

Abortion, Metaphysics and Morality: A Review of Francis Beckwith's *Defending Life: A Moral and Legal Case Against Abortion Choice*

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*In *Defending Life: A Moral and Legal Case Against Abortion Choice* (2007) and an earlier article in this journal, "Defending Abortion Philosophically" (2006), Francis Beckwith argues that fetuses are, from conception, prima facie wrong to kill. His arguments are based on what he calls a "metaphysics of the human person" known as "The Substance View." I argue that Beckwith's metaphysics does not support his abortion ethic: Moral, not metaphysical, claims that are part of this Substance View are the foundation of the argument, and Beckwith inadequately defends these moral claims. Thus, Beckwith's arguments do not provide strong support for what he calls the "pro-life" view of abortion.*

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I. INTRODUCTION

In *Defending Life: A Moral and Legal Case Against Abortion Choice* and a previous article in this journal, *Defending Abortion Philosophically*, from which the main moral arguments of that book were earlier presented, Francis Beckwith argues that fetuses¹ are prima facie wrong to kill. He argues that abortion is almost never morally permissible beyond rare cases where, unless the fetus is killed, both the pregnant woman and the fetus will die. He also applies his discussion of abortion to argue that embryo experimentation is wrong. His core premise is that:

(1) "The unborn entity, from the moment of conception, is a full-fledged member of the human community," i.e., has basic moral rights, is a person, is a moral subject, and is intrinsically valuable, morally (Beckwith, 2007, xii, 57, 226).^{2,3}

Beckwith's arguments are based on what he calls a "metaphysics of the human person" known as "The Substance View." I argue that this metaphysics does not support his abortion ethic: Moral, not metaphysical, claims that are components of his Substance View are the foundation of Beckwith's arguments about abortion and he inadequately defends them. Thus, Beckwith does not provide strong support for what he calls the "pro-life" view of abortion.⁴ My discussion critiques some influential moral arguments and supports a general theme, defended by others, that analytic metaphysics, specifically concerns about personal identity, is irrelevant to abortion ethics (e.g., Conee, 1999, 2000; Shoemaker, 2008).⁵

II. THE SUBSTANCE VIEW AND METAPHYSICS

Four claims invite us to understand the Substance View. First:

[I]f Christopher Reeve was identical to his embryonic self, then we were no more justified in killing an embryo to acquire its stem cells so Mr. Reeve might walk again than we would be in stealing Mr. Reeve's eyes so that Stevie Wonder might see again (Beckwith, 2007, xii).

Second:

If it is wrong to kill a 10-year old as a result of taking his kidneys and giving them to . . . scientific geniuses. . . curing cancer or AIDS. . . , it is wrong to kill a 20-week-old fetal-clone [by] taking his kidneys and giving them to his genetic progenitor, a scientific genius, who needs them to survive so that he may continue his work on cures for cancer and AIDS (Beckwith, 2007, xii–xiii).

Third:

[I]f you are an intrinsically valuable human person now, then you were an intrinsically valuable human person *at every moment in your past* including when you were in your mother's womb, for you are identical to yourself throughout the changes you undergo from the moment you come into existence (Beckwith, 2007, 51, emphasis in original).

And from the book's final paragraph:

[I]f we are, as even the supporters of abortion must assume, bearers of moral rights by nature (including "the right to choose"), then there can be no right to abortion, for the one who has the "right to choose" is identical to her prenatal self (Beckwith, 2007, 229).

Stealing Reeve's eyes and killing the 10 years old would be wrong, we should all agree. People who argue, however, that killing the embryo and the fetal clone would not be *prima facie* wrong (especially if the clone were far less developed than 20 weeks) hold that, despite the similarities of the beings (e.g., species) and potential spatiotemporal continuity, there are differences between them that morally justify different treatment, for example,

consciousness, sentience, and autonomy, among other possibilities. They might also, but need not, argue that these differences preclude numerical identity: For example, if normal adults are essentially minded or psychological beings, they are not numerically identical to pre-minded fetuses.

