



PHILOSOPHY AND THEOLOGY

In his article “Infanticide and Moral Consistency,” Jeff McMahan writes, “Almost everyone believes that infanticide is wrong. What could possibly justify the intentional killing of an innocent, unthreatening and wholly defenceless human being? Yet many who believe that infanticide is nearly always impermissible also accept that abortion can sometimes be permissible, even in the second and third trimesters of pregnancy.”¹

McMahan argues that it is not consistent to defend late-term abortion but universally condemn infanticide. One cannot make a morally significant distinction between a postnatal human being and a prenatal human being at the same stage of psychological and physical development. We could call this the pre-birth/post-birth consistency problem.

Those who believe that abortion can sometimes be justified after the point of fetal viability but that infanticide is never permissible face a problem of consistency, for there is no intrinsic difference between a premature infant and a viable fetus of the same age and level of development. The only difference is extrinsic, a matter of location. If, as virtually all moral theorists agree, moral *status* is a function of intrinsic properties only, there can be no difference in moral status between a viable fetus and a premature infant of the same age. If all infants have a status that brings them within the scope of stringent moral constraints, the same must be true of all viable fetuses. For any viable fetus could be an infant with a slight change of location that involves swapping a natural for an artificial system of life support.²

The conventional pro-choice view advanced by NARAL and Planned Parenthood is that abortion is ethically permissible and should be legal after viability, but infanticide

1. Jeff McMahan, “Infanticide and Moral Consistency,” *Journal of Medical Ethics* 39.5 (May 2013): 273, doi: 10.1136/medethics-2012-100988.

2. *Ibid.*, original emphasis.

is ethically impermissible and should be illegal. As McMahan notes, this conventional view “meant that killing a viable fetus during the second trimester was constitutionally protected, yet if the pregnant woman carrying it suddenly went into labour, killing that same individual after it had emerged from her body would have been murder. This was arbitrary and irrational.”³

Defenders of abortion sometimes invoke birth itself as the ethically decisive event that distinguishes human beings without a right to life from human beings with a right to life. Even if we accepted that birth is the dividing line, which I believe we should not, the consistent defender of abortion who criticizes infanticide faces the challenge of determining when exactly a child is born.⁴ If we hold that a postnatal child deserves equal protection under the law but a prenatal human being does not, how do we handle partial-birth abortion? The question, what exactly counts as birth, is as practical as any in ethics, for the law must draw the line between legal and illegal killing. Despite using the dehumanizing language of “it” to describe a “her” or a “him,” McMahan sees the arbitrariness of drawing the line in partial-birth abortion:

Does the morality of killing it depend on what percentage of its body protrudes from the woman’s? The absurdity of the statute is proclaimed by its exactitude on these matters. What [the legislation] prohibits is the killing of a fetus if “the entire fetal head is outside the body of the mother, or, in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother.” If the navel is exposed when a non-viable fetus is killed, a criminal act has occurred. But if an 8th of an inch less of the abdomen is exposed, the act of killing is constitutionally protected. Yet it would be silly to suppose that anything of moral significance could depend on whether the fetus’s navel is showing. Nor could it make any moral difference, in itself, whether the whole of the body is exposed rather than just the part above the chin or below the navel.⁵

It is hard to believe that having one’s navel exposed is the ethically significant difference granting an inalienable and equal right to life.

McMahan would seem to resolve the pre-birth/post-birth consistency problem by expanding the permissible scope of intentional killing to include infants. He considers reasons for questioning the presumption against infanticide and notes that we allow infants to die for reasons that we would not allow older children to die. It is also true, however, that we allow ninety-year-olds to die for reasons that we would not allow older children to die. McMahan’s analysis makes the questionable assumption that the intentional killing of a baby or a ninety-year-old is ethically equivalent to not providing life-saving aid. If we do not save the baby or elderly person, then we may also intentionally kill them.

3. Ibid.

4. For a critique of the view that birth grants the right to live, see Christopher Kaczor, *The Ethics of Abortion: Women’s Rights, Human Life, and the Question of Justice*, 2nd ed. (New York: Routledge, 2015), 41–58.

