

# The Moral and Ontological Status of the Fetus: Ethical Dilemmas of Abortion

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## Abstract:

The central issue in the abortion debate concerns the moral status of the fetus, where pro-life views assert human life and full personhood from fertilisation, as its unique genome marks the beginning of human existence. Conversely, pro-choice arguments emphasise a woman's right to self-determination and deny fetal personhood without cognitive capacities like consciousness or reasoning, considering any potential life subordinate to the woman's autonomy. These positions highlight a conflict between two core principles: the sanctity of life and bodily autonomy. Moderate developmental perspectives acknowledge genetic individuality at conception but suggest that further maturation, such as viability or sentience, is necessary for the development of personhood. This paper analyses the development of historical opposition to abortion from ancient Hindu texts viewing feticide as disrupting karma and dharma, to Greek philosophers debating ensoulment, and modern rulings like *Roe v. Wade* (overturned in *Dobbs v. Jackson*). The paper aims to demonstrate that terminating a pregnancy is morally wrong by investigating whether the fetus has characteristics justifying moral value and a right to life. Even if the fetus falls short of strict personhood criteria like sentience or self-awareness, it still demands moral consideration as a human life at all. This paper examines the moral and ontological status of the fetus within abortion ethics and critiques key philosophical arguments to oppose induced abortion.

**Keywords:** Abortion, Fetus, Induced, Conception, Personhood, Potentiality.

## 1. Introduction

Applied Ethics emerged in the 1960s as a field focused on practical problems, debates, and solutions. Biomedical Ethics is one of the most significant and developed branches of Applied Ethics. Due to advances and the use of reproductive technology, we frequently encounter various moral conflicts and issues. Other notable figures in the philosophical community have contributed to finding concrete solutions. Abortion is a significant modern issue, encompassing social, legal, and ethical dimensions since the 20th century. It is defined as the deliberate termination of pregnancy, or induced abortion, as opposed to spontaneous abortion (miscarriage). While global legislation is shifting, laws are frequently challenged by new moral dilemmas.

The 1973 U.S. Supreme Court ruling in *Roe v. Wade* was a pivotal moment, granting constitutional protection to a woman's right to choose under the Right to Privacy. However, this legal focus on maternal autonomy often leaves the status of the fetus unaddressed. Critics argue that since a fetus represents human life, its right to exist should not be overlooked. This raises a fundamental conflict: why does a mother's liberty override the life of an innocent fetus? This tension has divided society into Pro-Life (conservative) and Pro-Choice (liberal) camps. Between these extremes lies the Moderate Choice perspective, which

weighs the moral implications of feticide against specific circumstances. As of 2026, the debate continues to evolve, especially following recent legal shifts like the *Dobbs v. Jackson* ruling, which returned abortion regulation to individual states.

Pro-life advocates maintain that personhood starts at conception, granting a fetus moral dignity and a right to life equal to an adult. In contrast, “moderate-choice” thinkers argue that moral status evolves, typically viewing abortion as permissible until viability. Meanwhile, liberal pro-choice proponents claim that since a fetus lacks specific cognitive criteria for personhood, it possesses no inherent right to life at any stage. A final perspective challenges the exclusivity of this framework, questioning whether the right to life should extend to all human life, regardless of whether the entity meets the formal requirements of personhood. According to the third perspective, even if one accepts that a fetus is not a person, a critical question remains: why should the right to life be exclusive to entities classified as persons? Some entities that lack the formal criteria for personhood nonetheless possess human life; consequently, one might ask why they should not also be granted a right to life. Therefore, this article aims to provide a moral and ontological analysis of the fetus. Through this investigation, I will examine whether the fetus possesses significant characteristics that justify ascribing it moral value and a right to life, thereby demonstrating that terminating a pregnancy is morally wrong.

## 2. Historical Background of Abortion

Abortion is not a modern or contemporary issue, as it has been known since ancient times. Historical evidence strongly indicates that feticide was a common practice in the ancient world. Various ancient texts and publications show that the issue of abortion was a subject of discussion among the physicians, philosophers, priests, lawyers, and historians of that era. It is significant that the debate surrounding abortion is not a recent development but has been extensively analysed and critiqued throughout history. Discussions on this subject can be found in the Vedas, the Ramayana, ancient Greek and Roman philosophy, and medieval thought, extending into the modern era. This enduring discourse ultimately led to the formal classification of fetal termination as a central issue within applied ethics during the 1960s. Historically, many have condemned feticide as an immoral act that defies the natural order, while others have defended the practice. Each of these conflicting viewpoints is grounded in specific ideological frameworks regarding morality and rationality.