Beckwith holds that there is numerical identity between fetuses and adults: The quotes above emphasize this. And he argues that there are no such morally relevant differences between fetuses and adults such that killing adults is *prima facie* wrong, whereas fetuses are not *prima facie* wrong to kill. He claims that, like adults, fetuses are persons, have moral rights, etc.—they have the moral properties that premise (1) attributes to them—because of claims stated in his Substance View:

[T]he human being remains th[e] sort of thing [it is] as long as it exists. What sort of thing is it? The human being is a particular type of substance—a rational moral agent—that remains identical to itself as long as it exists, even if it is not presently exhibiting the functions, behaving in ways, or currently able to immediately exercise these activities that we typically attribute to active and mature rational moral agents (Beckwith, 2007, 132; cf. Beckwith, 2006, 183).

The Substance View has both moral and metaphysical aspects. Metaphysically, it includes the claim that fetuses and adults are the same “type” of being, the same “substance,” and so fetuses and adults are numerically identical. Morally, it includes a claim that every individual of this substance or sort always has at least some of the moral properties it has when it is a rational moral agent, even when it is not an actual rational moral agent, because of what kind, sort, or type of being it is.

Suppose we accept the Substance View’s metaphysical assumptions: First, that early, pre-minded fetuses are “human beings” since they are, at least, biologically human organisms; second, that embryos, fetuses and adults are numerically identical, that is, the same organism over time since they are, at least, spatiotemporally continuous; and, finally, suppose we accept the somewhat indeterminate claim that fetuses and adults are the *same* “substance” or “type,” despite the fact that it seems they can also be described as being *different* substances and types as well: For example, fetuses are *pre- or never-been-conscious* substances and adults are *have-been-conscious* substances.

The challenge is explaining how these metaphysical, seemingly descriptive claims, might support the moral claims in premise (1), the moral judgments given in the four cases or claims above, and the moral components of the Substance View. Of course, normal adults, *actual* “rational moral agents,” are members of the moral community, have basic moral rights, are persons, are moral subjects, and are morally valuable. But why should one think that fetuses also have these moral properties and are like this? If it were true that any two numerically identical beings, or stages of beings, share all the same moral properties, then that would follow. But adults and children have all

sorts of physical, cognitive, and moral properties that fetuses lack. So just because normal adults are wrong to kill, it does not immediately follow that *the fetuses* they were would have been *prima facie* wrong to kill, even if there is numerical identity, that is, they are “one and the same being” at all times and stages of their existence (Beckwith, 2007, 131). Thus, the “Reeve” and “10-year-old” cases above need defense since mere identity does not amount to much, morally.

One could assert that at all times and stages biologically human organisms are *prima facie* wrong to kill or that they are “essentially” wrong to kill or that they essentially have the properties that make them so. But these claims are very similar to premise (1) and we are seeking a *reason* to accept it. The Substance View does not provide such a reason since it appears that it just is that view. So although we might accept, even just for the sake of argument, the metaphysical components of the Substance View concerning identity and one possible description (among many) of substance, or the type or kind of being human beings are, the Substance View’s moral components need defense.

III. THE SUBSTANCE VIEW AND MORALITY

Beckwith’s main arguments in support of the moral components of the Substance View seem to emerge from arguments against a rival general moral that he describes being held by “antiequality advocates” (Beckwith, 2007, 130). Since such a label is rhetorically loaded,⁶ I will call such a position *Mentalism*, for it holds that, as Beckwith puts it, “a human being is intrinsically valuable if and only if she presently possesses certain properties and/or is able to exercise certain functions” (Beckwith, 2007, 130) and that the relevant properties or functions are, or depend on, *mental* ones, for example, consciousness, sentience, and so on, that is, having a *mind* of some kind.

Since scientific research suggests that fetuses lack consciousness or sentience prior to, at the earliest, 18 weeks of development and about 99% of abortions in the United States are performed well before this time, most abortions in the United States kill beings—call them *early fetuses*—that are yet to have minds (Benatar and Benatar, 2001, 57, 63, 75; DeGrazia, 2005, 279; McMahan, 2002, 257). Mentalists argue that beings that have never had mental lives or have lost their minds fully and permanently lack moral rights, are not persons, are not moral subjects, and/or are not morally valuable in their own right. They might think, however, that rare abortions affecting later, minded fetuses are *prima facie* immoral.⁷

Beckwith argues that Mentalism has false moral implications and so is false; that his Substance View of Persons is true, in part, because it justifies *justifiable* moral judgments that Mentalism cannot; and that this Substance

View makes his moral claims about fetuses reasonable. I argue that these arguments are weak. Although Beckwith claims that the Substance View is “the most rational and coherent [view of the human person] that is at the same time consistent with our deeply held intuitions about human equality” (Beckwith, 2007, xi) and “provides the best account of human beings and their intrinsic value from the moment they come into being” (Beckwith, 2007, 226), his claims are not well supported.

