

# **Elective Abandonment: A Male Counterpart To**

## **Abortion**

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### **Abstract**

The morality of abortion is one of the most hotly debated topics in contemporary ethics. Two of the most influential arguments in favour of the permissibility of abortion were put forward in the latter half of the twentieth century by Warren (1973) and Thomson (1971). The implications of these arguments, however, for unwilling putative fathers have largely not been considered. Some writers, for example Brake (2005), have argued that Thomson's defence of abortion might allow a putative father under certain circumstances to terminate his parental responsibilities and rights. As far as I am aware, nobody has considered the implications of Warren's argument for unwilling putative fathers. In this paper I will consider the implications of both arguments to putative unwilling fathers. I will argue that if Thomson's and Warren's arguments are successful defences of abortion then they are also successful in justifying a male counterpart to abortion which I label 'elective abandonment'. I will not be defending or refuting Thomson's and Warren's arguments for abortion but am simply defending the claim that they apply as well to elective abandonment as they do to abortion.

## 1. Introduction

Two of the most influential arguments in favour of the permissibility of abortion were put forward by Thomson (1971) and Warren (1973). In this paper I will consider the implications of both arguments for men. I will argue that if Thomson's and Warren's arguments are successful defences of abortion then they are also successful at justifying a male counterpart to abortion which I label 'elective abandonment'. I will neither be defending nor attacking abortion, instead I will be applying the arguments for abortion to elective abandonment.<sup>1</sup> As a result, the claim is conditional in form; if abortion is permissible then so is a male counterpart.

I shall do two novel things in this paper. First, when discussing Thomson's paper, after identifying the basic principles behind her violinist thought experiment and applying them to men,<sup>2</sup> I shall then use these principles to create my own unique thought experiment designed to exemplify these same principles but in a scenario very similar to that in which some unwilling fathers find themselves. Second, my application of Warren's argument to unwilling fathers is also entirely new.

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<sup>1</sup> This will be similar to the ideas expressed about acquiring and renouncing paternal responsibility put forward in Brake (2005) and McCulley (1988).

<sup>2</sup> When Brake discusses Thomson's argument, she largely focuses on Thomson's thought experiments involving 'people seeds' and the principles involved therein.

## 2. Elective Abandonment

As Sheldon points out “There seems to be broad agreement in much of the western industrialised world that men who father children out of marriage share an obligation to support them financially.” (Sheldon, 2003, p. 176). This agreement is frequently supported and enforced by law (The Child Support Act 1991). M. G. McCulley has highlighted that as a result of this after conception, “He [the father] must rely on the decisions of the female to determine his future. The putative father does not have the luxury, after the fact of conception, to decide that he is not ready for fatherhood. Unlike the female, he has no escape route” (McCully, 1988, p. 4). As a result, there seems to be a discrepancy in freedom.

Elective abandonment would involve men morally ‘opting out’ of all parental responsibilities and rights. After they have exercised elective abandonment they would permanently sever all parental responsibilities and lose all parental rights. Elective abandonment is analogous to abortion in that it is defended using the same arguments and, as we shall see, is in some sense interested in preserving the same freedoms. It is not necessarily analogous to abortion in any other way, for example its consequences or the process by which it is carried out.

Some potential critics of elective abandonment may think that there is no male counterpart to abortion and no need for one. They might say that if a man does not want to be a father then he should simply avoid having sexual intercourse. However, this can equally be

said of a woman seeking abortion (except for cases of rape). If a woman doesn't want to become pregnant and then become a mother, then she should simply avoid having sexual intercourse. As a result, this line of argument won't work if we think that abortion is permissible. Instead if the critic wants to argue that abortion is morally permissible but elective abandonment is not then they will need to show that the arguments used to justify abortion do not apply to elective abandonment and/or that there is a morally relevant difference between them. I aim to show that the arguments used to justify abortion do apply to elective abandonment and that there is no morally relevant difference between them. As a result, simply saying that a man should avoid having sexual intercourse if he does not want to become a father is insufficient as an argument.