5. McMahan, “Infanticide and Moral Consistency,” 273.

An alternative analysis holds that all innocent human beings have a right to life, that is, all agents have a duty not to intentionally kill innocent human beings, but duties to aid vary widely depending on innumerable concrete circumstances. We can hold that all human lives are worth living, because all human beings have intrinsic value, but also hold that not all treatments are worth providing, because the burdens of a treatment may outweigh its benefits.

Can arguments, such as the violinist analogy, free the defender of abortion from the pre-birth/post-birth consistency problem? McMahan does not think so: "All that the appeal to a woman's right to control the use of her body can justify is the removal of the fetus from her body. After the point of viability, this can usually be accomplished without killing the fetus or allowing it to die. After this point, therefore, the appeal to the pregnant woman's right cannot normally justify an abortion, which by definition involves killing the fetus."⁶ Indeed, a similar position is explicitly stated by Judith Jarvis Thomson: "You may detach yourself [from the violinist or person in utero] even if this costs him his life; you have no right to be guaranteed his death, by some other means, if unplugging yourself does not kill him."⁷ After viability, extraction without killing is possible. Since an alternative is available, which both frees the woman from pregnancy and preserves the life of the child, it is not permissible to abort in the sense of intentionally killing the viable human being in utero.

In his article "The Viable Violinist," Michael Hawking comes to the same conclusion as McMahan, namely, that the defenses of abortion, such as the violinist analogy, do not resolve the pre-birth/post-birth consistency problem. In order to pump our intuitions about the violinist analogy, Hawking mentions "a real legal case involving a man (McFall) in need of a bone marrow transplant whose cousin (Shimp) was a match. McFall filed a suit to force Shimp to donate his marrow but the court ruled that he could not be forced to do so against his will."⁸ Is bone marrow donation ethically analogous to abortion?

The cases are dis-analogous in at least two ways. Shimp does not have a serious moral and legal responsibility to support his cousin McFall that is the same as the duty of a mother or father to support her or his dependent child. Moreover, this analogy lends support to a defense of the unborn person rather than a defense of abortion. If a person should not be forced to give up her bone marrow in order to save someone else's life, then *a fortiori* a person should not be forced to give up her marrow, bones, organs, entire bodily integrity, and life itself in order to support someone else's decision to no longer live as a mother. Recall that the violinist analogy grants the supposition that two persons are involved in abortion. If a lesser harm (surgery to remove bone marrow) cannot be imposed on one person in order to secure a greater good (life itself) for another person, then surely a greater harm (loss of life) cannot be imposed on one person in order to secure a lesser good (being free

6. Ibid., 274.

7. Judith Jarvis Thomson, "A Defense of Abortion," *Philosophy and Public Affairs* 1.1 (Fall 1971): 66.

8. Michael Hawking, "The Viable Violinist," *Bioethics* 30.5 (June 2016): 313, doi:10.1111/bioe.12206.

of motherhood) for another person. The bone marrow donation case is an analogy against abortion, not in defense of it.

Hawking puts a new twist on Thomson's argument by introducing the viable violinist: "By including the viability of the violinist (late-term fetus) along with the fact that the woman will have some degree of responsibility for the violinist after he is detached, this modified version of Thomson's analogy better accounts for the morally relevant features of late-term pregnancy."⁹ The violinist could survive being detached, but this would involve a cost to the woman, specifically she would have some responsibility for him until a suitable guardian could be found. Abortion after viability differs, claims Hawking, from abortion prior to viability. Prior to viability, detaching or extracting the embryo from the woman to end her pregnancy necessarily involves fetal demise. After viability, detaching or evacuating the fetal person does not necessarily involve his or her demise, since the young human being could still survive after detachment.