First Objection to Mentalism

First, Beckwith claims that Mentalism justifies inequality, that is, the exploitation of beings with simple(r) mental lives by those with more complex mental lives (Beckwith, 2007, 138–9). The idea is that if what might be called “moral status” is determined by properties that come in degrees or levels, then individuals who have them to a greater degree or level are entitled to exploit those who have them to a lesser degree or level.

This argument is not developed, but it is *prima facie* implausible since virtually *nobody* argues, for example, that geniuses are morally entitled to, say, enslave the feeble-minded. Almost everyone strongly denies this claim, including Mentalists. If their theory has this surprising implication that either they have not noticed or have outright denied and argued against (usually by arguing that if an individual meets some minimum threshold of a mental life, then that individual has an *equal* right to consideration or rights as anyone else), stronger arguments are needed to show this than what Beckwith provides.⁸

Beckwith states that such inequality and exploitation can be avoided only by thinking that “human beings are intrinsically valuable because they are rational moral agents *by nature* from the moment they come into existence” (Beckwith, 2007, 139, emphasis in original), that is, the Substance View is true. In his conclusion, he claims that denying this comes at the “price of abandoning natural rights and replacing them with the will to power” (Beckwith, 2007, 229).

These claims are highly dubious since there are many plausible justifications for moral equality and basic rights. If we focus on clear-cut uncontroversial cases of exploitation (e.g., slavery, child abuse), in contrast with controversial questions about abortion, we can appeal to violations of interests, disrespect, using someone as a mere means, harms, and many other potentially morally relevant concerns. Thus, there are other moral explanations than Beckwith’s that are *prima facie* plausible. These explanations might not support a controversial pro-life view of abortion, but it is a reason to reject them only if such a view is rationally justified, which, of course, is what is at issue.

However, it is not clear what Beckwith’s defense of equality amounts to here. He claims that all human beings, at all stages, are “equal” because they

are “rational moral agents *by nature* from the moment they come into existence.” But it is not clear what reason Beckwith gives for this claim: As we have seen, numerical identity does not provide it; if he thinks we must accept this or else we have no resources to condemn uncontroversial inequalities that is false; and if he claims we must accept this or else we have no resources to argue against abortion that is both question-begging and false since there are alternative arguments against abortion. Thus, Beckwith’s defense of moral egalitarianism is doubtful and weak compared with alternative theories.

In sum, the objections to Mentalism do not succeed because it need not justify inequality. Furthermore, contrary to Beckwith’s claims, the Substance View does not seem to do much to justify egalitarianism. Mentalism does not fail and the Substance View does not succeed.

Beckwith’s Second Objection to Mentalism

Second, Beckwith repeatedly observes that Mentalism need not condemn creating human beings without brains (and even heads), and so without the capacity for minds can harvest the organs for transplant (Beckwith, 2007, 139–40, 148–49, 158–9). He argues that doing this would be wrong, so Mentalism is false.

With this argument, Beckwith seems to be trying to resolve one controversy by appealing to an issue potentially as controversial as the abortion issue itself. Thus, this case is not an ideal one to argue from in support of a view about abortion. But there might not be much controversy here. Beckwith mentions the “moral repugnance one *feels* when one *first*” (Beckwith, 2007, 140, emphasis added) considers this, yet recognizes that feelings can be unreliable and first impressions mistaken. Indeed, many people would think that, once any gruesome imagery and motives falsely associated with this proposal are overcome, doing this would not be wrong for the simple reasons that there are medical benefits to be gained and, arguably, nobody would be harmed or treated disrespectfully to achieve them.

Beckwith’s reply is that human organisms, including the unborn, are “entitled” to higher brain functions and that, “it is *prima facie* wrong to destroy the physical structure necessary for the realization of a human being’s basic, natural capacity for the exercisability of a function that is a perfection of its nature (Beckwith, 2007, 140; cf. 159).