Historical records indicate that the earliest instance of induced abortion was documented in the Egyptian Ebers Papyrus around 1550 BC. In contrast, ancient Indian Vedic principles provided evidence of strong opposition to the practice. During that era, certain religious institutions mandated abortion as a ritualistic form of atonement, yet those who performed the act were often faced with excommunication. While contemporary abortion methods are primarily surgical or pharmaceutical, ancient techniques were entirely non-surgical. Women were often instructed to engage in strenuous physical activities, such as heavy lifting, climbing, or applying intense pressure to the abdomen to induce a miscarriage. Herbal abortifacients were also frequently utilised.

**Abortion in Ancient Greece:** The Greek physician Hippocrates (460-370 BC) recorded similar physical methods, famously advising a pregnant woman to jump repeatedly, ensuring her heels struck her buttocks with every leap to trigger a miscarriage. Paradoxically, the Hippocratic Oath contains a pledge against providing a “pessary to produce abortion,” which many interpret as a commitment to protecting human life. However, some scholars argue that Hippocrates was not opposing the termination of a fetus in

principle, but rather warning physicians against using dangerous or corrosive methods that could jeopardise the mother's safety.

In ancient Greece, the ethics of abortion were closely tied to the concept of “ensoulment” or the debate over the exact moment a soul enters the physical body. During this period, there were no uniform laws prohibiting the practice. In his work *Theaetetus*, Plato (427-347 B.C.) acknowledged the ability of midwives to induce miscarriages in early pregnancy and generally supported the use of feticide for social engineering. Aristotle (384-322 B.C.) also accepted abortion, arguing that terminating a pregnancy in its initial stages was not equivalent to murder. He suggested that the distinction between a permissible and impermissible abortion rested on whether the fetus had attained sensation and life (Aristotle, 1932, p. 565). Aristotle proposed a staggered timeline for ensoulment, believing a male fetus received a soul at 40 days and a female at 90 days. He described a hierarchy of three soul levels, i.e., vegetative, sensitive, and rational. He viewed human development as a gradual evolutionary progression from a “potential” person to an “actual” person. Consequently, he advocated for early-stage abortion as a viable method of population control.

**Abortion in Medieval Philosophy:** Centuries later, Saint Thomas Aquinas adopted Aristotle’s framework, distinguishing between “mediate” and “immediate” animation (terms used interchangeably with ensoulment or quickening). Following Aristotelian logic, Aquinas maintained that feticide became a grave sin only after the soul was implanted in the fetus. This contrasts sharply with the modern Roman Catholic stance, which asserts that life begins at the moment of conception. Under this view, the fetus is considered a person from the moment of fertilisation onward. This perspective follows the philosophical principle that an effect exists in its cause; thus, the subtle beginning of life holds the same moral weight as its fully developed state. Consequently, the Church opposes abortion at any stage, even when the mother’s life is at risk, maintaining that the fetus possesses an absolute right to life that cannot be violated under any circumstances.

**Abortion in the Indian Perspective:** In Eastern philosophical traditions, feticide is addressed less frequently than in Western moral discourse. Nevertheless, ethical evaluations of fetal termination are present across major religious frameworks, including Christianity, Islam, and Hinduism. Within traditional Hinduism, there is a lack of evidence supporting abortion; instead, historical texts consistently argue against the practice. Like other theistic traditions, Hinduism maintains that violating the natural order or divine principles is a spiritual transgression. From this perspective, the purpose of human sexual intimacy is the procreation of virtuous offspring. Aligning with this view, Lord Krishna states in the *Bhagavad Gita*:

“āyudhānām ahaṁ vajraṁ  
dhenūnām asmi kāma-dhuk  
prajānaś cha asmi kandarpaḥ

sarpāṇām asmi vāsukiḥ”/ “Of weapons I am the thunderbolt; of cows I am Kāmadhenu. I am Manmadha, the cause of offspring and of serpents. I am Vāsuki.” (Gita 10/28), that is, by identifying Himself as the source of procreation, the Divine affirms that the act of union is the sacred mechanism through which new life enters the world. This suggests that conception is not merely a physical event, but a fulfilment of a divine law established by God. In the Third Canto of the *Śrīmad-Bhāgavatam*, Devahuti recounts Lord Kapila’s teachings on the precarious and conscious state of the fetus. Since the duty to protect the helpless is a pillar of every major religion, feticide is regarded as a 'demonic' act that stands in total opposition to the path of Dharma. This makes it a direct contradiction to the spiritual values championed in the *Bhagavad*

Gita and the broader Hindu world. Within the Hindu tradition, the intimate union between partners is revered as a sacred expression of Shakti, the primordial creative energy of Lord Shiva. This power is seen as the catalyst for all existence; consequently, the birth of a child is a spiritual milestone. Through this lineage, a son or daughter carries the sacred responsibility of fulfilling Pitri Rina, the ancestral debt, ensuring the continuity of the family's spiritual legacy.