Hawking's argument hinges on the premise that "termination of pregnancy post-viability requires a deliberate and distinct act of feticide, accomplished by means that could equally be used for infanticide."¹⁰ If we can separate ourselves from the violinist without killing him, we are not justified in killing him to separate ourselves. Hawking writes, "Rather than showing us that late-term abortion and infanticide are morally distinct, Thomson's analogy, if refined to bring it closer to the clinical realities of post-viability termination of pregnancy, very clearly illustrates their moral similarity."¹¹ In other words, if infanticide is wrong, then the violinist analogy does not justify post-viability abortion. If the analogy does justify post-viability abortion, then it also justifies infanticide.

In the article "Pro-Life Arguments against Infanticide and Why They Are Not Convincing," Joonas Räsänen reconciles the pre-birth/post-birth consistency problem by defending Alberto Giubilini and Francesca Minerva's controversial article, "After-Birth Abortion: Why Should the Baby Live?"¹² Räsänen defends infanticide, in part, by attacking the substance view, namely, that we are human organisms whose basic rights begin at conception. Räsänen writes, "If you or I came to be at conception (as supporters of SV claim), one might ask why we celebrate birthdays instead of conception days? After all, what is morally relevant, according to the supporters of SV, is the conception. But it would be ludicrous to celebrate the day you were conceived or count the years and days how old you are from the date of the conception (at least as ludicrous than say that you or I were never born)."¹³ The substance view leads to absurdities, according to Räsänen.

9. Ibid., 314.

10. Ibid., 316.

11. Ibid., 315–316.

12. Alberto Giubilini and Francesca Minerva, "After-birth Abortion: Why Should the Baby Live?," *Journal of Medical Ethics* 39.5 (May 2013): 261–263, doi: 10.1136/medethics-2011-100411.

13. Joonas Räsänen, "Pro-Life Arguments against Infanticide and Why They Are Not Convincing," *Bioethics* 30.9 (November 2016): 658, doi: 10.1111/bioe.12281.

However, some traditional cultures in East Mongolia and Japan calculate age from conception. Multicultural sensitivity suggests that we not dismiss other cultural practices as ludicrous. Nevertheless, it makes more sense to count age from birth for two reasons. First, the day of conception is often hard to determine. Say a baby is born on July 19. If the child is not premature, we can know that she was conceived sometime in October. However, even if her parents had kept careful track of the days they were having sex, in many cases it would still not be clear on which day conception took place. You can easily imagine disputes and contrary bits of evidence arising about which days a couple made love months and months ago. Even if a couple knew that they had sex only on one day during the time in which the child was conceived, sperm can fertilize an egg up to five days after intercourse. A birth on July 19 is compatible with a wide range of dates, any of which is possible and none of which can be determined. It also makes sense to mark age from birth because it is typically more memorable, dramatic, and public than conception.

Räsänen also rejects various critiques of Giubilini and Minerva's defense of infanticide. In *Ethics of Abortion*, I suggested that it is problematic in debate to appeal to premises or intuitions that are deeply controversial in order to come to conclusions about an even more contentious issue.¹⁴ By claiming that post-birth abortion is permissible because pre-birth abortion, lethal embryo research, and capital punishment are permissible, Giubilini and Minerva move from the uncertain and disputed to the even more uncertain and disputed. It is like arguing from the premise of affirmative action in favor of having mandatory allotments by race for all legislative and judicial seats. It is like arguing from the supposition that all Republicans are better presidents than all Democrats, to the conclusion that Richard Nixon was the best president of all time.

Räsänen responds to this critique by saying that abortion, embryo research, and capital punishment are just examples, which simply “show that the fact that one belongs to the human species is not sufficient reason to claim that it is impermissible to kill one (or it).”¹⁵ In other words, if we accept abortion, embryo research, and capital punishment, then we at least implicitly embrace the principle that not all human beings have a right to live. Therefore, we cannot argue that infanticide is wrong on the grounds that it violates the right to live of the baby as a human being.

Do these examples show the fact that being human does not grant individual human beings a right to live? If she is appealing to intuition, then the fact remains not shown, at least to everyone who rejects the lethal use of human embryos, abortion, and capital punishment. Perhaps Räsänen is claiming that the principle, not all human beings enjoy basic rights, is already accepted, and these examples merely illustrate an already-accepted principle that not all human beings enjoy basic rights.