It is important to note that this is a *moral* claim not a metaphysical one. It references entities that could be metaphysically analyzed, but there is nothing distinctly metaphysical about them. And Beckwith does not defend this moral claim, which many people would regard as false. If it is supported by moral aspects of the Substance View, the connection seems so tight that people would only accept this implication if they already accepted the Substance View. It is not supported by any metaphysical aspect of the Substance

View: There is no obvious connection there. Thus, this second objection to Mentalism also does not succeed.

Beckwith's Third and Main Objection to Mentalism

Beckwith's main arguments for the Substance View and against Mentalism are based on cases involving adult coma patients. Here are the cases (cf. Beckwith, 2006, 183–5):

Jed 0:

He is in a coma for two years, “in precisely the same [cognitive] position as the standard fetus.” He wakes up pretty much normal with his pre-coma memories, the same personality, interests, knowledge, abilities, and so on (Beckwith, 2007, 135).

Jed 1:

He is in a coma for two years. He wakes up with *none* of the memories, beliefs or knowledge from before the coma. Yet he has the “basic capacities” to develop into someone who has *absolutely no psychological connections* to the pre-coma individual. This can happen “over the years following his recovery through the normal process of learning and development” (Beckwith, 2007, 135).

Herb:

He is in a coma for two years, awaking with *none* of his previous mental life, but he will regain *his* memories, abilities, and faculties over many years (Beckwith, 2007, 138).

Jed 2:

He is in a “hopeless” coma for the rest of his life, say 70 years, and this irreversibility is *known with certainty* (Beckwith, 2007, 137).

It is important to note that these cases are strongly disanalogous to abortion cases since the Jeds and Herb are not dependent on anyone else's body and do not impose any analogous burdens on any single person. So nothing straightforwardly follows from any of these cases for abortion. Nevertheless, these cases do not help defend Beckwith's position.

Jed 0

Mentalists can agree with Beckwith that killing Jed 0 would be wrong for the following reason: Even though Jed 0 presently lacks mental capacities that are “immediately exercisable,” this principle is true:

It is *prima facie* wrong to kill a currently non-consciousness individual S *if*, and *only if* (a) S has had mental states before and (b) S *can* have them again (i.e., this is *biologically possible*), and (c) these later mental states will be psychologically connected and continuous with the earlier.

However, since condition (a) asserts that a necessary condition for the wrongfulness of killing an individual is past mindfulness, this principle suggests that killing early fetuses is *prima facie* permissible because there is no past mental life.

Jed 1

The Jed 1 case is supposed to show that this principle is false because the individual who awakens from the coma has no psychological past. Beckwith argues that it would be wrong to kill the individual who lacks a connection with a psychological past, and therefore such a past (and a current mental life) is not necessary for, say, a moral right to life. Thus, he argues that a defense of abortion via the above principle fails.

Jed 1 is intended to be a clear case, but it is not. In practical terms, we must ask first what kind of postcoma existence this individual would likely have. Since Jed was an adult when he went into the coma, and the individual who emerges from the coma has no memories, beliefs, or knowledge, he might be likened to a newborn baby in an adult's body. Since he is too heavy to be carried around, will he be bedridden or stuck in a large crib (perhaps like a jail cell) for much of his early life? If he hits the "terrible two's" and has tantrums and fits, complete with hitting and biting, how will someone of his size and power be restrained? Will he grow up in a straight-jacket? And how will he be stopped from running into the street? How will he be disciplined?

Details like these matter, if this individual is supposed to be analogous to a fetus. Beckwith claims that this individual will undergo a "normal process of learning and development," (Beckwith, 2007, 135) but there is nothing normal about this case. Indeed, since it is so different from ordinary human development, we might realistically suspect, given our knowledge of parenting, that this individual is headed for a very troubled conscious existence, perhaps one that would be better not to start and may even be wrong to start.

A second basis to deny Beckwith's arguments from this case is that common theories of personal identity suggest that a new person would emerge from Jed 1 if that life were allowed to continue. If Jed 1's personality was very much like Bill Cosby's and the new personality will be a lot like Bill Gates', then they are not identical according to psychological continuity theories of personal identity: A new person would emerge and the previous person would be gone: Jed 1's relatives would feel that he is gone and that the new individual who emerges from his body is not him.