The Indian theistic Philosophy believes in rebirth. Within the framework of Sāṃkhya philosophy, the journey of rebirth is a complex intersection of consciousness and matter. While the Puruṣa (the true self) remains pure and eternally conscious, it does not inhabit a new physical form in isolation. Instead, it is accompanied by the līṅga-śarīra (the subtle body), which consists of thirteen fundamental principles, including the intellect (Buddhi), the ego (Ahaṅkāra), the mind (Manas), and the sensory capacities. According to Sāṃkhya teachings, the specific physical body a Puruṣa occupies is determined by the karmic impressions and the psychological constitution gathered in previous existences. At the moment of conception, this subtle configuration enters the embryonic state, directing the physical formation of the fetus. Thus, life in the womb is the systematic unfolding of these tattvas, manifesting a physical reality shaped by the soul's past impressions.

When the embryo matures and enters the world, the soul begins experiencing the consequences of its prior karma. Consequently, terminating a pregnancy is seen as a violent disruption of a being's spiritual trajectory. By halting the cycle of reincarnation, feticide deprives a soul of the human form necessary to perform righteous deeds and seek liberation (moksha). This interference effectively blocks the path to salvation. Within Hindu ethics, this act, known as bhrūṇa-hatyā, is so grave that scriptures equate it to the slaying of a priest (Brahmin). Some traditional perspectives even argue that destroying a fetus is a more profound transgression than killing a spiritual master (guru).

In light of these traditional perspectives, it is evident that abortion has remained a deeply contentious subject across history. In the contemporary era, feticide continues to spark intense ethical and legal disputes in nations worldwide. Yet, despite these ongoing moral conflicts, several countries are increasingly moving toward formalising reproductive rights, with abortion access now being integrated into various constitutional frameworks. Governments worldwide are establishing diverse legal frameworks for abortion, often imposing specific conditions and restrictions. Countries such as Mexico, Poland and Russia have recognised abortion access constitutionally, though typically subject to particular circumstances and time limits. In India, the legal landscape has also evolved to acknowledge a woman's reproductive autonomy, opening up access to abortion services within defined legal parameters.

However, one of the most historically impactful legal decisions concerning abortion in modern times occurred in the United States. In the landmark 1973 case *Roe v. Wade*, the U.S. Supreme Court made a significant ruling that initially established a constitutional right to abortion under a woman's right to privacy. This decision recognised a woman's right to life and liberty regarding her reproductive choices, although that federal protection was later overturned in 2022 by the Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organisation*, returning the authority to regulate or ban the procedure to individual states.

### 3. Definition of Personhood

It has been mentioned earlier that abortion is the premature termination of pregnancy. Debates surrounding abortion occur at different levels of society from various perspectives. The moral viewpoint on abortion has introduced it as one of the most complex problems in biomedical ethics. The issue of feticide is not

exclusively the domain of lawyers and philosophers; similar to other issues in biomedical ethics, it is emerging as a matter of concern for everyone, from ordinary people to academics. An individual may seek an abortion due to deeply distressing circumstances, including sexual assault, severe fetal abnormalities, or profound psychological trauma. Beyond these immediate concerns, various external pressures, such as economic instability, social stigma, or strained family dynamics, often play a significant role in the decision-making process. However, within the framework of moral philosophy, scholars frequently argue that these practical hardships do not automatically resolve the ethical dilemma of whether the termination of a pregnancy is morally justifiable. From a critical standpoint, these practical challenges are often seen as insufficient justifications for feticide. A sensible overview of the evolution of this issue from antiquity to 2026 reveals a global trend toward making abortion legally and socially accessible to various segments of society. Despite the passage of several decades, the volume of arguments both supporting and opposing the practice has only intensified.

In the landmark 1973 legal battle of *Roe v. Wade*, the United States Supreme Court upheld a woman's fundamental right to bodily autonomy and personal liberty. While the ruling recognised the right to choose, it did not resolve the moral conflict regarding the status of the fetus. Consequently, the societal friction that existed before the verdict persisted long after the court's decision. This enduring tension eventually solidified into two polarised ideologies: the Pro-Choice (liberal) perspective, which prioritises reproductive freedom, and the Pro-Life (conservative) perspective, which emphasises the sanctity of fetal life. These two frameworks remain fundamentally at odds today in 2026. While the introductory remarks briefly touched upon both perspectives, it is clear that merely following the path of this polarised conflict will not yield a logical resolution regarding feticide. In this discourse, the moral status of the fetus is just as significant as the mother's right to autonomy. We cannot definitively establish a right to life or justify the expansion of abortion laws without first determining the ethical standing of the unborn. By analysing the biological and metaphysical characteristics of the fetus, we can clarify its position and identify whether it possesses the properties necessary for moral personhood, potentially leading us toward a more reasoned solution to this dilemma.

