

Essays in Philosophy

ISSN 1526-0569 | Essays in Philosophy is published by the Pacific University Libraries

Volume 20, Issue 1 (2019)

Is There an Obligation to Abort? Act Utilitarianism and the Ethics of Procreation

Leonard Kahn

Loyola University New Orleans

Abstract

Most Act-Utilitarians, including Singer are Permissivists who claim that their theory usually permits abortion. In contrast, a minority, including Hare and Tännsjö, are Restrictionists who assert that Act-Utilitarianism (AU) usually limits abortion. I argue that both Permissivists and Restrictionists have misunderstood AU's radical implications for abortion: AU entails that abortion is, in most cases in the economically developed world, morally obligatory. According to AU, it is morally obligatory for A to do F in circumstances C if and only if A's doing F in C produces at least as much total net value as any other action that A could do in C. As mentioned above, AU has generally been seen to be fairly permissive about abortion. A little more exactly, AU is usually thought to hold that abortion is morally permissible in most cases, even during the second and third trimester. But not all AUs are Permissivists. Restrictionists maintain that the value of the future good that the fetus will experience over an entire life is likely to often outweigh the value of the good that its female parent will lose if the fetus is not aborted. Neither Permissivists nor Restrictionists have understood AU's implications for abortion, at least as it concerns those living in economically developed countries today. First, Restrictionists have failed to recognize the marginal costs that a person in the developed world incurs on future people. One life lived now in the developed world consumes more resources (and contributes more to global warming) than a life lived in the developing world, and in the process makes the prospects of future people considerably worse. Restrictionists ignore these costs when they claim that it is often morally impermissible to abort fetuses. Second, Permissivists have not gone far enough when they have claimed that abortion is morally permissible. Singer and others have argued that we in the developed world ought to redirect much of our wealth to the underdeveloped world because its marginal value is much higher there than here. But the average cost of raising a child in the United States is almost \$13,000 per year. Hence, by forgoing a child (including aborting a fetus) one can save and maintain, on average, between 6 and 65 people per year. Thus, AU entails that almost everyone in the developed world who is financially capable of supporting a child should not do so, even if that means aborting a fetus.

Essays Philos (2019)20:1 | DOI: 10.7710/1526-0569.1622

Correspondence: lakahn@loyno.edu



© 2019 Kahn. This open access article is distributed under a Creative Commons Attribution 4.0 License (<https://creativecommons.org/licenses/by/4.0/>)

Introduction

This article is about the implications of act utilitarianism for the ethics of abortion and reproduction, especially as it directly affects people living in economically developed countries, people very much like most of those who are likely to read this article. While my focus throughout the article is on decisions regarding abortion, this is largely because there is already a literature on this topic with which to engage. The arguments I shall make are generalizable to all reproduction decisions, including those involving the use of contraception, voluntary sterilization, and family planning more broadly. I argue that (1) act utilitarians generally misunderstand the implications of their theory for the ethics of abortion and reproduction, and that (2) these implications are surprisingly extreme. In particular, act utilitarians are committed by their theory to the view that many—even most—women in economically developed countries are morally *required* to have abortions if they become pregnant. More generally, act utilitarians should say that many of us in economically developed countries are morally required not to reproduce at all.

Establishing this result involves significant unpacking. In section 1, I set the stage for my argument by clarifying what precisely I mean by the phrase “act utilitarianism” and what sort of norms I have in mind. I also introduce the article’s main protagonist, Ute, a pregnant middle-class woman living in an economically developed country who is considering having an abortion. In section 2, I consider what I call the permissivist interpretation of act utilitarianism, which holds that in general it is morally permissible for people in Ute’s position to have an abortion. I contend here that the permissivist interpretation fits poorly with the mainstream understanding of act utilitarianism. In section 3, I turn to what I call the restrictivist interpretation of act utilitarianism, which holds that in general it is morally impermissible for people in Ute’s position to have an abortion. In section 4, I make the case that, though restrictivists are closer to the spirit of act utilitarianism, they do not consider fully the implications of the opportunity cost of having children in economically developed countries and, in the process, of using resources inefficiently to help others, especially others living in economically developing countries. I conclude that the correct interpretation of act utilitarianism is the obligatoriness interpretation, which—startlingly, in my opinion—holds that women in Ute’s position are morally *required* to have abortions. More generally, it is morally *required* for men and women in Ute’s economic position not to reproduce. Finally, in section 5, I consider and respond to various possible confusions about my argument and answer some potential objections.

Stage Setting

Though there were more things in heaven and earth than were dreamt of in Horatio’s

philosophy, utilitarians think of everything. As a result, we face an *embarras des richesses* when we turn to various formulations of act utilitarianism. Indeed, there seem to be more versions of utilitarianism than there are utilitarians. My aim in this article is only to provide a broad statement of the theory that fits most, though not all, versions of act utilitarianism while remaining agnostic about the countless disagreements among proponents of the theory that are not relevant here. Let us say that according to act utilitarians,

it is morally permissible for agent X to do action F in circumstances C if and only if X's doing F is optimal, i.e., there is no other act G such that X's doing G in C would produce more total net utility than X's doing F in C. All nonoptimal acts are morally impermissible.