I suggest two conditions that must be fulfilled before elective abandonment can be exercised. The first is that elective abandonment must be exercised before the foetus gets to a certain age (the same age that marks the permissibility of abortions). The second is they must notify the mother in advance, although she would not be able to overrule this decision. The first condition is necessary for two reasons. The first and most significant reason is because, as we shall see, Warren's defence of abortion potentially only applies to abortions before a certain date and thus if it is to apply to men it can only work before a certain date. The second is because I am trying to conceptualise as close a male equivalent to abortion as possible. Therefore, if, as Warren thinks, abortion is morally impermissible after

a certain time period then parity would demand that elective abandonment is also impermissible after that date. The reason for the second condition is that it does not seem unreasonable to say that when your decisions will affect the life of another, even if the decision itself is entirely your own and at your discretion, you still owe it to them to inform them in a timely manner of the decision you intend to make. Becoming a parent is a life changing event and many responsibilities come with it. Therefore, if we think that abortion is permissible and that a woman may wish to terminate her pregnancy in order to avoid these responsibilities, it is not unreasonable to think that she should be able to make an informed decision about what both options (either keeping or aborting the foetus) will involve. Therefore, knowing in advance whether or not the potential father would be involved will help to inform her decision. As a result, it seems reasonable to say that the man is under some obligation to inform her of his decision.

### **3. Thomson's Argument Applied**

In her paper "A Defense of Abortion" Thomson attempts to show that women should be allowed to have an abortion even if the foetus is a person. She suggests that the foetus, even if it is a person, has no right to use the mother's body against her will, and that it is entirely up to the mother whether or not she continues the pregnancy. She illustrates this idea with her violinist thought experiment. She writes "let me ask you to imagine this. You wake up in the morning and find yourself back to back in bed with an unconscious violinist. A

famous unconscious violinist. He has been found to have a fatal kidney ailment, and the Society of Music Lovers has canvassed all the available medical records and found that you alone have the right type of blood to help. They have therefore kidnapped you, and last night the violinist's circulatory system was plugged into yours, so that your kidneys can be used to extract poisons from his blood as well as your own" (Thomson, 1971, pp. 48 - 49). She goes onto explain that in order to keep the violinist alive you must remain like that for nine months. Thomson suggests that in a case like this, it is permissible for you to unplug yourself and to let the violinist die. This has been seen as a powerful argument for the permissibility of abortion, because it attempts to show that a person's right to control their own body and life means that they cannot be forced to give special assistance to others to keep them alive unless they willingly agree to it.

However, what does this mean for men? The principle behind this defence is clear. We are not required to give people special assistance unless we agree to it. Now Thomson in this paper is primarily concerned with the bodily burdens placed on women during pregnancy. The assistance, so to speak, that they must give to their foetuses is bodily in nature and this, so Thomson argues, goes above and beyond what we are required to give to somebody unless we agree to it. However, I would ask what would make us think that only bodily burdens are above and beyond what we are required to give to somebody even if we do not agree to it? Surely, if we agree with Thomson's argument, the reason we are not required to remain

attached to the violinist is because a burden of this nature is extremely high. This may be because it is bodily in nature, but it does not therefore follow that only bodily burdens are this demanding. It seems to me that eighteen years of unwilling financial payments are also extremely demanding, and thus are also above and beyond what can be demanded of us unless we agree. Undoubtedly, paying child support is a significant burden.<sup>3</sup> This means that unless a putative father has agreed to this then we cannot force him to do it. As a result, if we think that this is a successful defence of abortion then it must also be a successful defence of elective abandonment.

One way that somebody could attempt to forbid elective abandonment but to allow abortion would be to find some morally important distinction between them. The most obvious distinction between the two is that in the case of pregnancy the burden placed on women happens within the body, whereas, in the case of men after conception any burden occurs externally to the body. As a result, somebody could try to justify abortion by talking about the rights to

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<sup>3</sup> Someone might object here that for wealthy men the burden of child support is relatively minimal. As a result, this argument cannot be used for these men. I would point out that the same can be said of some women. For a woman with an active lifestyle, full time job etc. then the burden of an unwanted pregnancy might well be a heavy one. However, for some women the burden of pregnancy can be much lighter depending upon their physical health, financial situation and relationship status. As a result, if the wealth of the man makes a difference to the permissibility of elective abandonment then the health and lifestyle of the woman makes a difference to the permissibility of abortion.

bodily integrity and this justification might not apply to elective abandonment.