Any discussion concerning the status of the fetus remains incomplete without addressing its moral standing. In the landmark case of *Roe v. Wade*, the United States Supreme Court concluded that a fetus does not constitute a "person" under the law, yet it failed to provide a definitive framework for what defines personhood. The term "person" is inherently multifaceted, carrying distinct descriptive, legal, and ethical implications. In a legal sense, a person is an entity constitutionally endowed with specific rights and protections. In a descriptive sense, personhood is often tied to biological criteria, such as membership in the human species. Most critically, in a moral sense, a person is defined by meeting specific ethical benchmarks of personhood, such as sentience or self-awareness. From this perspective, if a fetus is shown to possess moral personhood, its destruction would be considered fundamentally unjust. In the matter of determining personhood, two opposing views stand at two extremes.

According to the pro-life argument's (extreme position), the fetus has a right to be called a person from the moment of fertilization and its primary right to life is equivalent to that of an adult. From this viewpoint, there is no moral difference between a newborn child and a fetus. Another argument of conservatives against abortion is that feticide degrades the principle of the inviolability of human life.

At the other end of the spectrum, the radical liberal or pro-choice view suggests that no being can be a worthy claimant to personhood at the moment before birth or even after birth. While these philosophers acknowledge that biological human life starts at conception, they argue that "human life" is not

synonymous with personhood. They point to a lack of psychological continuity between a zygote and a self-aware person. This view has been called liberal because it emphasises women's right to life and the right to choose. This view also reveals that even if we assume that the fetus has a right to life, that right is subordinated to the fundamental right to life of the woman.

Between the two extreme views above, another moderate view is expressed that the concept of personhood is gradually evolving. The path from a prenatal embryo to a fully-fledged person is a gradual one. Therefore, at no particular stage can a fetus possess moral character. That is, no definite boundary line can be drawn between ordinary human life and a person, and therefore abortion cannot be unacceptable in all cases.

Therefore, it is seen that different views exist regarding the personhood of the fetus. From three perspectives, we can basically cite the arguments of three philosophers on the issue of feticide, through which we will see whether the fetus is an entity that can claim our moral responsibility. Does the fetus have personhood? If one addresses the fetus as a person, then in what sense?

#### 4. Ontological and Moral Status of the Fetus

**Mary Anne Warren's Argument about Abortion:** In her article "On the Moral and Legal Status of Abortion," Mary Anne Warren defends the liberal perspective by asserting that the right to life belongs exclusively to persons. This central principle forms the foundation of her doctrine. Warren observes that philosophical attempts to define "personhood" typically diverge into two categories: genetic and moral. These distinct frameworks for understanding what constitutes a person can be illustrated through two primary arguments. Genetic Sense Argument (Valid)

1. It is wrong to kill an innocent person in the genetic (biological) sense.
2. A fetus is an innocent person in the genetic sense.

Therefore, killing a fetus is immoral.

This argument is deductively valid. The second premise follows empirically from established biology (e.g., the fetus's unique human genome from conception), and the conclusion logically derives from the premises.

##### 1. Moral Sense Argument (Invalid)

1. It is wrong to kill an innocent person in the moral sense.
2. A fetus is an innocent person in the moral sense.

Therefore, killing a fetus is immoral.

This argument fails because the second premise is unsupported. There is no empirical or philosophical evidence to establish that genetic personhood automatically equates to moral personhood (which would require cognitive capacities, sentience, or viability to possess rights). The premises are incompatible, making the argument invalid.

Warren posits strict psychological criteria for determining personhood, defining a person as "a full-fledged member of the moral community." Under this view, a genetically human entity does not automatically qualify. He mentioned some cognitive properties as psychological criteria:

1. Capacity for feeling or sensitivity to pain, sentience, and consciousness;
2. Logical reasoning ability;
3. Self-motivated activity;
4. Communication ability;
5. Presence of self-concept and self-awareness.

