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## I. Warren's criteria, redux

Warren presents her five criteria for personhood and claims that they are essential.

- 1) Consciousness
- 2) Reasoning
- 3) Self-motivated activity
- 4) Communication
- 5) Self-awareness

She urges that anyone who argues that something which lacks all five of these is a person must be confused.

Perhaps, such a person is mistaking personhood for biological humanity.

Since the fetus meets none of these criteria, it can not be a person.

If the fetus is not a person, it can not have a right to life.

Thus, the argument that abortion is impermissible because of the right to life of the fetus is flawed.

Perhaps, another argument might work.

## II. A response concerning potential

We can distinguish potential persons from persons.

The fetus is a potential person.

So, perhaps a slightly amended version of the argument might work.

To be specific, we might adopt the following amended classic argument:

- 1) Every potential person has a right to life.
- 2) The fetus is a potential person.
- 3) So the fetus has a right to life.
- 4) The right to life, for the fetus, is stronger than the right to choose what happens in and to one's body, for the mother.

So, abortion is impermissible.

This argument is valid, the conclusion follows from the premises.

But, the first premise is suspect.

Warren provides an example of aliens turning all my cells into replicas of me.

I am morally permitted to escape.

But escape means valuing existing persons over potential persons.

The fetus, as potential person, can't have the same right to life as an adult human.

Still, maybe it has a weakened right to life.

Such a weakened right to life, though, may not support the fourth premise.

Thomson considers the situation if every speck of dust were a potential life.  
In this case, we wouldn't give potentiality much weight at all.  
Marquis grants that the argument from potential doesn't succeed.  
Potential persons don't have the rights of persons, in the way that potential presidents don't have the rights of presidents, p 225.

### III. Narrow and broad criteria

Marquis argues that Warren's criteria are too narrow.  
It leaves out the fetus.  
He urges a broader criterion for personhood, one which includes the fetus.

### IV. The FLO Theory

Marquis develops his criteria by considering when and why killing is wrong.  
We kill plants, and some of us kill and eat animals, without thinking it immoral.  
Killing persons is clearly wrong.  
What makes the difference?  
If we can figure out what makes killing wrong in clear cases, maybe we can apply it to the borderline cases, like the fetus.

Killing is wrong, says Marquis, because it deprives the victim of his/her future of value, a future like ours (FLO).

FLO Theory of why killing is wrong, p 222:

1. Killing causes premature death.
2. Premature death deprives an individual of future value.
3. Depriving an individual of future value is wrong.

Therefore, killing is wrong.

### V. Defending the FLO Theory

Marquis defends the FLO theory by showing that it accounts for various beliefs about why death is sad, why killing is wrong, and when they are not, why they are not.

AIDS victims, cancer patients, and others who are going to die at an early age, are sad because of the loss of their FLO.

Marquis calls this the Considered Judgment Argument for the FLO theory.

The Worst of Crimes Argument shows why murder is considered worse than other crimes.

Compare murder to assault, rape, cutting off a limb.

The loss of a FLO is what makes murder the worst of crimes.

The Appeal to Cases Argument considers various other cases:

We stop suicides because we know they have a FLO, even though they may not know this.

"[I]t is not the mere desire to enjoy a FLO which is crucial to our understanding of the wrongness of killing. Having a FLO is what is crucial to the account..." p 223.

People in comas, even if they aren't conscious, have a FLO.

We may permit euthanasia if the future looks awful for an individual, if they don't have a high probability of a FLO.

## VI. Marquis' responses to criticisms

### Potentiality Objection:

Fetuses have potential FLOs, not actual FLOs.

This is an attempt to apply the potentiality criticism of Warren to Marquis.

The criticism does not succeed here, since FLOs have potential built-in.

It is potential for adults, that makes killing wrong, p 225.

A fetus, if left alone, has a FLO, already.

### Argument from Interests Objection:

You must be sentient to have interests.

Fetuses aren't sentient, so don't have interests.

The fetus thus can have no interest in its FLO.

Since it has no welfare of its own, it has no moral standing.

This criticism does not succeed, either.

Consider the temporarily unconscious patient, p 226.

One can in fact have interests without sentience.

### Contraception Objection:

The FLO Theory makes contraception wrong.

Contraception destroys the FLO of the sperm and egg.

Marquis replies that in the cases of sperm and eggs, no individual is deprived of a FLO.

The sperm and egg are two individuals, and no determinate person.

Step 3 in the argument for the FLO theory says that depriving an individual of future value is wrong.

Marquis' response here is weak though.

The sperm is an individual whose FLO is destroyed.

So is the egg.

This objection can be extended to male masturbation, since this also destroys the FLO of the sperm.

It can also be extended to show that a woman should attempt to fertilize every one of her eggs.

## VII. Application of the FLO Theory to abortion

Abortion deprives the individual fetus of a future like ours.

Depriving an individual of a future like ours is wrong.

So, abortion is wrong.

## VIII. Marquis and Warren both avoid chauvinism

Marquis is presenting a criterion for personhood different from Warren's criteria.

The biological criterion for personhood is that all and only genetic human beings are persons.

This criterion is narrowly chauvinistic, as Warren showed.

Neither Warren's criteria nor Marquis' criterion are biological, or chauvinistic.

Aliens and sentient machines can have FLOs too.