In response, however, I would point out that whilst forcing a woman to remain pregnant might violate her rights to do what she wants with her body, forcing men to pay child support violates their rights to do what they want with their property, and perhaps also rights involving labour (and hence also their bodies) and their future. Undoubtedly, we do have rights to property, otherwise stealing would not be illegal and immoral.

Somebody might respond by arguing that the burden of pregnancy, and thus the rights that are violated through being forced to continue it are more significant than the burden placed on men being forced to pay child support. David Boonin for example suggests that there is a difference between the sort of requirement placed on women and on men; he argues that with men they are “required only to hand over some money” (Boonin-Vail, 1997, p. 289) but in the case of women it is a direct physical burden. Boonin then pre-empts a potential response about how physical labour is also a significant burden. He writes "But surely it does not follow from the fact that one can choose to earn one's money doing painful physical labor and then be required to make a financial sacrifice for a given cause that one can also be required to do a comparable amount of painful physical labor on behalf of that cause" (Boonin-Vail, 1997, p. 289).

Whilst I agree that there are some situations in which we can be made to make a financial sacrifice for a cause even though we



cannot be made to directly labour for that cause I believe that making unwilling biological fathers pay child support is not one of these situations (if we think that Thomson's defence of abortion is successful). I will put forward three reasons for thinking this.

The first is that I do not think that it is acceptable to demand that somebody make a financial sacrifice to a cause they do not wish to support, had no say in and from which they will gain nothing that they want in return.<sup>4</sup> We cannot claim that engaging in sex involves agreeing to become a parent because, if it does, then this can also be said of women who agree to have sex and this undermines Thomson's argument. As a result, we must accept that the man has not agreed to this state of affairs, has had no say in the matter and will gain nothing in return. This is distinct from things like paying taxes to your government because you have agreed to remain in the country, you receive public services in return and you have a say in how the government is run. This cannot be said of men who objected to fatherhood and who used contraception. This is because they did not agree to become or to remain fathers, they did not agree to pay child support and they probably had little say in how much they are being

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<sup>4</sup> One could argue that they will gain a potentially rewarding relationship with their child. This may well be true, but at least at this stage they do not want this (indeed they actively don't want it!) and the same could be said of women and abortion. Further, it seems worryingly contingent on certain facts about human psychology. Many men will find fatherhood rewarding but there may also be many who either get nothing from it or who find it actively emotionally unpleasant.

forced to pay and how it is spent. This means that there are significant differences between being forced to pay child support in the case of an accidental and unwilling father and paying taxes.<sup>5</sup> As a result, Boonin's analogy between things like taxation and the paying of child support seems misguided.

A second problem with Boonin's response is that the moral significance of a burden is measured by the amount of inconvenience, pain and distress caused; this can be said of being forced to hand over money. It will vary from man to man but so will the burden placed on women during pregnancy. Brake highlights that:

“such payments might burden a man seriously physically, emotionally, and economically, depending on his occupation and earnings. Given that payments may be required for almost twenty years, that they might make it difficult for him to start a family or pursue other important plans, and that some occupations involve physical risk, the burdens of mandatory child support and of pregnancy might sometimes be comparable. It seems difficult to justify a general claim that the burdens of pregnancy are always greater than those of working overtime for eighteen years in a risky environment — or, for a chronically unemployed man under a system of stringent enforcement,

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<sup>5</sup> Further, the state and a foetus are very different entities and it does not follow that just because we can have responsibilities and obligations towards the state to pay taxes and so on (although some may even disagree with this) that we can therefore have responsibilities and obligations towards foetuses.

those of destitution, possible imprisonment, and mounting arrears”  
(Brake, 2005, p. 65).

Brake raises a good point. If one of the reasons why abortion is permissible is because pregnancy can be a significant burden then it seems that elective abandonment must also be permissible because being forced to pay child support can be a significant burden for (some) men. On top of this, being made to pay child support is a significant restriction of a person’s freedom. A man’s options in terms of career, family, travel and life in general could be severely limited by forcing him to pay child support. If freedom is one of the motivating factors for allowing abortion then this suggests that we should allow a male equivalent to promote the same freedoms. As a result, I am not sure that any important distinction can be drawn between women and men. They both labour and have burdens when creating and raising a child and if abortion is permissible for women for this reason then so is a male counterpart.