Surely this ethics of exclusion is itself deeply controversial. Räsänen, Giubilini, and Minerva do not give any arguments for their claim that only some human beings have basic rights. Indeed, the assertion seems radically at odds with the very first line of the United Nations Declaration of Human Rights, “Recognition of the inherent

14. See Kaczor, *Ethics of Abortion*, 1–12.

15. Räsänen, “Pro-Life Arguments against Infanticide,” 657.

dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”

Räsänen argues, “Giubilini and Minerva think that some members of the human species do not have a right to life, but the reason for that is not the fact that capital punishment, abortion and embryo research are legal somewhere and that some people see those as morally acceptable practices but rather that not all human beings are persons who are capable of valuing their own existence.”¹⁶ This explanation fails to account for Giubilini and Minerva’s inclusion of the death penalty on their list. Surely most human beings on death row value their own existence, so if the list of controversial practices is meant to illustrate the principle that persons are individuals who value their own existence, why include capital punishment?

Moreover, all the cases cited by Giubilini and Minerva may be justified in ways consistent with universal basic human rights. Thomson argues that abortion may be justified, even if the human fetus has a right to life. John Finnis has justified the death penalty as an instance of retributive justice that is compatible with each human being’s right to live.¹⁷ Death row inmates retain basic rights, which is why cruel and unusual punishment, such as torture, is condemned even for those subject to capital punishment. If the right to live is understood as the right of innocent human beings not to be intentionally killed, then capital punishment, killing in self-defense, and killing enemy combatants in just war do not violate human rights. Even embryonic stem cell research could be understood as consistent with the principle of universal human rights. As Jeff McMahan argues, if the pre-implantation embryo is not sufficiently unified to be an organism, then the pre-implantation embryo cannot be a human organism.¹⁸

Of course, none of these considerations justify intentionally killing a newborn baby. An infant is not supported by the body of her mother, so the violinist analogy is inapplicable. Neither is she a convicted criminal subject to the death penalty, nor an aggressive threat that may be killed in self-defense or in a just war. Moreover, it would be difficult to deny that a newborn human being is a human organism. If killing a baby is wrong and if we have not overcome the pre-birth/post-birth consistency problem, then we have reason to question the permissibility of pre-birth abortion.

CHRISTOPHER KACZOR

16. Ibid.

17. John Finnis, *Moral Absolutes: Tradition, Revision, and Truth* (Washington, DC: Catholic University of America Press, 1991): 78–81.

18. Jeff McMahan, “Killing Embryos for Stem Cell Research,” *Metaphilosophy* 38.2–3 (April 2007): 177–181, doi: 10.1111/j.1467-9973.2007.00488.x.

PHILOSOPHY AND THEOLOGY ABSTRACTS

American Catholic Philosophical Quarterly

Joseph Boyle, Intention, permissibility, and the structure of agency, Am Cathol Philos Q 89.3 (Summer 2015): 461–478, doi: 10.5840/acpq201561561 • The core of the double effect rule supposes the existence of a kind of impermissible action whose impermissibility is determined by its including the intention of a bad result. How can the reality of actions having this tight connection between intending bad results and impermissibility be justified? None of the obvious justifications is promising. But the conditions of human agency provide a justification for the centrality of intention within the impermissible actions double effect addresses. The human power to avoid intentional actions is robust, but not the power to avoid unintended bad results. Supposing there is a normative case for indefeasible prohibitions (which the rule does not establish but needs if it is to have application), limiting them to intentional actions is warranted, since the prohibition can be complied with. But when unintended bad results are not avoidable, such a prohibition would demand the impossible.