To qualify as a person in the moral sense, an entity must satisfy at least some of these cognitive and psychological criteria. Those who lack such capacities cannot be classified as persons. Since a fetus clearly fails to meet any of these requirements, it may be categorised as human life, but not as a person. Furthermore, Warren dismisses physical attributes, such as facial features, brain activity, or viability, as irrelevant to the determination of moral personhood. He observes that the cognitive complexity and sensory perception of an adult vastly exceed the neural activity found in a third-trimester fetus. For example, in a fetus of seven to eight months, consciousness, including the nascent capacity to experience pain, remains largely undeveloped. As he argues: “Thus, in the relevant respects a fetus, even a fully developed one, is considerably less person-like than the average mature mammal, indeed the average fish” (Warren, 1973, p. 55).

Critics of Mary Anne Warren’s “Criteria of Personhood” often point to a logical slippery slope: if a fetus is not a person because it lacks specific cognitive functions, then infants, young children, and individuals with severe cognitive disabilities or psychological instability must also be excluded from the moral community. By this logic, if abortion is permissible because the fetus lacks personhood, then infanticide and certain forms of euthanasia would be equally justifiable. Warren acknowledges that infants and those unable to distinguish life from death fail to meet her personhood criteria and thus lack a right to life in that strict sense. However, Warren and her supporters offer several justifications for why killing them remains morally wrong:

**The Argument from Natural Instinct:** There is a fundamental human drive for survival. Most people, irrespective of their mental capacity, demonstrate an inherent impulse to maintain their existence and bypass suffering, implying a primary moral right to life rooted in sentience and the quest for wellbeing.

**Utilitarian Considerations:** Killing infants or the cognitively disabled would cause profound secondary harm to society. It would result in widespread grief for families and create a climate of fear and instability, which diminishes the overall utility or happiness of the community.

**The End of Bodily Encroachment:** A primary tenet of Warren’s abortion justification involves a woman’s bodily autonomy. After delivery, a mother’s rights remain intact because the infant is no longer physically reliant on her system since the “trespassing” has ceased.

**The Social Relationship Aspect:** Birth marks a transition into the social world. A newborn enters into immediate interpersonal relationships with parents and society that are absent in the fetal stage. These social bonds create a moral obligation for the community to protect the child, even in the absence of personhood.

Ultimately, Warren distinguishes between having a right to life and wrong to kill. For these reasons, destroying the lives of newborns or the cognitively disabled is morally impermissible, though this does not confer full personhood rights upon them.

**Judith Jarvis Thomson’s Moderate View:** We are introduced to Thomson as a Moderate thinker. Mediators explain morality in terms of the ability to survive outside the mother’s womb, the ability to feel happiness and sadness, and the ability to be sentient. Thomson said that, even if the fetus is a person with a right to life, it does not follow that feticide is never permissible. She says that, suppose, from the moment of fertilisation, the fetus is a person with a right to life. On the other hand, the mother is also a person with a right to life. When there is a conflict between the rights of the fetus and the mother, she said, the fetus only has the right to life, but the mother has the right to life, and at the same time has the power and right to make decisions about her pregnancy, which degrades the right to life of the fetus. In his words, “Should we add to the mother’s right to life her right to decide what happens in and to her body, which everybody

seems to be ready to grant?" (Thomson, 1972, p. 49) Thomson suggests following a hypothetical example to examine our moral feelings on this issue-

One morning, I woke up in a hospital bed, and the unconscious violinist was lying next to me. He was seriously ill with kidney disease, and the 'Society of Music Lovers' had kidnapped me and brought me to the hospital and forced the hospital authorities to connect the violinist's circulatory system to mine. So that my kidney would act as the violinist's dialysis. The hospital authorities had no other choice. And once it was done, there was nothing anyone could do for the next 9 months. If the violinist were separated from my body, he would die. The hospital authorities argued that the violinist had a right to life. Because the violinist is a person. I have the right to decide what happens to my body, but the violinist's right to life is more important in principle than what happens to my body and mind. So, separating myself from him would be a morally wrong thing to do.

Judith Jarvis Thomson employs this analogy to demonstrate that the standard anti-abortion position is unsustainable. Just as the violinist possesses no inherent right that forces another person to remain physically linked to him for nine months, an individual is not morally bound to permit a fetus the use of their body for the same duration. While a fetus may be granted a right to life, that right does not automatically entitle it to the non-consensual use of another person's body. One might choose to assist a fetus out of generosity or compassion, voluntarily assuming the role of a "Good Samaritan" for its well-being; however, the fetus has no inherent right that can compel such an action. Individuals are not morally obligated to accept significant harm to themselves to preserve the life of another person. Therefore, if a fetus poses a danger to the life of the pregnant woman, it is not morally wrong to separate it from her body via abortion.