According to many bodily continuity theories of personal identity, a new person will also emerge. Although Beckwith suggests otherwise, we can deny that the "same human being" (Beckwith, 2007, 136) exists before and after the coma. The new individual has much of Jed 1's body, but assuming the coma was brought on by a physical change in the brain, those changes might be so great that the theory recognizes the loss of Jed 1 and the emergence of someone new. Thus, if Jed 1 is gone, nothing about him grounds any possible obligations to the new individual.

Thus, any moral obligations here would seem to be toward the future possible person. Insofar, as the existence and nature of such obligations are

deeply controversial, this again is not an ideal case to argue from regarding abortion: One might think that there are such obligations only if one already thinks that abortion is wrong and so judgments about this case again might seem question-begging. Other justifications against killing Jed 1 are likely to be those justifications that would be given against killing preconscious fetuses and so are potentially question-begging as well. Beckwith observes that a principle used to justify killing Jed 1 is as controversial as any conclusion it might be used to support (Beckwith, 2007, 138). If so, its *denial* is also controversial and thus, again, the case is not ideal for Beckwith's purposes.

Herb

The Herb case is a hybrid of the Jed 0 and Jed 1 cases, but with a longer time gap and all developmental disasters avoided. Mentalists can presumably deal with this case, although they must address whether and how time makes a moral difference. To many, it might seem that obligations to, or concerning, individuals who we know will emerge from a coma in 7 days are stronger than those we (somehow) know will, or can, emerge in seven decades. Whether time can contribute to making it such that, all things considered, it is permissible to let someone die would need to be addressed.

But this again leads us to controversial cases: whether we would be obligated to provide medical support for a coma patient for 70 years who will then wake up and regain his faculties would surely be a controversial issue. If Beckwith's principles imply that we must, for many that would be reason to reject them. So perhaps Beckwith must also address whether time can make a difference to our moral obligations.

Jed 2

Finally, Jed 2 is in a truly "hopeless" coma and we know that there is no chance he will awaken. Beckwith comments that it is a "legitimate, though disputed" question whether treatment should end (Beckwith, 2007, 137). This suggests that Beckwith is open to the permissibility of Jed 2's being allowed to die: At the least, he does not condemn this. This response is curious, given what Beckwith says a few pages earlier:

[A] human being, at every stage of her development is *never* a potential person; she is *always* a person with potential even if that potential is never actualized due to premature death or the result of the absence or deformity of a physical state necessary to actualize that potential. For example, a human being without vocal cords in a society where there are no artificial or transplant vocal cords never loses the potential to speak, but she will in fact never speak because she lacks a physical state necessary to actualize that potential (Beckwith, 2007, 134, emphasis in original).

Applying these remarks to the Jed 2 case first suggests that, despite the irreversible coma, Jed 2 has, surprisingly, not lost the "potential" to talk, walk,

think, and feel. On Beckwith's understanding of potential, a physician could say that although there is no chance whatsoever that Jed will do any of these things, that is, it is medically *impossible*, he can also truthfully say that Jed has the *potential* to do so. This is a dubious understanding of potential.

The second, more important, suggested implication is that, due to the coma-indicative absence or deformity of a physical state necessary to actualize that potential, Jed 2 is a "person with potential." If persons with potential are *persons*, then Beckwith is apparently open to allowing for an innocent person to die, which seems inconsistent with much of his book's general argument. If he claims that it is not wrong to allow persons who lack mental lives and any *relevant* potential or chance for a mental life to die, then he appears to lapse into something like Mentalism, at least for this case. If Mentalism is true about this case, perhaps it is true about abortion cases.

This case also suggests that Beckwith might also have to reject the justifications he offers for his judgments about the other cases. It was supposedly wrong to let Jed 0 die because he "is identical to himself throughout all the changes he undergoes and that self, by nature, has certain basic capacities" (Beckwith, 2007, 135). And Jed 1's "basic capacities as a human substance" made him valuable and precluded letting him die (Beckwith, 2007, 136). But Jed 2 is also, presumably, self-identical, a human substance, and—if a person who *cannot* ever speak somehow still has the "potential" to speak, as Beckwith says—perhaps Jed 2 even still has "basic capacities." If meeting these conditions is sufficient for making it wrong to let Jed 0 and Jed 1 die, this also seems to be true about Jed 2, unless his lack of a mental state makes a moral difference, as Mentalists argue and Beckwith claims to reject. Thus, Jed 2 is a troublesome case for Beckwith, although it is hard to establish any inconsistencies.