T. A. Cavanaugh, DER and policy: the recommendation of a topic, Am Cathol Philos Q 89.3 (Summer 2015): 539–556, doi: 10.5840/acpq201561560 • If viable, DER [double effect reasoning] justifies certain individual acts that—by definition—have two effects. Presumably, it would in some fashion (at the very least, redundantly) justify policies concerning the very same acts. By contrast, acts that sometimes have a good effect and sometimes have a bad effect do not have the requisite two effects such that DER can justify them immediately. Yet, a policy concerning numerous such acts would have the requisite good and bad effects. For while any one such act would lack the relevant

two effects, a series of such acts and a policy governing such a series would have them. This paper addresses DER's justification of policies that apply to such acts. It shows that there are certain acts which DER mediately justifies by justifying policies (having the requisite two effects) concerning them. Thus, it recommends the larger topic of DER's bearing on policy.

Samuel Kahn, Reconsidering the Donohue–Levitt hypothesis, Am Cathol Philos Q 90.4 (Fall 2016): 583–560, doi: 10.5840/acpq2016915100 • According to the Donohue–Levitt hypothesis, the legalization of abortion in the United States in the 1970s explains some of the decrease in crime in the 1990s. In this paper, I challenge this hypothesis. First, I argue against the intermediate mechanisms whereby abortion in the 1970s is supposed to cause a decrease in crime in the 1990s. Second, I argue against the correlations that support this causal relationship.

Bernard G. Prusak, Aquinas, double-effect reasoning, and the Pauline principle, Am Cathol Philos Q 89.3 (Summer 2015): 505–520, doi: 10.5840/acpq201561556 • This paper reconsiders whether Aquinas is rightly read as a double-effect thinker and whether it is right to understand him as concurring with Paul's dictum that evil is not to be done that good may come. I focus on what to make of Aquinas's position that, though the private citizen may not intend to kill a man in self-defense, those holding public authority, like soldiers, may rightly do so. On my interpretation, we cannot attribute to Aquinas the position that aiming to kill in self-defense is prohibited where so aiming is the only way to stay alive. Instead, for the private citizen though not for the public authority, it is aiming to kill as an end in itself, over and above the aim of saving one's life, that is prohibited. Accordingly, we also cannot attribute to

Aquinas the third condition of the principle of double effect in its textbook formulation.

Bioethics

M. Hawking, The viable violinist, Bioethics 30.5 (June 2016): 312–316, doi: 10.1111/bioe.12206 • In the aftermath of the Kermit Gosnell trial and Giubilini and Minerva's article 'After-birth abortion', abortion-rights advocates have been pressured to provide an account of the moral difference between abortion, particularly late-term abortion, and infanticide. In response, some scholars have defended a moral distinction by appealing to an argument developed by Judith Jarvis Thomson in "A Defense of Abortion." However, once Thomson's analogy is refined to account for the morally relevant features of late-term pregnancy, rather than distinguishing between late-term abortion and infanticide, it reinforces their moral similarity. This is because late-term abortion requires more than detachment—it requires an act of feticide to ensure the death of the viable fetus. As such, a Thomsonian account cannot be deployed successfully as a response to Giubilini and Minerva. Those wishing to defend late-term abortion while rejecting the permissibility of infanticide will need to provide an alternative account of the difference, or else accept Giubilini and Minerva's conclusion.

E. Paez, Emergency contraceptives and the beginning of human animals, Bioethics 30.6 (July 2016): 433–439, doi: 10.1111/bioe.12242 • Emergency contraceptives may sometimes prevent implantation, thereby causing the death of the embryo. According to some positions contrary to abortion, because the embryo is a human animal, there are usually decisive moral reasons not to use them. In this article, I will show that objecting to the use of emergency contraceptives on those grounds is unjustified. If organisms are real existents, then according to the most plausible conception of what is required for a group of cells to compose one, the embryo cannot qualify as a single organism. On the other hand, if organisms are virtual objects, then whether or not the embryo qualifies as one is morally irrelevant. I conclude that even

if those positions are right about the morality of abortion, they are not entitled to oppose the use of emergency contraceptives.

