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Philosophy and the Morality of Abortion

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ABSTRACT

Abortion is a philosophically interesting issue because both sides seem so certain of their conclusions, yet the issue is at the same time clearly a derivative one. It is also highly political, and needs to be seen within the context of the growth of the women's movement. A philosophical overview of the issue in section 1 construes the central claims of the pro-choice and anti-abortion positions as moral and conceptual constructions, which extend everyday moral thinking into the area of abortion. It notes the interesting relation between such constructions and other arguments about abortion, and how this is responsible for their social and historical specificity. Section 2 defends the pro-choice position as a victory of moral sensitivity over linguistic guile. Section 3 situates the argument within the politics of feminism, and recognises the limited contribution which philosophy is able to make.

Philosophy and the Morality of Abortion

Abortion is, in our times, a particularly interesting moral issue for philosophy. For one thing, adherents on both sides hold their convictions with the utmost confidence, as though the opposite opinion were simply unthinkable. A philosopher is bound to wonder how two contradictory claims can both appear self-evident. At the same time, and in strange contrast to this moral certainty, it is clear that abortion is a derivative moral issue, in the sense that its rightness or wrongness depends on anterior claims about the morality of killing, the nature of the fetus, and the facts of pregnancy. Abortion should therefore provide an instructive example of how our moral thinking is structured. Finally, we have in abortion an issue which is being fought out politically right before our eyes -- not like those old chestnuts of promising to a dying man or lying to a madman. It ought therefore to give us some philosophical insight into the relation between moral argument and changes of moral belief. In this paper, I hope to present a perspective on the issue of abortion which responds to these features and tries to provide both a philosophically useful and socially realistic understanding of what is at stake. A major theme will be to take seriously the idea of abortion as a feminist issue, for although there are doubtless feminists and anti-feminists on both sides, the women's movement is typically (and, I shall argue, rightly) pro-choice. Section 1 attempts an overview of the argumentative field, with

special reference to the conceptual innovation involved.[1] Section 2 attempts to overcome the problems involved in justifying such innovation. Section 3 employs the overview to throw light on practical and political aspects of changing attitudes to abortion. An assumption made throughout is that there is nothing to be gained from trying to base moral reasoning on indubitable foundations, and that such foundations are not necessary for moral argument to take place.[2]

1. A philosophical overview

The case for the availability of abortion is obvious. Pregnancy, childbirth, and the rearing of children are extremely important and serious matters. They have profound effects on both the women who bear children and on the children themselves; in our kind of society, they also have a lesser and varying impact on men. An unwanted pregnancy followed by the birth of an unwanted child can be catastrophic for both mother and child: clearly it is preferable to arrange to avoid such catastrophies if possible. Contraceptive techniques of many kinds are available for this purpose. But these techniques are not wholly effective, and it is a further mark of our kind of society that a very large number of people who in no way wish to have children nevertheless have sex -- with or without the woman's consent -- without any contraception at all.[3] Why this should be the case is a matter of speculation; it remains that a large number of unwanted pregnancies do occur and will, as far as we can see into the future, continue to occur. We now have, to an unprecedented degree,

methods for safely terminating unwanted pregnancies, and thus for avoiding the painful and sometimes disastrous effects of the birth of unwanted children. Hence the value of using these methods. At present, standard pregnancy tests are designed for pregnancies of at least four weeks' duration, and there are a significant number of women who for one serious reason or another do not seek abortions until they have been pregnant for even twenty to twenty-six weeks.[4] Hence the necessity, if abortion is to be available at all, for it to be available to women who are at least four weeks pregnant, and the desirability of its being available to women who are as much as twenty-six weeks pregnant.

So the case for abortion is obvious. At least, it is obvious to anyone who believes that a woman may have good reasons for not having children and still be entitled to a sex life. The case is obvious, that is, to anyone who considers in a serious way the circumstances and interests of women. And so it is no wonder that we find the 'right to choose' among the characteristic demands of contemporary feminists, and the salience of abortion as a political issue concurrent with the political importance of the women's movement.

