act on those reasons, and without negating the possibility that abortion may be justified for other reasons.

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