Finally, even if you think that there is a significant difference between pregnancy and childbirth on the part of the mother and paying child support on the part of the father and that they are fundamentally morally different sorts of things, Brake highlights that “Again, the fact that in the first case we are dealing with a putative right to the woman’s body (on the part of the fetus) and in the second with a putative right to the man’s money (on the part of the child) makes no difference, since the existence of a right should not depend on what the right in question is a right *to*” (Brake, 2005, p. 58). A person’s money

undoubtedly belongs to them and therefore the man has a right to his money in the same way that a woman has the right to her body. Thus, even if a significant distinction can be drawn between the burdens of labouring and giving money and the burdens of pregnancy, this does not change whether the foetus has a right to them. It may be that handing over money is a trifling affair, but this does nothing to show that the foetus therefore has a legitimate claim over it.<sup>6</sup> This again means that if abortion is to be permissible for women then a male counterpart should also be permissible. These three responses to Boonin's argument show that he fails to show that abortion is permissible but elective abandonment impermissible.

I will now introduce my own thought experiment to show that it is not unreasonable in the case of accidental pregnancy to renounce any financial obligations to the unborn baby. You go to a magic show; the magician calls you up to the front and then hypnotises you. You are hypnotised into signing a form saying that you will pay money to another person for the next 18 years. The odds are that, even if you do not pay the money, the person will continue to survive and could still

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<sup>6</sup> Here I have focussed on the prospective father's right to his money, property and labour, and on the financial burdens inherent in enforced child support. We could equally consider the emotional implications of enforced child support. These emotional burdens may well be equally, if not more, demanding than the financial burdens so the implications of these burdens should also be considered. Here, however, I focus primarily on the financial burdens since these are easier to identify and measure.

live a happy life. In this situation it does not seem that unreasonable to tear up the contract upon waking up from your hypnotised state.

Is there a morally significant difference between this and the violinist thought experiment? I am not sure that there is. In both cases you are put in an extremely difficult situation against your will, if you can remove yourself from one then why not the other? Further, to me, the hypnotist case seems much clearer than that of the violinist. I might have second thoughts about the violinist but not the hypnotist. After all, if I unplug myself from the violinist then somebody dies. Thus, because so much is at stake, I would feel the need to think things through very carefully. However, in the case of the hypnotist much less is at stake because no one will die if I tear up the contract. If the mother has no obligations to the foetus unless she agrees to them and thus an abortion is permissible even if the foetus is a person, then shouldn't the father have the right to elective abandonment? If we agree with Thomson's line of reasoning then it seems that a man cannot acquire parental responsibilities unless he willingly agrees to it.

#### **4. Warren's Defence Applied**

I have applied Thomson's defence of abortion to elective abandonment and now turn to Warren's defence. Warren argues that it is the personhood of an adult or child that makes killing them wrong. However, she believes that abortion is permissible because foetuses are not people. She justifies her claim by arguing that in order to be a

person five traits are necessary: consciousness, reasoning, self-motivated activity, the capacity to communicate and the presence of self-conception and awareness (Warren, 1973, p. 55). Warren argues that because foetuses do not have these five traits (certainly not in the early stages of pregnancy) they should not be considered persons. As a result, she argues that abortion is permissible.

If we accept Warren's defence of abortion then what does this mean for men? I believe that it would justify elective abandonment. This is because Warren is arguing that if foetuses are not persons then they do not, at this stage, have any inherent moral value and thus ending their lives is morally permissible. However, if something has no inherent moral value then there is nothing wrong with abandoning it, and if this is the case then elective abandonment is permissible. If a woman is allowed to end the life of a foetus because it is not a person, then surely a man is allowed to abandon it because it is not a person. If it is acceptable to end the life of a foetus then surely it is acceptable to abandon it.<sup>7</sup>

Someone might respond to my argument by saying that a potential father cannot practice elective abandonment because it will in the future become his baby. He can 'temporarily' abandon it (whatever that means), but when it is born he will then have responsibilities towards it. However, if this is the case then this must mean that the

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<sup>7</sup> Indeed, one could potentially argue that abortion is simply an extreme form of abandonment.

future status of the foetus is able to prevent him from practising elective abandonment in the here and now (whilst it is still a foetus). If this is the case, then this must mean that the future status of the foetus is morally relevant in the here and now. This then gives it moral value and it is this that prevents the man from practicing elective abandonment.