It bears repeating that there is more to the conceptual geography of act utilitarianism than is covered in this statement, and act utilitarians disagree regarding such questions as whether our concerns should be with actual or expected outcomes; and whether utility should be understood in terms of pleasure and pain, preference satisfaction and frustration, or an “objective list” of goods. These disagreements will have little to no impact on my discussion here. Yet let me also be clear that what I say here does not apply to some alternative forms of *non-act* utilitarianism, such as satisficing utilitarianism,¹ rule utilitarianism,² and motive utilitarianism.³

Moreover, a general caveat about act utilitarianism is in order here. By its very nature, act utilitarianism does not classify common-sense act *types* as either morally permissible or morally impermissible. Let me explain. Common-sense act types are those kinds of actions that are denoted by the folk ontology of our ordinary language. Common-sense act types include such things as joking, grading papers, playing chess, making omelets, flirting, and squinting. Being optimal (in the sense defined above) is decidedly *not* a common-sense act type. Moreover, there is no necessary connection between actions such as joking, grading papers, etc. and being optimal. Sometimes one maximizes utility by telling a joke, but, alas, sometimes one does not. As a result, act utilitarianism

¹ Michael Slote, *Common-Sense Morality and Consequentialism* (London: Kegan and Routledge, 1985); Jason Rogers, “In Defense of a Version of Satisficing Consequentialism,” *Utilitas* 22, no. 2 (2010): 198–221.

² Richard Brandt, *A Theory of the Right and the Good* (Oxford: Clarendon Press: 1979); Brad Hooker, *Ideal Code, Real World* (Oxford: Oxford University Press, 2000).

³ Robert Merrihew Adams, “Motive Utilitarianism,” *Journal of Philosophy* 73, no. 14: 467–81; James Skidmore, “Does ‘Ought’ Imply ‘Might’? How to Resolve the Conflict between Act and Motive Utilitarianism,” *Philosophia* 46, no. 1 (2018): 207–21.

classifies such actions as abortion and reproduction as morally impermissible only in a rough-and-ready way by classifying most of the *tokens* of this type of action as morally impermissible. It is more than enough for the purposes of this article to show that act utilitarianism makes this loose but serviceable classification. I shall return to this point below.

I now turn to the type of norms with which I am concerned here. My focus is on the moral norms that govern individual actions. While it is generally recognized both outside and inside philosophy that there is a distinction between moral and legal norms, this distinction is especially important in the case of act utilitarianism. There may be many circumstances, according to act utilitarians, in which performing a particular action would be optimal, even though a law requiring the action would have suboptimal—or even highly undesirable—consequences. The questions of whether and under what conditions abortions morally ought to be legal are momentous, but these questions are distinct from the issues under consideration here. The same can be said, and with even more certainty, regarding the legality or illegality of contraception and sterilization. My focus is on the moral rightness or wrongness of particular actions undertaken by men, women, and their healthcare professionals to the exclusion of these larger questions about legality and illegality.

Finally, let me introduce my protagonist, Ute. Ute is a middle-class American woman with a secure and steady income. She is 2.5 months pregnant, and her fetus is healthy and does not have any impairments that would be likely to prevent it from eventually having a life worth living. But having a child is a weighty decision, and Ute wonders whether she should have an abortion or become a mother. For the purposes of the matters under discussion, let us say that no one else is directly or significantly affected by Ute's decision except her fetus. Now, Ute also happens to be an act utilitarian. The simplest way to see what is at the heart of this paper is to ask, What does Ute's own ethical theory tell her that she is morally permitted or required to do?

Act Utilitarian Permissivism about Abortion

No one has contributed more toward our understanding of how act utilitarianism applies to significant, real-world moral issues than Peter Singer. His applications of act utilitarianism to the ethics of issues such as famine relief,⁴ our treatment of nonhuman animals,⁵

⁴ Peter Singer, "Famine, Affluence, and Morality," *Philosophy and Public Affairs* 1, no. 3 (1972): 229–43.

⁵ Peter Singer, *Animal Liberation: A New Ethics for Our Treatment of Animals* (New York: Random House, 1975).

our relationship with our environment,⁶ and our food choices⁷ are too well known to require rehearsing here. So it is natural enough to begin by asking how Singer might advise Ute.

Of course, like any act utilitarian, Singer would tell Ute that the moral permissibility or impermissibility of having an abortion depends of the total net amount of utility produced by each of the possible choices she can make. Ex hypothesi, Ute's decision affects herself and her fetus, but it does not affect anyone else to a noteworthy degree. However, Singer also maintains that the value of a pregnant woman's utility (i.e., her interests) far outweighs that of the fetus. "My suggestion, then, is that we accord the life of the fetus no greater value than the life of a nonhuman animal at a similar level of rationality, self-consciousness, awareness, capacity to feel . . . a woman's serious interests would normally override the rudimentary interests even of a conscious fetus."⁸

Hence, according to Singer we should strongly discount the fetus's interests, even if it were conscious at this stage. Singer would conclude that it is morally permissible for Ute to have an abortion, though also morally permissible for her not to have one if that were optimal for her lifetime utility instead.

It is worth commenting on Singer's belief that the utility of even a conscious fetus should be discounted, if not to zero, then to something close to it. This belief raises questions about whether the utility of a conscious *newborn* should also be discounted. Singer's advocacy of the moral permissibility of some cases of infanticide has drawn passionate and sometimes intemperate—even tasteless—responses. While this is not the place to discuss infanticide, I want to draw attention to the fact that supporters of permissivist act utilitarianism do owe us a principled account of when we should stop discounting the utility of human beings. The mere fact that the entity is no longer in a woman's womb does not appear to be the sort of fact that act utilitarians are likely to see as salient. As yet, this needed account is sketchy at best. I mention this fact here in part because I want to set up a brief discussion in the next section of a less well-noticed problem for the restrictivist interpretation of act utilitarianism to which this provides an interesting contrast. More about that briefly.