In summary, regarding these coma cases, it seems that Mentalism can explain what Beckwith claims it cannot and some of what he says needs to be explained arguably need not be (i.e., his particular judgments about these cases are highly controversial and appear to presuppose the Substance View). Thus, these cases do not give good reason to accept Beckwith's principles that support his view on abortion.

IV. CONCLUSION

In conclusion, Beckwith makes many moral judgments and offers some moral principles. He also advocates for a metaphysical theory of the human organism or personal identity.

I have argued, first, that Beckwith's metaphysics does not support his morals. Even if the metaphysical aspects of the Substance View are true (and I have not argued they are not), they do not seem to provide any support for thinking that early fetuses are persons, have basic moral rights and so on.

Second, I have argued that Beckwith inadequately defends these moral claims: His arguments tend to be based on moral judgments about cases that are as controversial as abortion cases or on premises applied to these cases that are very similar, if not identical, to the premises presumed by those who accept Beckwith's pro-life view on abortion and thus appear to be question-begging.

Beckwith emphasizes the metaphysical aspect of his discussion as important. He claims, "all positions on abortion presuppose some metaphysical point of view" (Beckwith, 2007, 43). But this seems false, *if* by "metaphysics" we restrict ourselves to topics and approaches discussed by academic philosophers. One can advocate a moral position regarding abortion but be ignorant or agnostic about the metaphysics of personal identity, or identity generally, and almost any other controversial issue addressed by metaphysicians, beyond, say, the not very controversial issue of the existence of an external world and material objects.

It appears that one can plausibly conjoin any moral conclusion about abortion with any metaphysics of human identity: Psychological theorists can be pro-life or pro-choice and the same with bodily theorists: The metaphysics does not force the morals. Thus, the metaphysical nature of human organisms' identity over time seems to make no moral difference: What matters are the defensibility of any general moral claims about obligations to all human organisms and moral claims about our obligations toward particular human beings at particular stages. These sorts of claims are defended and critiqued using ethical methods, for example, evaluating moral principles in light of their explanatory power and counterexamples, not metaphysical analysis. Conee (1999, 2000) has developed these claims about the moral irrelevance of analytic metaphysics in detail, which my discussion supports.

Beckwith, however, has a broader understanding of metaphysics as "questions having to do with the ultimate grounding and nature of things in the world" (Beckwith, 2007, 44). Although "ultimate" is left undefined, the morality of abortion does depend on the "nature" of the unborn (Beckwith, 2007, 45), but so does much else, indeed *nearly everything*: For example, structural engineering depends on the nature of building materials, medicine depends on the nature of human biology, and cooking depends on the nature of foods. But none of these inquires are metaphysical and metaphysics is irrelevant to them all. The *moral* nature of fetuses matters if that just refers to the properties that determine how they can be treated morally. Calling moral assumptions "metaphysical" might make them sound loftier (but also more intractable since moral philosophy's progress has surely been greater than metaphysics') but that does not help them do the moral work that metaphysics, as metaphysics, does not do.

In sum, Beckwith compares social movements motivated by the view that nearly all abortions are seriously immoral with movements to abolish slavery and to establish civil rights (Beckwith, 2007, xi). He urges "moral progress

toward the elimination of unjust discrimination to include those who are the most vulnerable in the human family, the unborn” (Beckwith, 2007, xv). Even in early abortions he says that, “the powerful unjustly poison, burn, suffocate and/or dismember the powerless” and exercise “absolute power over a small fragile, helpless victim” (Beckwith, 2007, 228).

These suggested that images and associations are evocative, but deceptive since poisoning, burning, suffocating, and dismembering does not hurt early fetuses that are incapable of feeling anything. If there are any harms here, since they are not felt or experienced, they are exceedingly abstract and *extremely* unlike the disrespect and maltreatment (to put it as a gross understatement) experienced by victims of slavery and racism. If killing mindless, often microscopic, fetuses is morally comparable to the Middle Passage, slavery, lynchings, burnings at the stake, segregation and the like, stronger arguments are needed to show this, since Beckwith’s do not.⁹

NOTES

1. Contrary to medical convention, I will use the term “fetuses” to refer to all unborn biologically human entities, from conception, including zygotes and embryos.