However, if the future status of the foetus is morally relevant in the here and now (whilst it is still a foetus) with regard to the man then it must also be morally relevant in the here and now with regard to the woman. This morally relevant future status of the foetus then gives the foetus moral value in the here and now (with regard to the woman) and this would then (at least pro tanto) mean that abortion is impermissible. If you cannot practice elective abandonment in the here and now because in the future the foetus will become a child, then by the same reasoning, surely you cannot permanently end its life in the here and now because it will in the future become a child. A thing either has moral value and is worthy of protection, or it does not. It would seem, to me, to be bizarre to believe that a foetus that is of no value to a woman has to be of binding value to men.

Thus, if we want to accept Warren's justification for abortion then we must accept that, at least during the early stages of pregnancy, the future life of the foetus is morally irrelevant. If this is the case, then the foetus is of no moral value to men in the present and therefore elective abandonment is permissible before a certain date. In the here and now then, a man could practice elective abandonment before the

foetus is born and thus avoid the status and responsibilities of fatherhood altogether. As a result, if we accept Warren's defence of abortion then we have to allow for a male equivalent.

Put another way, under Warren's schema, abortion allows a woman to stop a particular set of parental obligations being realised when the child is born by terminating the pregnancy. She is allowed to do this, by terminating the pregnancy, because the foetus is not the sort of thing to which we can have obligations. Thus, killing the foetus is permissible. Therefore, all that the woman is doing, according to Warren, is stopping a particular set of parental obligations being realised. Elective abandonment would do the same thing. It stops the obligation from ever being realised. Indeed, it seems that the man's way of stopping the obligation being realised is far less dramatic than the woman's. He simply opts out whereas she has to completely cut off the foetus's development and life. He simply cuts off one obligation from being realised whereas she is cutting off a whole life from being realised. It seems to me that if you are morally permitted to end the life of something then surely you are also morally permitted to abandon it. Therefore, if abortion is morally permissible then elective abandonment must also be morally permissible.

Someone might object that the father, just after conception, has responsibilities to the future child and that these responsibilities can't be severed. I would respond to this by arguing that if, just after conception, he has responsibilities to the future child then the mother must also have responsibilities to the future child and this must involve



not destroying its future (by terminating the pregnancy). Therefore, if abortion is permissible then the first way of conceptualising Warren's argument (where the responsibilities do not exist until the child is born) must be correct and if this way of conceptualising Warren's argument is correct then it also applies to elective abandonment.

Another objection that could be raised is that there is potentially an important disanalogy between a woman having an abortion and elective abandonment. This potential disanalogy is that in the case of a woman having an abortion, if we accept that the foetus is not a person, there is no 'victim' i.e. nobody has suffered because of the woman's decision. However, in the case of the man abandoning the foetus, there is a 'victim' in that there will be a child being raised without a father. However, this objection is subtly question begging. I have deliberately placed the word 'victim' in quotation marks to highlight this. No doubt not having a father is a bad thing and I am by no means belittling the important role that most fathers play in their children's lives. However, it does not necessarily follow that just because something bad may happen to somebody that someone else in particular is obliged to recompense them. Indeed, the very word recompense implies that an overt wrong has been committed and that compensation is needed. However, whether a wrong is committed in the case of elective abandonment is precisely the question we are interested in; is it always wrong for an unwilling father to abandon his unborn foetus? My answer to this question is that if we think that Warren's and Thomson's defences of abortion are successful then it is

not necessarily wrong for an unwilling father under certain circumstances to abandon his unborn foetus. I have spelled out a way of conceptualising and applying Warren's and Thomson's argument to elective abandonment so that we can see why this is the case. As a result, somebody who holds up the objection of the child being a 'victim' without explaining why Warren's and Thomson's defences of abortion cannot also be applied to elective abandonment in the way that I have outlined is assuming that the father has done something wrong. However, this is precisely the question that we are interested in. Thus, if someone wants to criticise elective abandonment then they must explain why Thomson's and Warren's defences of abortion cannot be applied to elective abandonment. Simply pointing out that there are, obviously, some disanalogies is not enough.