⁶ Peter Singer, *One World: The Ethics of Globalization* (New Haven: Yale University Press, 2002).

⁷ Peter Singer and Jim Mason, *The Ethics of What We Eat: Why Our Food Choices Matter* (New York: Rodale, 2006).

⁸ Peter Singer, *Writings on an Ethical Life* (New York: Harper Collins, 2001), 156–57.

However, I have another reason for lingering on the matter of the value of the utility of a newborn, but it will take a moment to discharge this thought fully. When discussing the possibility of morally permissible infanticide, Singer uses the example of children with spina bifida, noting that “some doctors closely connected with children suffering from severe spina bifida believe that the lives of the worst affected children are so miserable that it is wrong to resort to surgery to keep them alive.”⁹ Singer’s reasoning appears to be that it might be morally permissible to euthanize infants with spina bifida not only because of the suffering that they are *now* undergoing but also because their lives as a whole will be short, painful, and frustrating, while the life of other future humans who could replace them is likely to be much better. What is especially worth remarking upon here is that Singer considers not only the present utility of the infant with spina bifida; he also considers her future utility and compares it to the utility of another, merely possible, future person. Indeed, at times Singer is willing both to consider the future utility not only of an infant but also of a fetus. In a discussion of fetuses with Down’s syndrome, Singer writes, “Children with this condition have intellectual disabilities and most will never be able to live independently. . . . Undergoing [amniocentesis] implies that if the test for Down’s syndrome is positive, the woman will consider aborting the fetus and, if she still wishes to have another child, will start another pregnancy, which has a good chance of being normal. Prenatal diagnosis, followed by abortion in selected cases, is common practice. . . . This is as it should be.”¹⁰ Yet a question for Singer and other permissivist act utilitarians naturally arises here: If we should take the future utility and disutility of a fetus with Down’s syndrome seriously, then why should we not do likewise with regard to Ute’s fetus? And if Ute’s fetus will have a positive sum of net utility over its life, then why would the fact that the fetus is not *currently* sentient give one any reason to discount that utility? Discounting in this way seems contrary to one of the virtues of act utilitarianism: its ability to take future goods and future people into consideration.¹¹ For roughly this reason, some act utilitarians have argued that taking the future utility of the fetus seriously leads to a very different judgment about the moral permissibility of abortion, as we shall see in the next section.

Finally, it should not escape our notice that Singer’s permissivist act utilitarianism regarding abortion clearly extends to other kinds of reproductive decisions as well. If it is the case that it is morally permissible to terminate a pregnancy in Ute’s case, there is no obvious reason why it would not also be morally permissible to prevent the pregnancy

⁹ Singer, *Writings on an Ethical Life*, 135.

¹⁰ Peter Singer, *Practical Ethics*, 2nd ed. (Cambridge: Cambridge University Press, 1993), 137.

¹¹ Tim Mulgan, *Future People* (Oxford: Oxford University Press, 2006).

from occurring at all, either by using contraception or by having a surgical procedure to prevent the possibility of pregnancy. Again, if it is morally permissible for Ute to prevent the pregnancy from occurring, there is no palpable reason why it would not also be morally permissible for men or women in economic circumstances similar to Ute's to prevent pregnancies from occurring. This fact sets up a stark difference to the position developed in the next section.

Act Utilitarian Restrictivism about Abortion

In contrast to Singer, Torbjörn Tännsjö argues that “utilitarianism is . . . much less abortion-friendly than expected. . . . According to utilitarianism, it is normally wrong to abort a fetus, which would have developed into a happy individual, who could lead his or her happy life at the expense of no one else.”¹² A reconstruction of Tännsjö's reasoning is straightforward. First, recognize two possible worlds:

1. Abortion World, in which there are n people experiencing m amount of utility, and
2. Non-Abortion World, in which there are $n+1$ people experiencing m^* utility.

Next, compare m and m^* . If $m > m^*$, then abortion is the morally required choice, and if $m < m^*$, then forgoing an abortion is the morally required choice. Only if $m = m^*$ (a fairly unlikely possibility) are both options morally permissible, as Singer and act-

¹² Torbjörn Tännsjö, *Taking Life: Three Theories on the Ethics of Killing* (Oxford: Oxford University Press, 2015), 181. Note that it is clear from the context of Tännsjö's discussion that by “utilitarianism” he means act utilitarianism. He is quite hostile to non-act utilitarian approaches such as rule utilitarianism.