Critics argue that the violinist analogy only corresponds to pregnancies resulting from rape. They contend that a woman who conceives through consensual sexual intercourse thereby assumes responsibility for the fetus. Thomson dismisses this objection as unsatisfactory. She argues that linking a fetus's right to life to the circumstances of conception leads to a morally counterintuitive conclusion: that a fetus conceived through rape lacks a right to life, while one conceived consensually possesses it. The right to life should not depend on how conception occurred. Consequently, the opponents' arguments regarding responsibility fail to refute Thomson's position.

Consequently, Thomson clarifies that while she supports the right to abortion under specific conditions, she does not view it as universally permissible. As she notes, "I am inclined to think it a merit of my account precisely that it does not give a general yes or general no" (Thomson, 1971, p. 66). To illustrate this, she distinguishes between terminating a pregnancy resulting from the rape of a fourteen-year-old and a seven-month pregnant woman seeking an abortion merely to avoid travel complications. Thomson further contends that although ending a pregnancy in its early stages is justifiable, a woman's right to bodily autonomy does not inherently grant her the right to ensure the death of the fetus if it is viable.

**Don Marquis's Pro-Life Argument:** In his article "Why Abortion is Immoral," Don Marquis observes that the debate over which fetal characteristics carry moral significance often results in a stalemate between pro-choice and anti-abortion perspectives. Both positions utilize seemingly logical frameworks that can appear equally compelling. However, because the fundamental principles guiding these two communities are opposed, a consensus remains elusive. Marquis begins his statement to resolve this conflict of Personhood determination with an unproblematic sentence- it is morally wrong to kill a fully-fledged person, but he asks, why is killing an adult person immoral? Here, some try to say that killing a mature person is immoral. Because-

1. The person who commits murder will be identified by society as a cruel person. But for this reason, it cannot be called a heinous act. Again, one may say:
2. The act of murder is immoral. Because the family and relatives of the person who is being murdered will miss him.

Marquis says that neither of these answers is satisfactory. Because no one will mourn the death of someone who has no family. His central thesis is that murder is immoral because its primary ethical significance stems from the harm inflicted upon the victim. By ending a life, the act of killing deprives an individual of the future experiences, goals, and activities that would have shaped their existence. Had the victim's life not been prematurely cut short, they would have realised a future of inherent value. Marquis extends this "Future Like Ours" (FLO) theory to argue that abortion is immoral because a fetus is also deprived of a "valuable future", one filled with the same potential for joy, plans, and experiences as an adult. Furthermore, this reasoning implies that killing a newborn or infant is equally wrong, as they possess a future identical in value to that of a standard adult.

Marquis distinguishes his position from traditional conservative arguments, primarily by avoiding reliance on the concept of fetal personhood or the sanctity of life. Instead, the core of his argument centres on the future potential of the fetus. Marquis tries to prove the merit or reasonableness of his 'Future like ours' argument

1. It is immoral when a being is killed. For this reason, neither of the above two answers is satisfactory. Marquis argues that even individuals certain to die soon from cancer or AIDS become upset when confronted with their impending death. This reaction, he explains, is due to their realisation that death deprives them of future activities, plans, and experiences of happiness and sorrow. They are upset because, without this death, they would have had a valuable future.
2. Other conservationists argue that a fetus is a person. Therefore, killing it is immoral. Marquis claims that his argument is more persuasive because it is not based on a particular species.
3. Marquis's 'Future like ours' argues that it is immoral to kill any species with a future Potentiality.
4. Marquis further illustrates the breadth of his reasoning, effectively deriving an "ought" from an "is." Unlike those who view life as inherently sacred and thus oppose euthanasia, Marquis's framework allows for its support by focusing on whether a person's future still holds value.
5. In the same way that Marquis's "Future Like Ours" argument encompasses the fetus, it also applies to any being possessing future potential, specifically including infants and children.

## 5. Attributing Moral Standing: Challenges and Justifications

This section of the article is the most critical. Here, we examine several primary arguments to further clarify and potentially resolve the abortion debate. The central challenge involves establishing a moral justification for abortion, which remains a deeply intricate problem. Surprisingly, both extreme viewpoints possess a level of rationality that is quite compelling. If a fetus lacks moral standing, the act is less controversial; however, if it possesses such status, the legalities become significantly more complex. Since moral status holds profound social weight, the most common argument against abortion is species membership. Logically, it can be said that –

### **Refute the species membership argument:**

1. It is immoral to kill a member of Homo sapiens;
  2. The fetus is genetically a member of the human species or Homo Sapiens;
- Therefore, killing a fetus is immoral;