Someone might try to develop this objection by arguing that abortion is permissible because you are permitted to kill a foetus. However, with regard to elective abandonment the father would be abandoning more than the foetus, because the child would then be being raised without a father, and abandoning your children is impermissible. My response to this is to point out that when the man practices elective abandonment he is only abandoning the foetus and not the child. He then simply has no obligations to the child. It may well be bad for children to be raised without their fathers. However, again it does not follow that the biological father who has carried out elective abandonment is therefore obliged to recompense the child unless we've already decided that elective abandonment is

impermissible. However, this is precisely what we are trying to ascertain and thus assuming this is question begging.

This way of conceptualising Warren's defence of abortion when applied to a male equivalent also explains why a father who has raised his children for some time cannot then abandon them. They are now morally valuable. He did not absent himself when they did not have any moral value and so he now has responsibilities and obligations towards them. He is now, in every sense of the word, a father with all the obligations that come with that. This is exactly the same as a mother. A mother cannot kill her children because they now have moral value, if she had wanted an abortion she should have done that when they lacked moral value. They are now morally valuable and thus she has responsibilities and obligations towards them.<sup>8,9</sup>

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<sup>8</sup> It should be noted that I am oversimplifying in this paragraph. In reality there are a large number of different theories about the value of new-borns in the same way that there are different views about the value of foetuses. Similarly, most of the views which believe that foetuses do not have moral value, but that adult humans and children do would not claim that a foetus all of a sudden gains value the moment it is born. Instead they would argue that the value of the foetus and new-born baby grows as he or she develops. However, my general point still stands. If we think that foetuses do not have moral value (but that adults do) then gradually the number of duties we have towards the new-born baby, toddler and child will grow and increase as they develop and their moral value increases. As time progresses killing or abandoning them will become steadily more and more impermissible.

<sup>9</sup> Indeed, it could possibly be argued that there is something of a female equivalent to elective abandonment already in place. Women can choose to carry the child to term, refuse to tell the father, and then give it up for adoption. We might argue that this is not too

Another way of developing this sort of objection further would be to argue that there is a moral difference between a foetus-to-be-born and a foetus-to-be-aborted. Someone might argue that a foetus-to-be-born has rights and interests that a foetus-to-be-aborted does not. Thus, it is impermissible to abandon a foetus-to-be-born in a way that it is not with a foetus-to-be-aborted and thus elective abandonment is impermissible (when the mother intends to continue the pregnancy).<sup>10</sup> Does it follow from this that abortion would be permissible but elective abandonment impermissible?

It seems to me this would not follow for the simple reason that once again we can set up an analogue in the case of elective abandonment. In the same way that this criticism distinguishes between a foetus-to-be-born and a foetus-to-be-aborted we can distinguish between a foetus-to-be-born-with-a-father and a foetus-to-be-born-without-a-father. Children who are raised without fathers are,

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dissimilar to elective abandonment in that she surrenders all parental responsibilities and rights to the child. From a practical perspective there is nothing the father can do to prevent this because he is unaware of the situation, and as a result the decision is entirely her own. This option is unavailable to men, because they cannot give the child up for adoption if the mother wants to keep it, and yet they will still be liable for child support. This observation should strengthen the plausibility of the permissibility of elective abandonment. The disparity in freedom is now, arguably, doubled.

<sup>10</sup> Instinctively I have issues with this sort of approach as it would mean that two near identical fetuses have a different moral status simply because of the attitude that other agents take towards them. This would strike me as extremely odd and unlikely. However, for the sake of argument let's accept that this is possible.

in our society at least, often disadvantaged in comparison with children who are raised with fathers. However, it does not follow that children who are raised without fathers are therefore 'wronged' because of this. A child whose father dies is not 'wronged' by his father even though he may well be disadvantaged because of this. This is because such a child no longer has a father to wrong him. As a result, it seems to me we can still reasonably ask whether or not a child whose father practices elective abandonment is necessarily wronged by him doing this even though he may well be disadvantaged because of this.

