# Why is Murder Wrong? Marquis on Abortion and the Wrongness of Killing

**Don Marquis** (1935-)is an American ethicist. He has written widely on issues of biomedical ethics. His most famous article (by far) is the “Why Abortion is Immoral” (1989). Like Thomson’s “A Defense of Abortion,” this article played a major role in shaping the modern debate concerning abortion.

## Moral Arguments: ArgumentS to the Best Explanation

Marquis’s argument is a type of **argument to the best explanation.** These arguments have the following form:

* Premise: Theory T successfully explains observations O1, O2, O3, and so on. These observations should be things that even your *opponent* will accept as true.
* Premise: There is no other theory that explains these observations as well as T.
* Conclusion: Theory T is true.

The strength of an argument to the best explanation depends on the following sorts of things:

1. How many observations T successfully explains. (More is better)
2. Whether there are any *better* explanations of O1, O2, etc. The presence of a better explanation will significantly weaken the case for T being true. The argument only work if T is the *best* explanation.
3. Whether we have any independent reason for thinking T is false. For example, if T gives a false prediction, then we would know T is false. The fact that T could explain lots of other stuff would simply be irrelevant.

Arguments to the best explanation frequently occur in moral reasoning. For example, consider the following argument

* Fact to be explained (O) : “The wanton infliction of pain on humans is wrong”
* Theory (T): “Causing suffering to sentient beings is immoral, unless there is a very good reason for it.”
* Since T successfully explains O (and we can’t think of a better explanation), we can conclude that T is probably true.

Since we now have some evidence that T is true, we can use T to offer arguments about other moral problems:

* Premise (Theory T): Causing suffering to sentient beings is immoral, unless there is a very good reason for it.
* Premise: Many animals are sentient.
* Conclusion: The wanton infliction of pain on many animals is wrong.

Notice that there are two different argumentative “steps”: first, we provide evidence that our moral theory is true (by offering an argument to the best explanation); second, we then *apply* this theory to a new case.

## More Moral Arguments: How to Disprove Moral Theories

Marquis also (briefly) discusses the problem of how we can **falsify** a moral theory. In essence, this process is pretty simple: if a proposed moral theory entails something that is obviously insane (like “Hitler was an OK guy”), we should get rid of it. He offers two examples from the abortion debate:

* **Theory 1: It is (in most cases) morally wrong to kill any living being with unique human DNA.** This would entail “Abortion is morally wrong”. However, it also (incorrectly) entails “It is wrong to kill human cancer cells.” Because of this, the theory is false.
* **Theory 2: It is (in most cases) morally OK to kill any being that is NOT capable of rational thought.** This would entail “Abortion is morally OK.” However, it also (incorrectly) entails “It is OK to kill developmentally disabled people and infants.” So the theory is false.

Marquis concludes that these two theories are both fundamentally flawed, and should be abandoned. He does not think anyone (whether prolife or prochoice) should appeal to simplistic theories like these to defend their views on abortion.

## The “Future Like Ours” Theory

Marquis defends the **future-like-ours** theory of the wrongness of killing, which he then applies to abortion.

What primarily makes killing wrong is neither its effect on the murderer nor its effect on the victim’s friends and relatives, but its effect on the victim. The loss of one’s life is one of the greatest losses one can suffer. The loss of one’s life deprives one of all the experiences, activities, projects, and enjoyments which would otherwise have constituted one’s future. Therefore, killing someone is wrong, primarily because the killing inflicts (one of) the greatest possible losses on the victim. To describe this as the loss of life can be misleading, however. The change in my biological state does not by itself make killing me wrong. The effect of the loss of my biological life is the loss to me of all those activities, projects, experiences, and enjoyments which would otherwise have constituted my future personal life. These activities, projects, experiences, and enjoyments are either valuable for their own sakes or are means to something else that is valuable for its own sake. Some parts of my future are not valued by me now, but will come to be valued by me as I grow older and as my values and capacities change. **When I am killed, I am deprived both of what I now value which would have been part of my future personal life, but also what I would come to value. Therefore, when I die, I am deprived of all of the value of my future. Inflicting this loss on me is ultimately what makes killing me wrong.** This being the case, it would seem that what makes killing any adult human being prima facie seriously wrong is the loss of his other future.