The reader might wonder why I concentrate on Tännsjö's thinking, as thoughtful and rigorous as it is. Why? R. M. Hare was one of the most philosophically sophisticated act utilitarians of the twentieth century, and he offered two novel and intriguing arguments against the moral permissibility of abortion. However, Hare's arguments proceed from premises that are more at home in the Golden Rule and Kantian traditions than in those of act utilitarianism. This was the case because Hare believed that broadly Kantian, utilitarian, and Golden Rule ethical theories could be reconciled with one another. See Hare, “Abortion and the Golden Rule,” *Philosophy and Public Affairs* 3, no. 4 (1975): 201–22; “A Kantian Approach to Abortion,” in *Right Conduct: Theories and Applications*, ed. Michael D. Bayles and Kenneth Henley (New York: Random House, 1988), 168–84; and “Could Kant Have Been a Utilitarian?” *Utilitas* 5, no. 1 (1993): 1–16. This idea has recently revived in Derek Parfit, *On What Matters*, Vol. 1 (Oxford: Oxford University Press, 2011), 404–19.

utilitarian permissivists claim is generally true.¹³ Turn now, in contrast, to Tännsjö's advice to Ute. As already stated in section 1, her fetus is healthy and does not have any impairment that would be likely to prevent it from eventually having a life with more utility than disutility. In short, to borrow for act utilitarian purposes a phrase coined by Don Marquis, Ute's fetus has a "future like ours," a future of significant net utility.¹⁴ Unless the world in which Ute does not have an abortion is better than the world in which she does not by as much as the total amount of net utility that her fetus would have over the course of human life in an economically developed country, then Tännsjö and other restrictivists would argue that it is morally impermissible for Ute to have an abortion. And even though William James liked to joke that the question of whether a life was worth living depended on the liver, there is overwhelmingly good reason to think that a normal life lived in an economically developed country is rather good in terms of net utility and well-being, regardless of the particularities of the individual person, or "liver."¹⁵ Would the total amount of utility that Ute experienced in Abortion World really outweigh *all* of the utility that would be experienced by the future person her fetus would become? It seems overwhelmingly unlikely. So Tännsjö would advise Ute that having an abortion is morally impermissible.

Let me now touch briefly on the parallel between permissivists and restrictivists that I adumbrated in section 2. While permissivists appear to have a hard time explaining when we should *stop* discounting the utility of fetuses and perhaps even infants, restrictivists have the opposite problem. Since most of us who live middle-class lives in eco-

¹³ Precision about future utility in merely possible worlds is often more than we can reasonably hope for; see James Lenman, "Consequentialism and Cluelessness," *Philosophy and Public Affairs* 29, no. 4 (2000): 342–70. This fact invites two responses that pull in somewhat different directions. First, we should not underestimate the degree to which we can measure and the sophistication with which we can compare well-being and utility. See the essays in Arthur A. Stone and Christopher Mackie, eds., *Subjective Well-Being: Measuring Happiness, Suffering, and Other Measures of Experience* (Washington, DC: National Academy of Science Press, 2013); as well as John Broome, *Weighing Lives* (Oxford: Oxford University Press, 2006). Second, it is very often true that high degrees of precision are not required to make moral judgments. See Parfit, *On What Matters*. Finally, note that those cases in which a high degree of precision is required are problematic for utilitarianism *in general*, not for attempts to adjudicate between different interpretations of act utilitarianism vis-à-vis the moral permissibility of abortion.

¹⁴ Don Marquis, "Why Abortion Is Immoral," *Journal of Philosophy* 86, no. 4 (1989): 183–202.

¹⁵ David G. Blanchflower and Andrew J. Oswald, "Well-Being over Time in Britain and the USA," *Journal of Public Economics* 88, no. 7-8 (2004): 1359–86. A response to antinatalists such as David Benatar is far beyond the scope of this paper, but see David Wasserman's contribution to his collaboration with Benatar in David Benatar and David Wasserman, *Debating Progression: Is It Wrong to Reproduce?* (Oxford: Oxford University Press, 2015). William James's response to proto-antinatalists such as Schopenhauer is also worth careful attention. See William James, "Is Life Worth Living?" *Ethics* 6, no. 1 (1895): 1–24.

nominally developed countries can bring far more happy humans into existence than we are currently doing, Tännsjö would not only advise Ute not to have an abortion, he would also say that she and most people reading this article are morally required to procreate as much as possible, subject to the restriction that we not subtract from the total net utility produced by the action. Indeed, we are committing a serious moral wrong if we fail to do so.¹⁶ This line of thinking raises obvious questions about Parfit's repugnant conclusion that I can address here without straying too far from my topic.¹⁷ That said, it is worth noting that Tännsjö himself expresses strong doubts about our initial aversion to the repugnant conclusion, though he takes care not to go so far as to embrace the conclusion itself.¹⁸

Act Utilitarian Obligatoriness about Abortion

For all of its cleverness and meticulousness, Tännsjö's argument for the restrictivist interpretation of act utilitarianism doesn't take the idea of opportunity cost seriously enough. This is the case because Tännsjö is content to let the moral rightness of Ute's action be determined by a comparison between only two possible worlds: Abortion World and Non-Abortion World. But Tännsjö overlooks the fact that there are *many* possible Abortion Worlds, some of which have more utility in them than Non-Abortion World (as I'll explain in more detail in just a moment). The opportunity cost of choosing Non-Abortion World is the higher-utility Abortion World—hence the failure to maximize total net utility, as required by act utilitarianism.

Begin by considering the cost of raising a child in an economically developed country, such as the United States. In order to raise a single child, a household earning less than \$60,000 will spend an average of \$169,000, and a household earning between \$60,000 and \$103,000 will spend an average of \$235,000, while one earning more than \$103,000 will spend an average of \$390,000.¹⁹ By way of contrast, the cost of raising a single child in an upper-middle class environment in India is much closer to an aver-

¹⁶ Tännsjö, *Taking Life*, 180.

¹⁷ See Derek Parfit, *Reasons and Persons* (Oxford: Clarendon Press, 1984): 381–90.

¹⁸ Tännsjö, *Taking Life*, 281.

