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“In 2014, 652,639 legal induced abortions were reported to CDC from 49 reporting areas. The abortion rate for 2014 was 12.1 abortions per 1,000 women aged 15–44 years, and the abortion ratio was 186 abortions per 1,000 live births.”<sup>1</sup> It is hard to wrap one’s mind around the number of abortions that have occurred in this country alone in the year 2014. Regardless of what one believes about abortion, the number of abortions truly is shocking. The ratio of abortions to live births would indicate that a little over 15 of one hundred pregnancies is terminated in abortion. What do we do with this information? It would be permissible to simply disregard the information if it is proven that we are not morally responsible to fetuses (fetus in this argument is taken to mean all stages of development in the womb ranging from zygote to the late term fetus, just before it exits the mother’s womb), or in other words, that fetuses have no inherent moral right to life. However, if it can be argued reasonably that fetuses have an inherent moral right to life, then these numbers become extremely incriminating. In this paper I will support Marquis’ argument for why the killing of a fetus is *prima facie* wrong. I will lay out Marquis’ own argument, list some of Mark Brown’s objections to that argument, and then finish by attempting to rebut the objections raised, again, in support of Marquis’ argument.

Marquis' argument is as follows:

P.1. Killing an adult human is (prima facie) wrong because it deprives her of her future of value.

P.2. Fetuses, just like adult humans, have futures of value.

C. Hence, it is (prima facie) wrong to kill a fetus.

The argument follows logically from one point to the next. The term "prima facie" means "upon initial consideration" and serves to indicate that at first glance, it is wrong to kill a fetus. Marquis backs up his argument by clearing up what he means by "future of value". He says that the wrong-making feature of killing an adult human is that the killing deprives that human of a future of value: that the adult human has a future of experiences, activities, and projects that are valuable, and so make him valuable.

Mark Brown, a critic of Marquis' argument, seeks to understand precisely what a future of value is, and suggests one interpretation or reconstruction of what it is. His reconstruction is called the Self-Represented Future of Value, and reads as follows: Killing an adult human is (prima facie) wrong because it deprives her of her self-represented future. Fetuses, just like adult humans, have self-represented futures. Thus, it is (prima facie) wrong to kill a fetus. The initial argument that Brown brings up seems to support Marquis' original argument, but Brown begins to tear the argument

down using empirical data, such as that the fetus lacks the self-awareness to have a self-represented future of value. He says, "If a moral theory or principle or argument is not consistent with our best available empirical evidence, then we should reject that theory."<sup>2</sup> He concludes, then, that since fetuses lack the ability to have a self-represented future of value, the conclusion cannot logically follow from premise 2, meaning that it is *not* (prima facie) wrong to kill a fetus.

The objection that Brown has raised is problematic for Marquis if left unanswered. I believe it has a very important flaw; however, in that the objection oversimplifies Marquis' argument and his view of futures of value. In effect, Brown has simplified Marquis' argument to the point that it is easy to knock down: he has committed the straw man fallacy. Let's take a closer look at his argument: He claims that an accurate reconstruction of the argument is to say that a future of value is defined by the self-represented future of value, that is, we have value because we have the ability to construct mental representations of our own valuable future. If this is true, it would seem to be the nail in the coffin for the value of the fetus, as it does not have the awareness required to develop a mental representation of its own valuable future. But this narrow definition of a future of value is too restrictive, and if followed to its logical conclusion, is absurd.

Take the argument from a different perspective: think for instance of those who suffered under Hitler's reign.<sup>3</sup> Those who were forced to work in concentration camps,

terrorized and tortured by the SS, or endured any of the other unspeakable horrors that Hitler and the Nazi regime committed were in a very bad place. So bad a place that it may accurately be said that those individuals *lacked the mental capacity* to form substantive self-represented futures of value due to starvation, exhaustion, or loss of hope. However; although those suffering individuals lacked the capacity to form substantive futures of value, we did not deem them unworthy of saving. Their basic moral rights were not determined by their ability (or lack thereof) to form a future of value for themselves. They remained just as valuable as their counterparts in America that still held that mental capacity.

There is still another issue with Brown's objection. According to his empirical data and his own version of Marquis' argument, killing of beings is permissible *if* they lack the ability to form self-represented futures of value. This forms an important issue. Babies do not magically develop the ability to form futures of value for themselves as soon as they have left the womb! Indeed, it may be years before the child has the mental capacity required to develop its own future of value. Does that mean that killing of toddlers (or any other individuals, like the mentally impaired) is permissible so long as it can be proven that the killing was performed when those children (or mentally impaired) did not have the mental capacities required? Of course not! Again, the term "self-represented future of value" must be expanded to include other values, such as their value (or future value) to their fellow man, or to their society/economy (at the very least). Marquis sees this issue and has reinterpreted the term "future of value" to

include “all of those experiential goods of life that will (or would) make our future lives worth living from our (future) point of view”.

In conclusion, the objection that Brown states and his definition of a self-represented future of value are aimed at felling a simpler argument, and are both too narrow to address the broad spectrum of ethical situations seen today or in retrospect (like the Holocaust). There are many individuals that we would agree have basic moral rights, yet lack the mental capacities required to form their own representation of a future of value. Marquis’ reinterpretation of a future of value does a wonderful job of capturing what it means to have a future of value and answering Brown’s objections.

## BIBLIOGRAPHY

<sup>1</sup> Jatlaoui TC, Shah J, Mandel MG, et al. Abortion Surveillance — United States, 2014. *MMWR Surveill Summ* 2017;66(No. SS-24):1–48. DOI: <http://dx.doi.org/10.15585/mmwr.ss6624a1>

<sup>2</sup> Mark Brown (2000). “The Morality of Abortion and the Deprivation of Futures” *Journal of Medical Ethics*. Vol. 26, no. 2. Pp 103-105

<sup>3</sup> United States Holocaust Memorial Museum. “Introduction to the Holocaust.” *Holocaust Encyclopedia*. [www.ushmm.org/wlc/en/article.php?ModuleId=10005143](http://www.ushmm.org/wlc/en/article.php?ModuleId=10005143). Accessed on 12-4-17.