But if the case for abortion is obvious, the case against it is compelling. After all, abortion operates by removing a living human fetus from what, by current technology, is its only source of life support, its mother. It terminates a woman's pregnancy by killing the being with which she is pregnant. It destroys the

life in her womb. This killing of a human being, this deliberately fatal expulsion by a mother of the unborn child within her, surely offends against the fundamental stricture 'Thou shalt not kill.' It is the intentional, calculated killing of what is visibly a fellow member of our species, the taking of a human life. How could such a thing fail to be immoral?

Sponsors of the right to choose will no doubt take exception to the vocabulary and rhetoric of the preceding paragraph. But the words in it are not used wrongly. A fetus is surely living, since it is surely not dead. It is surely human, and an entity -- a being -- and so a human being. Look up 'child' in the dictionary: '1.1 Foetus, infant.' [5] Our concepts for describing the animate world leave no shadow of a doubt: a fetus is a living human being, an unborn child, a life. Nor is it mere rhetoric to use such terms in a morally loaded way. Their morally significant use is part of the very fabric of our moral language. Respect and concern for life, for other human beings, for children, regulate the whole logic of our moral thinking. For instance, if someone objects to the hazards of nuclear war because such a war could destroy life on earth, no one seriously asks whether life on earth is really important, anyway, or doubts that this counts as a moral reason. Again, consider what people often say about torturers and death-camp officials: 'How could they do these things to other human beings?' Suppose someone replied, 'Well, I see very well that they are human beings, but I don't see how that should affect my treatment of them.' Would we

really treat such a reply as intelligible, except when doing philosophy? Once again: when a charity claims that 'Your gift could mean the difference between life and death -- especially for young children',[6] is it possible to treat this as morally insignificant? Does a complete account of the argument require the additional premise that children are persons? The point here is that there are multiple and overlapping connections between the concepts of life, living, human, human being, human life, child, and those of respect, care, concern, protection, cherishing, and others, which help to constitute our moral outlook. Exactly how to describe their status is a difficult question. It is tempting to say that not to know that life is to be respected counts as a failure fully to understand 'respect' or 'life' or both; hence that these connections are 'grammatical' or 'conceptual'. But it is sufficient for the present purpose to recognise that even if they are 'substantive' connections, they are very powerful and important in our moral outlook.

But if a fetus is a living human being, and if respect for human life is central to moral thinking, then abortion must surely be wrong. Nor can its wrongness be shoved to the periphery of moral knowledge -- it is deeply imbedded in our moral outlook. We seem to be bound by some of the central concepts of moral life to condemn abortion utterly.

Speaking very broadly, the pro-choice response to these arguments has been to deny that fetal life is really protected by

prescriptions against killing and in favour of respect for human life. It can be seen to have two complimentary elements. The first element is to restrict certain concepts from being applied to fetuses. For instance, in popular discussion, it is sometimes argued that a fetus is really only an appendage of the mother; by implication, not an entity, not a human being. Sometimes the question discussed is 'where life begins'; the implication being that a fetus 'is not' or 'does not have' life. In more professional circles, it has been argued that a fetus is a human being in the genetic or biological sense, but not in the moral sense; more centrally, that a fetus is not a person. [7] In one respect, the popular approach is more to the point. For the anti-abortion position makes use of a whole network of concepts and associations: in the sketch above, that position was put without having to use the notion of 'person' at all. Hence the need for a similar multiplicity of responses.

The second element of the pro-choice response is to restrict certain moral principles from being applied to fetal life. Characteristically, this is done by maintaining that the underlying justification for the principle of respect for human life relies on morally relevant attributes which fetuses lack, such as self-consciousness. Hence, even if one granted that fetuses were 'human beings' or had 'human life', they would not have the same moral status as more developed human beings and human lives. The two elements of the response can converge, as when the terms of the alleged justification for respecting human life are then used

as defining features of the moral concept of a person.[8] More generally, it might be suggested that since there is no sharp distinction between the conceptual and the substantive, any restrictions on the application of moral principles is ipso facto a moulding of concepts.