Joona Räsänen, Pro-life arguments against infanticide and why they are not convincing, Bioethics 30.9 (November 2016): 656–662, doi: 10.1111/bioe.12281 • Alberto Giubilini and Francesca Minerva's controversial article 'After-Birth Abortion: Why Should the Baby Live?' has received a lot of criticism since its publishing. Part of the recent criticism has been made by pro-life philosopher Christopher Kaczor, who argues against infanticide in his updated book 'Ethics of Abortion'. Kaczor makes four arguments to show where Giubilini and Minerva's argument for permitting infanticide goes wrong. In this article I argue that Kaczor's arguments, and some similar arguments presented by other philosophers, are mistaken and cannot show Giubilini and Minerva's view to be flawed. I claim that if one wants to reject the permissibility of infanticide, one must find better arguments for doing so.

Disability Studies Quarterly

Bertha Alvarez Manninen, The replaceable fetus: a reflection on abortion and disability, Disabil Stud Q 35.1 (2015): 1–19, doi: 10.18061/dsq.v35i1 • Although I self-identify as pro-choice, I do believe certain instances of abortion can be classified as, in Judith Jarvis Thomson's words, indecent. This paper explores one such case and uses it as a lens for a wider discussion on the moral dimensions of aborting due to fetal disability. Using virtue ethics as my foundational framework, I argue that while some cases of aborting due to fetal disability need not manifest vicious character traits, some very well may. In particular, I am concerned with cases where fetuses that had been thus far welcomed and loved by their respective community are suddenly regarded as candidates for abortion simply because they may have been diagnosed with a disability. That is, I am worried about cases where disability is deemed sufficient grounds for dehumanizing a being who had been, up until that point, embraced.

***Ethical Theory and
Moral Practice***

Cheryl E. Abbate, Adventures in moral consistency: how to develop an abortion ethic through an animal rights framework, Ethical Theory Moral Pract 18.1 (February 2015): 145–164, doi: 10.1007/s10677-014-9515-y • An animal rights ethic, like Francione’s, needs to consider the fetus if it is to remain morally consistent. By applying his own animal rights principles to the abortion discussion, we can conclude, without controversy, that an animal rights position must grant that a sentient fetus has a *prima facie* right to life. This is, in and of itself, morally significant. As Midgley points out, to say that a being does not have rights is to convey a simple message: that these beings do not matter. The notion of rights is ever so powerful, and to be able to extend this notion to a fetus is a moral accomplishment. Furthermore, by supplementing Francione’s animal rights position with the fundamental principles of Palmer’s discussion concerning special duties to assist certain animals, we will find that a complete animal rights position is committed to the following claim: a woman, in standard cases of post-eight week pregnancies, generates special obligations to assist a sentient fetus because she caused it to be dependent and vulnerable through her voluntary decision to not terminate the pregnancy prior to the eighth week gestation. In addition, we can conclude that women, in standard cases of pregnancy, are behaving immorally when they have a post-eight week abortion. Although this is not an argument that demands a restrictive legal policy on abortion, this would still, as Jenni puts it, demand a “recognition of the moral standing of sentient non-persons and a reminder that we may not just routinely ignore their interests; that they matter; that we should take them seriously.” Thus, we can conclude that a fully developed animal rights theory, which stems from Francione’s account of animal rights, entails a broad set of ethical considerations that have moral implications for the abortion discussion. [Abstract taken from conclusion.]

***HealthCare Ethics
Committee Forum***

S. Floyd, Substantial goodness and nascent human life, HEC Forum 27.3 (September 2015): 229–248, doi: 10.1007/s10730-015-9265-9 • Many believe that moral value is—at least to some extent—dependent on the developmental states necessary for supporting rational activity. My paper rejects this view, but does not aim simply to register objections to it. Rather, my essay aims to answer the following question: if a human being’s developmental state and occurrent capacities do not bequeath moral standing, what does? The question is intended to prompt careful consideration of what makes human beings objects of moral value, dignity, or (to employ my preferred term) goodness. Not only do I think we can answer this question, I think we can show that nascent human life possesses goodness of precisely this sort. I appeal to Aquinas’s metaethics to establish the conclusion that the goodness of a human being—even if that being is an embryo or fetus—resides at the substratum of her existence. If she possesses goodness, it is because human existence is good.