¹⁹ Mark Lino, Kevin Kuczynski, Nestor Rodriguez, and TusaRebecca Schap, *Expenditures on Children by Families* (Washington, DC: US Department of Agriculture, Center for Nutrition Policy and Promotion, 2015). <https://www.cnpp.usda.gov/sites/default/files/crc2015.pdf>.

age of \$80,000.²⁰ More importantly, in economically developing countries that number is just slightly more than \$16,000 on average.²¹ Yes, Ute could spend roughly \$235,000 raising a child, just as Tännsjö thinks she morally ought to. And, yes, it is reasonable to believe that Ute would thereby increase the world's total net utility. But to put the matter rather crudely, she could raise the world's total net utility more by paying people in developing countries to raise their own children. How much more? Even if the lives of these individuals were only half as good, in terms of total net utility, as the lives of people in economically developed countries, Ute would be getting more than seven times the return for outsourcing the production of utility—something she could do only if she were to have an abortion.²²

Up to this point, I have limited myself to comparing similar goods, i.e., the utility of future people. However, it is possible to cast our net more widely and, in the process, see even better reasons for act utilitarians to conclude that Ute is morally obligated to terminate her fetus. Instead of paying others to raise children, Ute might more plausibly help to save lives. In fact, doing so is likely to be a better way of promoting total utility. As Singer himself notes, “It’s difficult to calculate how much it costs to save or transform the life of someone who is extremely poor. . . . Nevertheless . . . we can reasonably believe that the cost of saving a life through one of these charities [e.g., Oxfam] is somewhere between \$200 and \$2,000.”²³ Over the course of eighteen years, Ute could spend \$235,000 raising one child in an economically developed country, or she could spend the same amount of money to save the lives of between 117 and 1,175 people living in an economically developing country. Even if Ute were to raise a child cheaply and thereby spend something closer to what a household earning less than \$60,000 spends on average, she could save between 84 and 845 lives instead. It is hard to believe that Ute faces much of a choice, at least from the perspective of act utilitarianism. Saving dozens or even hundreds of lives is likely to do a much better job of promoting total utility than

²⁰ “How Much Does It Cost to Raise a Child?” *Times of India*, February 2, 2018. <https://timesofindia.india-times.com/business/india-business/how-much-does-it-cost-to-raise-a-child/articleshow/62751407.cms>.

²¹ UNICEF, *The State of the World's Children 2005*. <https://www.unicef.org/sowc05/english/>.

²² She might be able to do something similar if she were to have the child and then give it up for adoption. However, the money spent on prenatal care and giving birth could not be spent helping others have children, and the cost of raising the child would simply be redistributed elsewhere, which would not be efficient unless the child were adopted in an economically developing country.

²³ Peter Singer, *The Life You Can Save: Acting Now to End World Poverty* (New York: Random House, 2009), 103.

raising one child.²⁴

We should note that Ute's circumstances are hardly *sui generis*. Like many thought experiments, mine involves implausible simplifying assumptions. However, we can relax these assumptions with little effect on the outcome. In most cases, those whose lifetime utility will be most affected by a choice of whether or not to have an abortion are the (potential) parents and the child (if the abortion is not performed). Of course, the child will go on to have positive (and negative) effects on the lives of many other people, but that is true to a much greater degree of the *many* more children who could be raised abroad and the people whose lives could be saved but otherwise would not be. Ute's circumstances are much like those of our students, colleagues, friends, and, perhaps, ourselves.

To be sure, not everyone is in Ute's circumstances, and for many women the opportunity cost of having a child is considerably less than is true in Ute's case. Where that state of affairs holds, act utilitarians should be committed to the claim that it would be morally *impermissible* for these women to have abortions, just as Tännsjö suggests. Moreover, it seems especially likely that many of these women will live in countries that are less economically developed since women in these countries will have few economic opportunities, all other things being equal. However, that fact in no way counts against my thesis in this article—namely, that act utilitarianism should be understood as making the claim that many, perhaps most, women in economically developed countries are morally required to have abortions if they become pregnant.

Misunderstandings, Objections, and Replies

One possible response to what I am calling act utilitarian obligatoriness about abortion is that my claim is true but only trivially so. Any reader of Singer's "Famine, Affluence, and Morality," the responder might say, can see for him- or herself that obligatoriness about abortion is the correct understanding of act utilitarianism. The responder might

²⁴ Note, of course, that act utilitarians are *not* committed to saying that no one in a developed country should reproduce. Compare the fact that act utilitarians seem committed to saying that in response to a famine each of us is morally obligated to give very generously to help alleviate the suffering it causes. See Tim Mulgan, *Understanding Utilitarianism* (Stocksfield, UK: Acumen, 2007), 93–114; and Krister Bykvist *Utilitarianism: A Guide for the Perplexed* (London: Continuum: 2011), 98–111. But act utilitarians are *not* committed to saying that everyone should overcommit resources to the problem. According to act utilitarians, the moral obligations of each person are in part determined by whether others act on their moral obligations, and our moral obligations might become more demanding because others fail to meet theirs. Likewise, if we all behaved differently and prioritized the well-being of the most vulnerable, Ute might not be morally obligated to have an abortion. But to the extent that we continue to act as we do, act utilitarians ought to accept the obligatoriness interpretation of their theory. I expand on this point further in section 5.

continue by saying that we might as well call my paper “*Abortion, Affluence, and Morality*” and put Singer’s name on it.