Anti-abortionists acknowledge some of these points when they restate their position in terms of fetal potentiality: admitting that fetuses do lack certain morally important properties, but arguing that they possess them potentially.[9] The standard pro-choice reply is not to deny the potential but its significance. In pro-choice terms, fetuses are only potential persons, and hence fall into quite a distinct moral category.[10] But instead of pursuing the details of all these argumentative exchanges, it is more illuminating to consider three aspects of the general character of the positions taken.

First and foremost, stances on abortion are moral and conceptual constructions which, starting from the concepts and precepts available in everyday moral thinking about adults and children, make new distinctions, draw new boundaries, articulate new justifications. This is most obviously true of the pro-choice position. For instance, the distinction between two senses of 'human' is not a found distinction but one invented for this purpose. What we find is a concept which combines certain specific biological criteria for its application with serious moral implications: it is already biological and moral. The new distinction

isolates the original biological criteria into a concept without moral implications (or with different, weaker ones), and constructs a new concept in which the original moral implications are conjoined with a revised and more sharply delineated set of biological (and perhaps psychological) criteria. Similarly, it may be that 'person' is in many ways a problematic and open-textured concept; but to argue that a fetus is not a person is not a matter of recognising this open texture but, at most, of exploiting it to draw a new boundary to the use of the term.[11] Naturally, the rhetoric of the abortion argument suggests otherwise, when people claim that a fetus is not (really) a life, or is not a human being 'in the full sense'. But acting as though one is discovering rather than inventing does not make it so.

Recognising the pro-choice position as a construction helps us to see that the standard anti-abortion position is itself such a construction. It, too, begins with the central elements of our everyday moral understanding and constructs from these an answer to the question of abortion. It extends the biological-cum-moral concepts of 'human being' and 'person' to the case of the fetus -- claiming, for instance, that a fetus is the same person as the adult it becomes. True, this extension comes naturally -- a fact which helps to explain the sense of logical compulsion with which anti-abortionists feel driven to their conclusion. But the existence of an alternative set of moral and conceptual determinations in itself shows that this sense of compulsion is not to be trusted. To assert the identity of fetus and adult represents

one choice of criteria for the concept 'person', to deny it another.

The anti-abortion use of 'potentiality' is an even clearer case of moral and conceptual innovation. Its crucial premise is that the fetus's potential to develop into a being with full moral status entitles the fetus itself to such status. The premise is simply, and necessarily, invented for this particular occasion, since nowhere else in moral thinking is there quite the same sort of situation. There are certainly parallels, which make the innovation intelligible. Perhaps the closest, though the example is not especially moral, is someone with the potential to become a great actor or musician or sportsperson. In the appropriate scale of value, such people are not so worthy as those who have actually achieved greatness, but their potential does rate special attention. Moral parallels, however, tend to move in a different direction. Perhaps all men are potential rapists, but they do not thereby have the same moral status as actual rapists; seminarians are potential priests, but do not have the same moral status, i.e. the same rights and privileges, as real priests; and so on. The case of the fetus is, of course, different in some ways from any of these parallels, and so leaves room for being developed as convenient. The anti-abortion position is only one of the ways in which the moral significance of fetal potentiality can be determined.

Each side of the argument, then, involves constructions which, once completed, are extremely effective at dovetailing conceptual and moral considerations. And so, both sides can sport an air of self-evidence. It is no wonder that we find such a peculiar degree of certainty in opposing camps.