Hypatia

Bertha Alvarez Manninen, The value of choice and the choice to value: expanding the discussion about fetal life within pro-choice advocacy, Hypatia 28.3 (June 2013): 663–683, doi: 10.1111/j.1527-2001.2-012.01302.x • In this essay, I provide evidence that a new generation of pro-choice advocates wishes to move away from defending abortion rights via the view that fetal life has little or no value (for example, as Mary Anne Warren does in her “On the Moral and Legal Status of Abortion”) and toward a more complex view of abortion rights. This newer view simultaneously grants that fetuses are more than simply “clumps of cells,” that they are, to some extent, entities that possess some degree of value, and also that women still have the right to decide whether they wish to continue a pregnancy (for example, as can be found in the writings of Rosalind Hursthouse, Judith Jarvis Thomson, and Margaret Olivia

Little). *Prima facie*, this may sound like an impossible task—an instance of “having your cake and eating it too”—but I will show throughout my paper that, and how, such a task can indeed be accomplished.

Journal of Bioethical Inquiry

Bertha Alvarez Manninen, Mutual scorn within the abortion debate: some parallels with race relations, *J Bioeth Inq* 12.2 (June 2015): 295–311, doi: 10.1007/s11673-015-9606-z • By emphasizing the parallels between both racial vilification and the vilification that takes place when we discuss abortion in our society, I hope to provide a new perspective on the way the United States converses about this divisive issue. This perspective, in turn, can help us see how we can move forward from the stagnate polemics that have permeated the abortion debate in the United States for the past 40 years.

Journal of Ethics

William Simkulet, Abortion, property, and liberty, *J Ethics* (August 2016): 373–383, doi: 10.1007/s10892-015-9201-x • In “Abortion and Ownership” John Martin Fischer argues that in Judith Jarvis Thomson’s violinist case you have a moral obligation not to unplug yourself from the violinist. Fischer comes to this conclusion by comparing the case with Joel Feinberg’s cabin case, in which he contends a stranger is justified in using your cabin to stay alive. I argue that the relevant difference between these cases is that while the stranger’s right to life trumps your right to property in the cabin case, the violinist’s right to life does not trump your right to liberty in the violinist case.

Eric Vogelstein, Metaphysics and the future-like-ours argument against abortion, *J Ethics* 20.4 (August 2016): 419–434, doi: 10.1007/s10892-016-9219-8 • Don Marquis’s

“future-like-ours” argument against the moral permissibility of abortion is widely considered the strongest anti-abortion argument in the philosophical literature. In this paper, I address the issue of whether the argument relies upon controversial metaphysical premises. It is widely thought that future-like-ours argument indeed relies upon controversial metaphysics, in that it must reject the psychological theory of personal identity. I argue that that thought is mistaken—the future-like-ours argument does not depend upon the rejection of such a theory. I suggest, however, that given a widely-accepted view about contraception and abstinence, the argument is committed to contentious metaphysics after all, as it relies upon a highly controversial assumption about mereology. This commitment is not only relevant for those who are inclined to endorse the argument but reject the mereological view in question, but in addition entails dialectical and epistemological liabilities for the argument, which on some views will be fatal to the argument’s overall success.

Journal of Medical Ethics

Jeff McMahan, Infanticide and moral consistency, *J Med Ethics* 39.5 (May 2013): 273–280, doi: 10.1136/medethics-20-12-100988 • The aim of this essay is to show that there are no easy options for those who are disturbed by the suggestion that infanticide may on occasion be morally permissible. The belief that infanticide is always wrong is doubtfully compatible with a range of widely shared moral beliefs that underlie various commonly accepted practices. Any set of beliefs about the morality of abortion, infanticide and the killing of animals that is internally consistent and even minimally credible will therefore unavoidably contain some beliefs that are counterintuitive.