This line of response is confused for several reasons. First, the primary moral principle from which Singer works in “*Famine, Affluence, and Morality*” is not act utilitarian but what we might call the “prevention conditional.” Singer expresses the prevention conditional this way: “If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it.”²⁵ It should be clear that the prevention conditional does *not* entail act utilitarianism since it requires only that we avoid bad states of affairs, not that we bring about the best state of affairs. Second, Singer himself did not intend for the prevention conditional to be understood as entailing act utilitarianism. As he wrote in a revision of his paper,

While I am myself inclined toward a utilitarian view, it was my aim in writing “*Famine, Affluence, and Morality*” to produce an argument which would appeal not only to utilitarians, but also to anyone who accepted the initial premises of the argument, which seemed to me likely to have a very wide acceptance. So I tried to get around the need to produce a complete ethical theory by allowing my readers to fill in their own version—within limits—of what is morally significant, and then see what the moral consequences are.²⁶

Third and finally, if the connection between Singer’s views—or the views of any act utilitarian—so manifestly supported the obligatoriness about abortion interpretation of act utilitarianism, then it is remarkable that neither Singer nor anyone else pointed this out. Quite the contrary is true.

A second possible response to the obligatoriness about abortion interpretation of act utilitarianism focuses on the consequences that would come about as a result of everyone like Ute not having children. If, the responder might urge, most economically developed countries were to suddenly fall well below the population replacement rate, it would result in a catastrophe for the entire world. For, within a generation or so, global GDP would fall precipitously, and then there would be little or nothing for people in the developed world to transfer to the less economically developed world.

This response is understandable but also confused. Act utilitarianism concerns itself

²⁵ Singer, “*Famine, Affluence, and Morality*” (revised version), retrieved from <https://www.utilitarian.net/singer/by/1972----.htm>.

²⁶ Singer, “*Famine, Affluence, and Morality*” (revised version).

primarily with the rightness or wrongness of individual decisions and actions, and it does so against the background of other decisions and actions that are independent of the agent and might very well not be influenced by act utilitarianism or any similar ethical theory. True, Ute's obligation to terminate her pregnancy and devote her time, effort, and money elsewhere is contingent upon others not also doing so in large enough numbers to destroy the world economy. But this contingency is remarkably well grounded, and it is highly unlikely that many will follow her example. Of course, act utilitarianism's high degree of demandingness is well understood, and few act utilitarians (and perhaps even fewer among us who are not act utilitarians) expect many people to act in accordance with the demands of morality as act utilitarians see them in this case. However, none of these considerations affect Ute's moral obligations, according to act utilitarians.

To be certain, an act utilitarian would claim that she is obligated to sacrifice a great deal to save children drowning in a pond. That is true even if other people who were able to do so did not help. And it is true even if, were all of these people to try to help, the outcome would be counterproductive. By the very same token, an act utilitarian would claim that she is obligated to forgo having children to save lives, even if other people who were able to do so did not help by forgoing and saving these lives and even if, were they all to try to do so, the result would be disastrous.²⁷ In contrast, rule utilitarians would arrive at a very different conclusion regarding Ute's moral obligations since they focus on the question of the consequences that would follow if all or, in Brad Hooker's words, "an overwhelming majority" of us internalized a given set of rules.²⁸ But act utilitarians are not rule utilitarians—or even *crypto* rule utilitarians.²⁹ So when attempting to determine what Ute's—and our—obligations are, they do not, and should not, ask "What if everyone did that?" The answer to that question is simply irrelevant for them unless there is good reason to think everyone really will do that.

A third possible response to act utilitarianism's obligatoriness about abortion is that my argument for it ignores the costs involved with increased population for both individuals and our environment. If, the responder might say, Ute forwent raising her own child and instead used the resources she would have spent doing so either by saving the lives of other children or adults or by making their lives possible, then she would also increase the total population of the world and, for example, thereby increase the levels of

²⁷ Shelly Kagan, *The Limits of Morality* (Oxford: Clarendon Press, 1989); Tim Mulgan, *The Demands of Consequentialism* (Oxford: Oxford University Press, 2001).

²⁸ Hooker, *Ideal Code, Real World*, 7.

²⁹ Parfit, *On What Matters*, 251–256.

greenhouse gases produced. In the process she would be diminishing the total amount of utility that the world's population would experience.

While this response raises a number of issues that are impossible to treat adequately in this paper, it is a fairly easy matter to show that they are not a threat to act utilitarianism obligatoriness about abortion. Let us begin with the question of environmental impact. Though it is true that, all other things being equal, more humans mean increased production of greenhouse gases, not all things really are equal here. Take CO₂ emissions. In 2015, the average resident of the United States produced 16.07 metric tons of CO₂. But in India, for instance, that number was almost an order of magnitude lower at 1.87 metric tons, and there were many less economically developed countries—from the Solomon Islands to Burundi—in which that average was lower than 1 metric ton.³⁰ So it is far from obvious that the net impact on the environment of Ute's decision would cause an increase in total CO₂ production. While it is possible to make similar arguments regarding other kinds of concerns about environmental damage, doing so here would take us too far afield, especially in light of the point I make in the next paragraph.