A second interesting aspect of the moral and conceptual constructions we are considering is their relation to additional, independent beliefs about abortion. For the pro-choice construction reveals a striking dependence on the kinds of argument for abortion with which this section began. No doubt it partly depends on characteristics of the fetus itself, such as the fetus's lack of a concept of self, or of a desire to stay alive.[12] But without reference to the particulars of the case for abortion and the actual facts of pregnancy, the construction could not be completed. To begin with, the construction only has a point within the context of the argument for abortion. It exists for the precise purpose of making abortion permissible. And this affects its very terms, because it is forced to choose from among the many possible criteria it could use for drawing new distinctions and new boundaries just those features which suit the pro-choice position. For instance, it would have been quite convenient for the construction if it could be claimed that fetuses do not feel pain, or that they are for a long time indistinguishable from fetuses of other animals, and some adherents have indeed attempted to make such claims.[13] But a greater awareness of the facts of fetal development has merely served to

refine the pro-choice construction, designed to keep fetuses on the right side of crucial distinctions. On the other hand, the point at which the general case for abortion begins to weaken, namely around the time of fetal viability, is not a point at which any really major, morally significant changes occur in the fetus itself -- certainly not the development of self-consciousness or the desire to live. This has inclined some philosophers to resist using viability as a criterion for personhood, thus landing themselves with problems about infanticide.[14] But the wider feminist movement seems willing enough to ascribe life and humanity to viable fetuses. The reasons are perhaps a little obscure, but seem pretty clearly to include the facts that most women are able to make up their minds about abortion before the sixteenth week, that late abortions are more dangerous and more like childbirth in procedure, that it is harder not to react to a viable fetus as one reacts to a new-born baby, that medical staff find late abortions distressing and role-confusing, and, obviously, that viable fetuses are not dependent specifically on their mothers for staying alive.[15] These are all reasons which weaken the case for very late abortions, but they are not based on changes in the nature of the fetus which in themselves would strike anyone as morally significant.

What we have, then, are new concepts such as 'human in the moral sense', which have as criteria of application features of the entities they denote, but whose criteria are chosen with a practical end in view. The situation corresponds neatly to the

role such concepts play in moral thinking, but it contrasts sharply with preconceptions one is inclined to have about the concepts in question. For one is inclined to suppose that whether some entity is a person ought to depend entirely on features of the entity itself, and not on ulterior considerations. This inclination seems to derive from the fact that the criteria for applying 'person' are indeed features of the entities themselves. But to insist that these criteria should be chosen solely by reference to such features is to confuse rules for applying a concept with reasons for establishing such rules.

The pro-choice construction of the moral status of the fetus is thus at least partly dependent on other arguments for abortion: it seems reasonable to suppose that there is a similar dependence on the anti-abortion side. But the supposition is doubtful, since the standard anti-abortion position seems to be largely the result of what comes naturally to a speaker who has mastered concepts used in other contexts. It is nevertheless worth noting that this 'natural' extension is facilitated if one disapproves of abortion anyway. Someone who believes that it is women's lot to bear children, that this imposes no real burdens on them, and that abortions are dangerous and psychologically damaging is not going to experience any difficulty in endowing fetuses with the moral importance of personhood.[16] But the relation of dependence reappears when it comes to the anti-abortion use of 'potentiality'. The whole point of this concept is to find a way of circumventing pro-choice objections to the

standard anti-abortion line. Nowhere else in moral thinking has potentiality quite the same role; in the dispute over abortion it is just what the doctor ordered. But to avoid unwanted consequences, the concept has to be carefully shaped -- otherwise it might be used to condemn every form of birth control, or alternatively to permit fairly wide grounds for abortion.[17] Only after the purpose of its employment has been fixed can its precise characteristics, its moral and conceptual connections, be settled.