In this context, being a member of *Homo sapiens* refers strictly to biological human life. In her essay “On the Moral and Legal Status of Abortion,” Mary Anne Warren argues that genetic humanity does not automatically grant moral standing. She identifies specific psychological traits as the true criteria for moral status. According to her view, a being cannot claim such a status without possessing these characteristics. Consequently, a fetus is merely a human member in a genetic sense. Consequently, Warren rejects the notion that a fetus possesses inherent moral value. It is intuitively clear that a fetus cannot satisfy her criteria of self-consciousness, rationality, linguistic capacity, self-motivated activity, or the ability to experience complex emotions and establish moral principles. Warren thus dismisses the claim that biological humanity confers moral standing. Therefore, even if an embryo is classified as a human life, it does not qualify as a person under her framework.

The criterion of species membership is simultaneously too inclusive and too restrictive. It is overly broad because if moral dignity were based solely on genetic identity, then sperm, eggs, and somatic cells would also require moral recognition. Conversely, this standard is too narrow because- (a) if accepted, practices like contraception or chemotherapy would be as impermissible as feticide, as they also involve the destruction of genetic life that would technically possess a right to life.

(b) If species membership is the sole criterion, a non-human animal's individuality remains unrecognised, even if it exhibits characteristics that meet established moral standards.

The weakness of the species membership criterion is evident in H. Tristram Engelhardt's “The Ontology of Abortion.” Engelhardt differentiates between two distinct stages: biological existence and moral or personal life. Similarly, he establishes a boundary between mere matter and personhood. Like Warren, he identifies specific cognitive structures, such as self-awareness, rationality, and sentience, as the essential benchmarks for being considered a person. These attributes are absent in all entities and animals except for persons. He argues that the fetus lacks these essential psychological conditions. While biological continuity exists from embryo to adulthood, there is no psychological continuity; thus, a fetus constitutes human life but not a person. Consequently, he acknowledges a qualitative distinction between an embryo and an adult. He further highlights the linguistic labels used for embryos, noting that a fetus lacks gendered identity (he/she). Instead, it is referred to as “it,” a pronoun that carries no characteristics of personhood. In opposition to this perspective, some highlight the future potential of the embryo, arguing that while it may not qualify as a person in the first or second moment, it will eventually develop into a mature individual in the tenth moment. Engelhardt counters that it is futile to evaluate the embryo's future status without first defining its current nature. He contends that it is pointless to determine the future entity of the embryo without determining what kind of entity it is at present. As a result, the embryo currently exists only as a biological human life. To claim that an embryo is a person simply because it possesses the potential to become one is to conflate its present state with its future. This can be illustrated by an example: if individual X has the potential to become Y, and Y possesses specific traits (a, b, and c), it does not follow that X currently shares those traits or is identical to Y. Since there is no biological proof of a singular, continuous carrier bridging X and Y, the embryo and the adult may be viewed as distinct entities. Thus, the mere property of future potentiality cannot command our moral responsibility.

However, if an individual rejects the qualitative distinction between a fetus and a human and asserts that an embryo is a person, they must demonstrate that it possesses traits like rational ability, self-consciousness and self-awareness. Imagine a human lived until the third interval but perished by the fourth moment. In this scenario, despite maintaining biological or genetic continuity, they cannot be categorised as a person. This is because personhood is equated with memory, ambition, thought and belief, which are

destroyed with his death. So, Engelhardt is seen to accept psychological continuity, not biological continuity as the determinant of personhood. The embryo fails to meet any psychological criteria for personhood; it is not a person, although undeniably it possesses human life. Moreover, it lacks individuality. Therefore, Engelhardt posits that in a conflict between the fetus and the mother, the potential versus actual person's right to bodily integrity and right to choose takes precedence. Hence, in a conflict between the fetus and the mother, the mother's decision is paramount. Also, against those who understand personality in a genetic sense, it can be said that, let's say, a clone person is created from a person's stem cells. This cloned person will have all the biological characteristics of the original person. If this stem cell is further divided, more cloned people will be produced, who will also have these special genetic characteristics. So, in this case, all people have the same genetic characteristics. So, what is the way to recognise the original person in this case? The only way to solve this problem is to accept psychological continuity.