This theory forms the heart of Marquis’s argument that abortion is immoral. Let’s a take a closer look at how it works.

1. Premise: The following fact needs to be explained: “It is morally wrong to kill adult humans, except in special circumstances (such as in self-defense)”. Here at three theories about “the wrongness of killing” that successfully explain this fact:
   1. (DES) It is morally wrong to kill a being with desires like ours, because there is then no chance to fulfill those desires.
   2. (EXP) It is morally wrong to kill a being who has experiences like ours, since this would destroy those experiences.
   3. (FLO) It is morally wrong to deprive a being of a “**future like ours**”, since this future would be full of valuable activities/experiences. [Marquis wants to defend FLO. He thinks DES and EXP are false.]
2. Premise: Here are four (other) facts that a good theory about the “wrongness of killing” should explain:
   1. O1: It is (generally) wrong to kill adult humans.
   2. O2: It is wrong to allow a suicidal teenager to kill him- or herself.
   3. O3: It is wrong to kill infants.
   4. O4: it is morally OK to allow euthanasia for terminally ill patients in severe pain.
3. Premise: We now ask: Which theory of the wrongness of killing does the *best* at explaining these four facts?
   1. DES explains O1 (since adults *want* to live) and O4 (since these patients want to die). It does not explain O2 (since the teenager *desires* to kill themselves) or O3 (since the infant doesn’t understand desires like “I want to live”) .
   2. EXP explains O1 (since adults have experiences like ours) and O2 (since teenagers have experiences like ours). It does not explain O3 (since infants don’t have experiences like those of an adult human being) or O4 (at least if the patient in question is not in horrible suffering *right now*).
   3. FLO explains O1, O2, O3, and O4. After all, adult humans, infants, and teenagers all have futures like ours, *even if* the depressed teenager or infant don’t know this. By contrast, the terminally ill patient does NOT have a future like ours (their future is full of pain), but this explains why it might be OK to help them die peacefully. FLO wins!
4. Premise: There is independent evidence for the truth FLO. Look at some of the other stuff it can explain:
   1. **Murder is the worst of crimes.** FLO says that crimes like theft or assault are wrong because they take away part of our future; murder is more wrong because it takes away all of it. This agrees with the law, and with “common sense.”
   2. **Our judgments about killing plants and animals.** FLO says that it is perfectly OK to kill plants. It says that the wrongness of killing animals will depend on how similar they are to us. So, it is more wrong to kill an ape than a pig, and more wrong to kill a pig than a mosquito. This agrees with most peoples’ intuitions.
   3. **Normal peoples’ considered judgment.** When asked why they don’t want to die, people say it’s because they will miss out on the future. This is what FLO predicts.
5. Conclusion 1: By argument to the best explanation, we can conclude that FLO is true!
6. Conclusion 2: Since human fetuses have a future like ours, FLO entails that killing them is wrong except in very special cases (Marquis grants Thomson’s argument for rape and life-endangering cases). So, abortion is almost always immoral.

If you want to reject Marquis’s argument, there are only two moves available. First, you can show that Marquis’ argument to the best explanation fails, and that FLO is NOT the best theory. For example, both DES and EXP would entail that abortion is morally OK. Second, you could show that we have other reason for thinking the FLO is false.

## Review Questions

1. FLO is a moral theory. It say that, in general, killing a being with a future like ours is morally wrong. One way of criticizing a moral theory like FLO is to show that there are consequences that disagree with our **intuitions** (or judgments) about particular cases. For example, consider the following objection:
   1. Premise: Suppose that, in the distant future, someone invented a machine capable of transforming finger nail clippings into fully functioning adult humans. In this future, FLO would imply that it would be morally wrong to throw away fingernail clippings, since they have a “future like ours.”
   2. Premise: It would actually be morally OK to throw away fingernail clippings, even if we had this sort of machine.
   3. So, FLO is false.

**Do you think this objection works? Why or why not?**

1. Which of the following beings have a “future like ours” and are thus wrong to kill (according to Marquis)? Some are easy; others have been debated (especially the “unfertilized human egg”):
   1. A human embryo
   2. A sleeping person
   3. An intelligent robot, like Wall-E or R2D2
   4. An intelligent non-human, like ET or Chewbacca
   5. An unfertilized human egg
   6. Baby Hitler (you somehow *know* it’s baby Hitler