There is a third interesting feature about these constructions. Since they are related to other arguments about abortion, and hence to facts about pregnancy, medicine, and social attitudes, and since those facts are in part historical facts about the kind of society we live in, it follows that the resulting moral/conceptual constructs are historically and socially specific. They are designed to suit the problems and conditions of our kind of society, and should be expected to change if society alters in substantial and relevant ways. For instance, increased acceptance of abortion in this century has led to the development of safer and more effective techniques.[18] This has strengthened the case for a liberal abortion policy, with a corresponding moral and conceptual support. Similarly, future changes in attitudes towards sex and towards contraception, the development of really safe, uncomplicated, and effective forms of contraception, increased levels of emotional and financial support for pregnant women and for mothers, better knowledge about our bodies and

about coping with unwanted pregnancy, easily and freely available abortion facilities, and even the widespread acceptance of the morality of abortion, could conceivably weaken the case for abortion, with a consequent impact on the constructions used to justify it. Radical differences in our way of life could force radical changes in these constructions. But it is precisely this historical specificity which makes certain forms of argument about abortion and its conceptual support miss the point. For instance, one author imagines what it would be like if we could remove fetuses from the womb during pregnancy, or if pregnancy only lasted nine days.[19] But as he eventually admits, the fact that these would stimulate further moral and conceptual revision does not show that the terms in which the issue of abortion is now being discussed are deficient, but only that our thinking has responded to real and pressing problems and not to imagined ones.

2. Justifying the pro-choice position

We have seen that the argument for abortion requires a construction of our moral thinking in which new distinctions and boundaries are drawn to suit a conclusion appropriate to our circumstances. Within this construction, the most powerful and obvious anti-abortion arguments cannot even be stated. But this picture of the situation raises a serious question of justification: for if the pro-choice position is constructed precisely to get rid of an objection to abortion, it is surely circular. What we need, surely, is an independent justification for its distinctions and determinations which happens to have as a consequence the pro-

choice position. It was noted in section 1 that the usual strategy is of just this form -- it tries to establish, independently of the aim of legitimating abortion, that being a human fetus is of no moral significance. But it was argued in response that this strategy misrepresents the way in which the pro-choice position originates and gets shaped; that what we really have is a custom-made construction. Can it somehow still provide the materials for a moral justification?

Pro-choice theorists tend to argue that the real case against killing people relies on properties which belong only to developed human beings. Hence its inapplicability to fetuses. The argument is plausible because it employs properties which in ordinary moral language are considered valuable in themselves, and which generally attach to developed humans. But it fails to show that the features which fetuses share with developed humans are not themselves valuable. Since, as we have seen, ordinary moral thinking does treat these features -- being human, being alive, being a child, and so on -- as valuable in themselves, the pro-choice theorist must argue that this thinking is mistaken. But how can this be done? One way is to use a general moral theory, which is supposed to underpin and to explain moral values. It might then be argued that although there is nothing seriously wrong in practice with talking in terms of the value of human life, since in general this protects the really important things like self-consciousness and the desire to live, being human is not in itself of any moral worth. But if one rejects

the attempt to develop such moral theories, the problem must be tackled a different way.[20]

Let us return to the overall picture of the abortion argument provided in section 1. That picture portrays both sides as moral and conceptual constructions, which deal with abortion by extending and fashioning the concepts and beliefs found in the rest of morality. The reason for thinking of these as extensions of an already existing practice is obvious. After all, as children we learn moral language in the context of dealing with other children and with adults. And virtually all of our subsequent moral judgments have to do with informing and regulating our relationships with other moral agents. In the examples given in section 1 of the use of 'human being', 'human life', and 'child', all of these terms were applied to developed human beings, lives, and children. So even if the morality of abortion is not derivative from some underlying moral theory, it is derivative in another sense from the complicated mastery of morality which we establish as we grow up.