There is a more direct way of replying to this criticism of act utilitarian obligatoriness about abortion, a way that does not involve us in the admittedly difficult question of trying to answer “How many people should there be?,” as Derek Parfit put it.³¹ There are many ways to increase the total amount of utility in the world that do not have a significant impact on world population. Ute might, for instance, devote her time and resources to the project of providing relief to the billion or so already existing human beings who suffer from intestinal worms. These worms cause considerable suffering to those who have them and also put those with the infection at increased risk of developing anemia, intestinal obstructions, and a suppressed immune system, which can in turn contribute to the likelihood of contracting diseases like malaria. Moreover, having intestinal worms can also interfere considerably with people's ability to attend school when they are children and to work when they are adults. However, treatment for this condition is well understood and highly cost-effective. Recent research done in Kenya suggests that each \$100 spent on deworming children increases total school attendance in that country by ten years. Adults who had been dewormed as children work an average of 3.4 hours more per week than those who did not, and they earn on average 20

³⁰ The European Commission's Joint Research Centre Emission Database for Global Atmospheric Research (EDGAR). “CO₂ Time Series 1990–2015 Per Capita for World Countries,” updated October 30, 2017, http://edgar.jrc.ec.europa.eu/overview.php?v=CO2ts_pc1990-2015.

³¹ Derek Parfit, “Overpopulation and the Quality of Life,” in *The Repugnant Conclusion: Essays on Population Ethics*, ed. Jesper Ryberg and Torbjörn Tännsjö (Dordrecht, NL: Springer, 2004), 7.

percent more than those who went untreated.³² Hence, even if we grant the responder that marginal increases in the total global population might, all things considered, lead to marginal decreases in net global utility (a concession I make here only for the sake of argument), it is still manifest that someone like Ute can contribute much more to net global utility by engaging in cost-effective behavior to help people who are already alive than by raising a child in an economically developed world.³³

A fourth response to act utilitarian obligatoriness about abortion might question the focus on abortion per se rather than other ways in which Ute and others might avoid having children in order to pursue projects much more likely to increase net global utility. Why, the responder might ask, focus only on a controversial medical procedure instead of on both male and female contraception or sterilization?

I have very little to disagree with regarding this response. As I mentioned in the introduction, the one and only reason I have focused on abortion in this essay is that there was already enough of an existing literature on abortion and act utilitarianism to allow me to get some purchase on the difficult issues at hand. But I agree that act utilitarians are also committed by their theory to the claim that, with regard to both men and women in roughly Ute's economic circumstances, the use of contraception is morally obligatory and voluntary sterilization may be required. Nothing about act utilitarianism requires that, in general, women bear most, much less all, of the burden. But as we have seen in Ute's particular circumstances, the use of contraception is no longer a relevant possibility. That, and only that, is why act utilitarians ought to claim that she is morally obligated to terminate her pregnancy.

A fifth and final response that might be made in response to act utilitarian obligatoriness about abortion concerns the fact that our moral obligations regarding not only abortion but many other reproductive decisions would be very different if we lived under different social, political, and economic institutions. If, the responder might say, Ute lived in an economically developed country in which the needs of most disadvantaged humans on the planet were taken seriously, then Ute would not be morally required to forgo reproduction.

Yet even if the country that one lives in does much to help those who are most in need elsewhere, the real issue is elsewhere for an act utilitarian. She might adapt a line from

³² William MacAskill, *Doing Good Better: Effective Altruism and a Radical New Way to Make a Difference* (New York: Avery, 2015), 8–9.

³³ I am grateful to Roger Crisp for prompting me to see this point.

American president John F. Kennedy to say that Ute should ask not what her country is doing for those most in need of help but what *she* can do for those most in need of help. Even if Ute's country were doing a great deal to help those most in need, it is still possible—likely, even—that her contributions to total global net utility would be greater if she forwent reproduction.³⁴

I conclude by reminding my readers of the purpose of this article. I have argued that act utilitarians generally misunderstand the implications of their theory for the ethics of abortion and for reproductive choices more generally. Moreover, I argued that these implications are surprisingly extreme. It was not my intention to persuade the reader that act utilitarianism is the correct moral theory. I have nothing novel to say about the matter, though perhaps some might think that the obligatoriness interpretation is a case of *reduction ad absurdum* for act utilitarianism. Furthermore, it is not my intention to persuade a non-act utilitarian reader that Ute is morally required to have an abortion. That said, many of us who are not act utilitarians are also concerned with improving the total amount of well-being in the world, and we too might feel the pull of this conclusion. I do.³⁵

References

Adams, Robert Merrihew. "Motive Utilitarianism." *Journal of Philosophy* 73, no. 14 (1976): 467–81. <https://doi.org/10.2307/2025783>

Benatar, David, and David Wasserman. *Debating Progression: Is It Wrong to Reproduce?* Oxford: Oxford University Press, 2015. <https://doi.org/10.1093/acprof:oso/9780199333547.001.0001>

Blanchflower, David G., and Andrew J. Oswald. "Well-Being over Time in Britain and the USA." *Journal of Public Economics* 88, no. 7-8 (2004): 1359–86. [https://doi.org/10.1016/S0047-2727\(02\)00168-8](https://doi.org/10.1016/S0047-2727(02)00168-8)

³⁴ I thank Michael Zimmerman for pushing me to see this point more clearly.