2. Beckwith does not explain these concepts and the relations among them in detail. This is unfortunate because we do not know how he would respond to the claim that one need not be a *person* to have *moral rights* (a possible view that can be applied to fetuses), the question of what it is to be a person, the question of whether any nonhumans (e.g., animals, extraterrestrials, and/or spiritual beings) could be persons and/or members of a *human* moral community, and which, if any, moral notions here are more fundamental (personhood, rights, and value) and which, if any, are derivative.

3. Some thinkers, following Thompson’s (1971) arguments, argue that a premise like Beckwith’s can be accepted as true, sincerely or for the sake of argument, yet no antiabortion conclusions immediately follow or are justified. This is because a right to life does not always entail a right to what is needed for life and so a pregnant woman is not obligated to provide the fetus what is necessary for its life to continue. Beckwith discusses these arguments in his seventh chapter, “Does It Really Matter Whether the Unborn Is a Moral Subject? The Case from Bodily Rights.” I do not review his discussion of these kinds of arguments here.

4. Marquis (1989) is the most prominent philosophical defender of the view that abortion is immoral, yet Beckwith surprisingly says absolutely nothing about his arguments. Marquis is only briefly mentioned on four pages of the book (Beckwith, 2007, 136, 137, 146, 147).

5. Conee (1999, 619) argues that, “Conclusions about the morality of abortion have been thought to receive some support from metaphysical doctrines about persons. The paper studies four instances in which philosophers have sought to draw such morals from metaphysics. It argues that in each instance the metaphysics makes no moral difference, and the manner of failure seems indicative of a general epistemic irrelevance of metaphysics to the moral issue”.

6. The commonly perceived goodness or badness of an appeal to “equality” depends on the context and issue. In some contexts, for example, those concerning some kinds of racism, to be “antieuquality” is bad. In others, for example, concerning the treatment of many nonhuman animals, common opinion considers it to be *good* to be “antieuquality,” that is, one should not think that animals’ interests deserve *equal* consideration to any humans’ interests or that animals have an *equally* strong right to respectful treatment. And in another context, for example, in evaluating radically egalitarian, bio-centric environmental ethics on which, for example, all living or “natural” things are “equal,” to be “antieuquality” is considered good.

7. Concerning the epistemological status of Mentalism, it need not be justified by mere intuitions, as Beckwith might think it is. He identifies Baruch Brody as an advocate of Mentalism and claims that Brody would say that his view is based solely on “intuitions” (Beckwith, 2007, 156–7). I suspect Brody

would deny that this is the only epistemic support for his view since it gains support by its power to explain cases among other sources. Such cases are mentioned by Beckwith: Someone whose “head is blown off by a gunshot” (Beckwith, 2007, 103–104) yet whose body remains alive, anencephalic newborns, and truly “hopeless” coma patients (Beckwith, 2007, 137). In cases like these, it is arguably permissible to let such individuals die, if not actively kill them because they wholly and irreversibly lack minds. Since this is so, their lives are of no value to them; they cannot be harmed (and so cannot have a *right* not to be harmed); cannot experience any (further) loss; wholly lack interests, desires, and preferences (and cannot have them, it can be true to say); their persona, personality, or character that anyone might have known is gone; and so on. Our lack of obligations toward, as opposed to *concerning*, human corpses provides further confirmation that the presence and absence of the mental plausibly and simply helps explain what is moral.

Concerning the “metaphysics” of early fetuses—what they “are,” described nonmorally—Mentalists might either think (among other options) that there is no one there in such cases, including abortions affecting early fetuses, and so no one is killed, or that there is *someone* there, but someone who has never been phenomenally conscious and so is *prima facie* permissible to kill. They might hold that adults once were fetuses or deny that any claims to identity, arguing that common references to “the fetus I was” are harmless, but strictly speaking, false abbreviations of more cumbersome references to “the fetus that I emerged from, was causally necessary for my existence but is not the same being as me.” Mentalism, as a moral view, is compatible with a range of metaphysical views of human or personal identity: None entail or are entailed by Mentalism and neither provides any obvious epistemic support for the other.

8. See, for example, Regan (1983). His seventh chapter, “Justice and Equality,” critiques “perfectionism,” a nonegalitarian view similar to what Beckwith claims is justified by Mentalism.

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