Put another way, we can simply say that in the same way that the moral status of a foetus-to-be-born is different to the moral status of a foetus-to-be-aborted we can argue that the moral status of a foetus-to-be-born-with-a-father is different to the moral status of a foetus-to-be-born-without-a-father. One of the differences, so we could say, between the moral status of a foetus-to-be-born-without-a-father and the moral status of a foetus-to-be-born-with-a-father is that the former is not wronged by the present and future absence of his father whereas the latter potentially is (although it should be noted that whether or not this actually is the case under all circumstances is another question and is beyond the scope of this paper). The fact that foetus-to-be-born-without-a-father is disadvantaged by this status does nothing to show that his father has wronged him by practicing elective abandonment and thus it may still be perfectly permissible.

Therefore, we can respond by saying that in the same way that a foetus-to-be-born has certain rights and interests that a foetus-to-be-

aborted does not so a foetus-to-be-born-with-a-father has certain rights and interests that a foetus-to-be-born-without-a-father does not. What decides whether a foetus is a foetus-to-be-born or a foetus-to-be-aborted is the wishes and intentions of the mother and what decides whether a foetus is a foetus-to-be-born-with-a-father or a foetus-to-be-born-without-a-father is the wishes and intentions of the father. It would seem to me to be very odd that the intentions and wishes of the mother alone can change the moral status of a foetus but that a father's intentions and wishes cannot change the foetus's moral status in any way.

There is a further question about what the man's obligations are if a woman becomes pregnant and refuses to tell him until after the child is born and thus has moral value. The window of time, so to speak, in which the foetus lacked value has now closed. For the purposes of this paper I am assuming perfect knowledge for all involved, so everybody would know what was going on. In the real world in order to work out what his obligations are in situations like this perhaps the best thing would be to try to work out what decision the man would have made and to hold him to that. This, of course, would be tricky to do but this is often the case with real world ethics.

A final objection that someone might raise would be to argue that the father owes support to the mother rather than to the child. I think this sort of objection is unlikely to work for two reasons. The first is that normally child support is conceived of as being owed to the child rather than the parent. As a result, this sort of objection would

involve radically rethinking our conception of child support. The second reason is that potentially this objection risks opening up questions around the permissibility of abortion when the father strongly objects. Depending upon how this objection is developed, it potentially risks implying that somehow through the act of conception a man and woman owe each other special support. Therefore, the man is obliged to financially support the woman. However, if he owes her special support through the act of conception then surely she owes him special support through the act of conception. Terminating a man's unborn child without his consent might potentially cause him a great deal of distress and so perhaps she owes it to him to continue the pregnancy if terminating it would cause him distress. As a result, if someone wants to raise this objection then they will either need to accept that a woman can potentially wrong a man by terminating a pregnancy if the death of his unborn child causes him distress or they will need to carefully sketch out how the act of sex and/or conception generates responsibilities to the other person in such a way as to avoid this conclusion. I suspect that doing this will be extremely difficult and as such I will leave it to my opponents.

## **5. Conclusion**

I have now sketched out two of the most influential arguments for abortion and have applied them to a male counterpart called elective abandonment. I have shown that both arguments apply equally well to both elective abandonment and abortion. It therefore follows

that if the arguments are successful then both abortion and elective abandonment are morally permissible. More generally I think that this paper has numerous implications for contemporary philosophy and society more generally. For example, this highlights that the implications for men of the literature on abortion have largely been ignored. This paper has gone some way towards rectifying this but a more detailed discussion is needed.

Another implication is that in countries where abortion is legal there is potentially an important and unjust disparity in freedom between men and women. The legal implications of this need to be considered. Should elective abandonment be legally adopted in some manner then a variety of other important questions will need to be answered. One such question is whether the fact that later abortions have higher risks to the life and health of the woman than earlier abortions has any impact on the potential time limit for elective abandonment. It could reasonably be argued that the time limit for elective abandonment should be much earlier than that of abortion because the prospective mother will need to be informed of the prospective father's decision in order to make an informed choice about whether or not to proceed with the pregnancy. If the prospective father delays making a decision, then this increases the risks to the mother should she choose to abort later on as a result of his decision. As a result, perhaps an earlier time limit for elective abandonment is needed than for abortion. How much earlier this should be, however, remains to be seen. Further, as mentioned earlier we will need to



consider what happens when a prospective mother refuses to tell a prospective father. I have already offered a tentative solution earlier in this paper, but more research is probably needed. For now, however, I conclude that both Warren's and Thomson's defences of abortion apply equally well to elective abandonment, and that if abortion is morally permissible then so is elective abandonment.

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