**Rebuttal of the Future Potential of the Fetus:** Don Marquis attempts to demonstrate the immorality of fetal termination independently. He argues that aborting a fetus is unethical for the identical reason that ending an adult's life is wrong, essentially establishing immorality through analogy. He posits that killing is harmful, it deprives an entity of plans, activities, feelings of happiness and sorrow. A fetus possesses the inherent potential to cherish a future. Therefore, killing the fetus is a heinous crime. Although Marquis's argument impresses us, his statement can be challenged by various counterarguments. Mary Anne Warren, in an attempt to counter his view, argues that it is not right to destroy the future potential of a being, but this potential does not automatically mean that the fetus has a right to life. The fetus's potential life is outweighed by the right to life of the mother or the actual person. She asks us to consider a hypothetical example in this context:

Let's imagine a space traveller captured by an alien society, whose scientists decide to replicate the traveller by dividing their cellular material, resulting in millions of individuals, each sharing the original human's genetic identity, abilities, skills, and knowledge. This project will take only a few seconds, and the probability of the project's success is very high. The space traveller can choose to opt out of the project, prioritising their right to life over the potential lives of others. In this case, the right to life of the space traveller exceeds the possibility of all these potential lives. Consequently, following Warren's view, a woman's entitlement to life overpowers the fetal potential for life. An individual maintains the complete authority to safeguard her wellness, freedom and survival by ending an unintended pregnancy.

Warren uses another example that, in political elections, the right to vote is given to those aged 18 and above, but not to those under 18. Although most of them have the potential to reach the age of 18. This discrimination is justified here. 18-year-olds can vote with reason and intelligence compared to younger people. Similarly, the possibility of a fetus becoming a person in the future does not give it personhood at present. Therefore, it is not immoral to deprive it of its future potential. (Warren, 1973, p. 56)

To demonstrate that eliminating potentiality is not unethical, we might consider Michael Tooley's artificial womb scenario. He suggests imagining a synthetic womb containing an unfertilized egg and sperm. Their union would produce a zygote, then a fetus, and eventually a living person; however, if the apparatus is deactivated before conception, the fertilisation sequence never occurs. Consequently, this action terminates a natural potentiality. Since the sperm and egg would have united to form a zygote, one might view this as unethical. However, Tooley contends that because the entire sequence is synthetic, the progression from fertilisation to embryo relies on external or environmental factors; thus, ending this potential is not wrong. Analogously, it can be argued that terminating an embryo formed through natural

conception is not immoral despite its prospects. Although it possesses the capacity for future value, its current development is contingent upon external support or specific conditions. If an individual chooses to withdraw that assistance now, no moral violation has occurred.

Opponents of Marquis further contend that even if a fetus represents a potential future entity, the fetus remains incapable of valuing its own future. It possesses no consciousness regarding its future; therefore, a being entirely oblivious to its later existence cannot encounter pertinent harm regarding that future. Thus, the reasoning provided by Marquis fails to establish a solid moral foundation for the fetus.

**Refutation of Viability Criteria:** Viability, or the capacity to survive outside the womb, is often used as the benchmark for a fetus's right to life, yet it remains an insufficient criterion. Like brain activity or organ development, viability is merely a biological stage rather than a basis for moral rights. Furthermore, this standard collapses in the context of artificial placentas and laboratory environments, where survival is no longer dependent on the natural womb. Ultimately, viability is an inconsistent measure that fails to establish the fetus's claim to a personal life.

Philosophers such as Judith Jarvis Thomson suggest that fetal termination may be permissible in specific circumstances, including rape, unintended pregnancy, or fetal abnormalities. Under this perspective, a fetus resulting from consensual sexual relations would possess a full right to life, whereas one from an unwanted pregnancy would have a diminished right. This implies that the right to life is merely a contingent status, a notion that contradicts fundamental moral intuitions. Rather than fostering such inequality among fetuses, we must seek a more consistent conclusion through rigorous rational analysis.

## 6. Conclusion

Therefore, it is evident that genetic identity, species membership, future potentiality, fetal movement, and viability outside the womb are all insufficient grounds for establishing the moral status of fetuses. Because these are merely biological attributes, they do not justify the imposition of personhood upon the fetus; hence, a distinct right to life remains unrecognized. Conversely, the fetus exhibits none of the psychological traits typically required to establish moral rights or personhood. While it may possess biological or human life, it lacks a personal life in the philosophical sense. Consequently, it possesses no inherent moral value and cannot claim a right to life, dignity, or equality within an ethical framework. Nevertheless, the assertion that a fetus may be killed indiscriminately simply because it lacks a formal right to life conflicts with our moral sensibilities. Much like other living beings, a fetus possesses biological life. As a pregnancy nears its end, the fetus develops a degree of consciousness, gains the capacity to feel pain, and possesses progressively forming human organs. If we advocate for empathy toward the suffering of animals and the conservation of various species, then a similar case can be made for protecting the fetus out of compassion. We can, therefore, commit ourselves to the voluntary protection of such innocent life.

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