³⁵ I thank audiences at 2018 meetings of the Association for Practical and Professional Ethics, the International Society for Utilitarian Studies, and the Florida Philosophical Association for their comments, questions, and criticisms. In addition to individuals that I've mentioned in the foregoing footnotes, let me also single out for special gratitude Drew Chastain, Everett Fulmer, Marcus Hunt, Tobias Lechner, Joel MacClellan, Tom Metcalf, Dale Miller, and Duncan Purves. To anyone who has helped improve this paper but whom I have failed to mention here, I apologize for my failing memory. Finally, I am grateful to Ramona Ilea, the general editor of *Essays in Philosophy*, to Sarah Conly, the issue editor, and to the journal's anonymous referees.

- Brandt, Richard. *A Theory of the Right and the Good*. Oxford: Clarendon Press, 1979.
- Broome, John. *Weighing Lives*. Oxford: Oxford University Press, 2006.
- Bykvist, Krister. *Utilitarianism: A Guide for the Perplexed*. London: Continuum: 2010.
- European Commission's Joint Research Centre Emission Database for Global Atmospheric Research (EDGAR). "CO2 Time Series 1990–2015 Per Capita for World Countries." Updated October 30, 2017. http://edgar.jrc.ec.europa.eu/overview.php?v=CO2ts_pc1990-2015.
- Hare, R. M. "Abortion and the Golden Rule." *Philosophy and Public Affairs* 3, no. 4 (1975): 201–22.
- . "A Kantian Approach to Abortion." In *Right Conduct: Theories and Applications*, edited by Michael D. Bayles and Kenneth Henley, 168–84. New York: Random House, 1988.
- . "Could Kant Have Been a Utilitarian?" *Utilitas* 5, no. 1 (1993): 1–16. <https://doi.org/10.1017/S0953820800005501>
- Hooker, Brad. *Ideal Code, Real World*. Oxford: Oxford University Press, 2000.
- James, William. "Is Life Worth Living?" *Ethics* 6, no. 1 (1895): 1–24. <https://doi.org/10.1086/205378>
- Kagan, Shelly. *The Limits of Morality*. Oxford: Clarendon Press, 1989.
- Lenman, James. "Consequentialism and Cluelessness." *Philosophy and Public Affairs* 29, no. 4 (2000): 342–70. <https://doi.org/10.1111/j.1088-4963.2000.00342.x>
- Lino, Mark, Kevin Kuczynski, Nestor Rodriguez, and TusaRebecca Schap. *Expenditures on Children by Families, 2015*. Washington, DC: US Department of Agriculture, Center for Nutrition Policy and Promotion, 2015. <https://www.cnpp.usda.gov/sites/default/files/crc2015.pdf>.
- MacAskill, William. *Doing Good Better: Effective Altruism and a Radical New Way to Make a Difference*. New York: Avery, 2015.
- Marquis, Don. "Why Abortion Is Immoral." *Journal of Philosophy* 86, no. 4 (1989): 183–202. <https://doi.org/10.2307/2026961>
- Mulgan, Tim. *Future People*. Oxford: Oxford University Press, 2006. <https://doi.org/10.1093/019928220X.001.0001>
- . *The Demands of Consequentialism*. Oxford: Oxford University Press, 2001.
- . *Understanding Utilitarianism*. Stocksfield, UK: Acumen, 2007.
- Parfit, Derek. *Reasons and Persons*. Oxford: Clarendon Press, 1984.
- . *On What Matters*, Vol. 1. Oxford: Oxford University Press, 2011.

———. “Overpopulation and the Quality of Life.” In *The Repugnant Conclusion: Essays on Population Ethics*, edited by Jesper Ryberg and Torbjörn Tännsjö, 7–22. Dordrecht, NL: Springer: 2004.

Rogers, Jason. “In Defense of a Version of Satisficing Consequentialism.” *Utilitas* 22, no. 2 (2010): 198–221. <https://doi.org/10.1017/S0953820810000099>

Singer, Peter. *Animal Liberation: A New Ethics for Our Treatment of Animals*. New York: Random House, 1975.

———. “Famine, Affluence, and Morality.” *Philosophy and Public Affairs* 2, no. 1 (1972): 229–43.

———. “Famine, Affluence, and Morality” (revised version, 1972). Retrieved from <https://www.utilitarian.net/singer/by/1972----.htm>.

———. *One World: The Ethics of Globalization*. New Haven: Yale University Press: 2002.

———. *Practical Ethics*. 2nd ed. Cambridge: Cambridge University Press, 1993.

———. *The Life You Can Save: Acting Now to End World Poverty*. New York: Random House, 2009.

———. *Writings on an Ethical Life*. New York: Harper Collins, 2001.

Singer, Peter, and Jim Mason. *The Ethics of What We Eat: Why Our Food Choices Matter*. New York: Rodale, 2006.

Skidmore, James. “Does ‘Ought’ Imply ‘Might’? How to Resolve the Conflict between Act and Motive Utilitarianism.” *Philosophia* 46, no. 1 (2018): 207–21. <https://doi.org/10.1007/s11406-017-9908-y>

Slote, Michael. *Common-Sense Morality and Consequentialism*. London: Kegan and Routledge, 1985.

Stone, Arthur A., and Christopher Mackie, eds. *Subjective Well-Being: Measuring Happiness, Suffering, and Other Measures of Experience*. Washington, DC: National Academy of Science Press, 2013.

Tännsjö, Torbjörn. *Taking Life: Three Theories on the Ethics of Killing*. Oxford: Oxford University Press, 2015. <https://doi.org/10.1093/acprof:oso/9780190225575.001.0001>

UNICEF. *The State of the World’s Children 2005*. www.unicef.org/sowc05/english/.