What, then, is involved in extending this knowledge to the question of abortion? On the anti-abortion side, the approach is pretty straightforward. Having already to hand concepts like 'human being' whose criteria of application are biological and whose implications are moral, it simply carries on in the same way when it comes to fetuses. The problem is that in so doing it raises serious moral conflicts between the value it places on

fetal life and the effects this has on women. True, these conflicts are underplayed because of a traditional association between the anti-abortion position and a wider set of attitudes which depreciate the interests of women. But once full attention is given to women's needs, the conflicts become morally severe. The 'straightforward' extension of moral practices has generated some unexpected complications! So we need to go back and to examine the character of this extension more carefully. We then see that in so extending our practice, we have moved away from a context in which being biologically human generally went along with having all kinds of other traits themselves morally significant. In the new context of fetal life, most of these traits have dropped away. Ranged against all the misery, risk, and inconvenience of unwanted pregnancy and childbirth, we retain not the full cluster of morally significant properties commonly brought onto the moral stage by the concept 'human being', but only their biological shell. The deficiency is only emphasised, not redressed, by introducing the concept of 'potentiality', since fetuses lack precisely those traits which potentially they possess, while the importance of potentiality itself is open, as we have seen, to a variety of constructions. And so, what initially gives the anti-abortion position its greatest strength, namely the powerful inclination to extend morally significant concepts to cover fetal life, proves morally hollow. Although it is not necessary for the alternative, pro-choice position utterly to deny the moral importance of being biologically human, or even

of fetal potentiality, it can be seen to express our capacity in this context to weigh these factors against the really pressing moral claims generated by unwanted pregnancies, and to judge that in this case, it would be morally wrong to follow those linguistic inclinations which lead us into the anti-abortion view. It is thus a conquest of moral sensitivity over the guiles of language.

3. The politics of philosophy

The abortion argument resolves itself into a conflict between two moral and conceptual constructions, within each of which the question has an obvious and unassailable answer. Hence, as has been noted, the remarkable confidence with which both sides hold their convictions. In section 2 it was argued that nevertheless there are good reasons for preferring one construction to the other, but it is interesting to note that the more strongly one is immersed in the anti-abortion point of view, the less apparent these reasons may be. This is because the anti-abortion position provides a powerful set of mutually reinforcing defences against any attack. Thinking oneself through these defences requires not just a vivid recognition of the burdens they impose on women but also an understanding that the conceptual structures they employ are open to question. Opponents to abortion are in this sense captive to a way of thinking about the world which it requires a degree of philosophical effort to transcend.

But it would be mistaken to over-intellectualise the forces at work here. After all, it has not taken any study of philosophy for thousands of feminists to adopt a way of thinking which accommodates abortion. They have developed new concepts and distinctions under the pressure not of speculative moral theory but of the real problems of women. It is no wonder, then, that opposition to abortion is so often found in association with the belief that it is simply no imposition on women to have unwanted children for either themselves or others to bring up, and that there is thus nothing to be said in favour of abortion in the first place. Hence, also, the common connection between opposition to abortion and to other elements of the feminist programme, such as contraception, divorce, equal opportunity, child care facilities, and sexual tolerance. If opponents to abortion are in some sense captive to a way of conceptualising things, more seriously and fundamentally are they captive to a depreciation of the needs and interests of women which prevents them from questioning their ideas.

Among proponents of abortion, some are simply strongly aware of the position of women and untroubled by what they see as sophisticated or hypocritical arguments on behalf of the fetus. Yet the intellectual and emotional pull of the anti-abortion position is sufficiently strong that others require a good deal of clear-sightedness and self-discipline to resist it. Self-discipline is not a monopoly of conservatism: the effort to escape a strongly compelling way of thinking may well be a struggle which needs strength of purpose and the support of others.

With all this in mind, it would be naive to expect the abortion issue to be settled by argument. We may expect it to be worked out only so far as the general aims of the women's movement are achieved. Nevertheless, even social movements seem to require their intellectual justifications, if only post hoc; and some individuals, for whatever reasons, believe in the importance of argument and justification. Philosophy alone cannot hope to resolve such questions, but it has to do its bit.[21]

- [1] The term 'overview' is a deliberate invocation of Wittgenstein, e.g. WITTGENSTEIN, L. (1953) Philosophical Investigations (Oxford, Blackwell), sec. 122, though I leave it to the reader to judge its accuracy.
- [2] This point of view is discussed in BAKER, JOHN (1980) Mill's Captivating "Proof" and the Foundations of Ethics, Social Theory and Practice, 6.
- [3] For example, the Irish Pregnancy Counselling Centre found that less than half of their clients were using contraception when they became pregnant. IRISH WOMEN'S RIGHT TO CHOOSE GROUP (1981) Abortion -- A Choice for Irish Women second ed. (Dublin) p. 2.
- [4] See BIRTH CONTROL CAMPAIGN (1981) Why Late Abortions? (London).
- [5] The Shorter Oxford English Dictionary (1967) (Oxford, Oxford University Press), I, p. 301.
- [6] Fund-raising letter from Oxfam, 24 November, 1982.
- [7] E.g. TOOLEY, MICHAEL (1972) Abortion and Infanticide, Philosophy and Public Affairs, 2,1; WARREN, MARY ANNE (1973) On the Moral and Legal Status of Abortion, Monist 57,1. These articles strike me as the best theoretical embodiment of mainstream pro-choice thinking, and are often cited as such. I shall treat them this way throughout.
- [8] Ibid.
- [9] A useful expression of this view is WADE, FRANCIS C. (1975) Potentiality in the Abortion Discussion, Review of Metaphysics, 29,2.

- [10] TOOLEY (1972), sec. v.
- [11] A similar point is made by HARE, R.M. (1978) Abortion and the Golden Rule, Philosophy and Public Affairs, 4,3.
- [12] Cf. TOOLEY (1972), WARREN (1973).
- [13] E.g. IRISH WOMEN'S RIGHT TO CHOOSE GROUP (1980) Abortion -- A Choice for Irish Women, first ed. (Dublin), p. 9. The claims have been corrected in the second edition.
- [14] TOOLEY (1972). Warren addresses the issue in a postscript to her article published in WASSERSTROM, R.A. (ed) (1979) Today's Moral Problems (New York, Macmillan).
- [15] British statistics show that about 94% of all abortions are performed by the sixteenth week after the last reported period. OFFICE OF POPULATION CENSUSES AND SURVEYS (1977, '78, '79, '80, '81, '82) Abortion Statistics for 1974-80 (London, HMSO), table 3.1. Cf. also IRISH WOMEN'S RIGHT TO CHOOSE GROUP (1981), p. 2. I am not concerned here to enter into the question of precisely where the legal limit for abortion should be set, only to draw attention to the kind of reason relevant to deciding the issue.
- [16] Nor, incidentally, is someone who sees abortionists as 'quacks' who threaten the professional status of doctors. Cf. in this regard MOHR, JAMES C. (1978) Abortion in America: The Origins and Evolution of National Policy, 1800-1900 (New York, Oxford University Press), esp. ch. 6.
- [17] For an example of the latter, see HARE (1978).

- [18] An indication of the sorts of advance which have occurred can be gained from POTTS, MALCOLM, DIGGORY, PETER, & PEEL, JOHN (1977) Abortion (Cambridge, Cambridge University Press), chs. 5-7.
- [19] WERTHEIMER, ROGER (1971) Understanding the Abortion Argument, Philosophy and Public Affairs, 1,1. Though Wertheimer correctly emphasises the idea of competing conceptualizations, he fails to get beyond 'natural responses'.
- [20] What follows is ultimately inspired by WITTGENSTEIN (1953). Cf. in particular sec. 125. Of course, the argument in this paper is only partly 'philosophical' in Wittgenstein's sense. There are also similarities to the understanding of moral and political argument expressed by OAKESHOTT, MICHAEL (1962) Political Education, in: Rationalism in Politics (London, Methuen).
- [21] I am grateful to many friends, to the editors, and especially to Richard Lindley for their critical encouragement.