
ON MATERNAL OBLIGATION: THE LENS OF MOTHERHOOD IN THE ABORTION DEBATE

Kipp Hopper, Quinnipiac University School of Health Sciences

In this essay, I will evaluate the arguments put forth on the subject of “maternal obligation,” or those actions that a pregnant mother may (or may not) owe to the developing fetus within her body. I will compare those arguments of Margaret Little, who claims that mothers deserve more autonomy in determining maternal obligation based on the principles of stewardship and the norms of creation; and those arguments of Patrick Lee and Robert George, who claim that a mother has an obligation to gestate a fetus under most circumstances. For clarity of subject matter, “personhood” and all rights that belong to a “person” will be assumed to belong to the child at the moment of conception, although I am not primarily concerned with this scientific matter. In my view, the personhood argument bears little weight when compared to arguments on the decision to protect or destroy that personhood via abortion. These arguments, once clarified, reveal an interesting conflict between the ethics of creation and the ethics of destruction. This conflict is fundamental to the debate on the moral permissibility of abortion, particularly concerning whether we ought to be more concerned for the welfare of the mother and child physically, or the social and emotional state of the mother and growing child after birth. Ultimately, Little presents the more persuasive and compelling argument to support the claim that the moral duty to gestate a fetus is up to the mother due to the contingent nature of intimate relationships.

According to Margaret Little, the moral permissibility of abortion is contingent on the argument that gestation, and therefore pregnancy, is a bodily intimacy between child and mother.¹ The commitment of motherhood, whether the pregnancy was brought on through non-consensual sex or invited as the result of sexual behavior, is not a binding promise the mother makes with her child, but it should always be conducted with the mother’s careful and inquiring consent. Consider Little’s analogy of the Perfect Groom, who would perfectly suit the family’s desires with mutual benefits to all. He is a groom with a high income, universally attractive characteristics, and his parents come from a high social class with great social capital to support the woman and her future family for life:

All of this utility notwithstanding, many will believe that you do not have a moral *obligation* to accept the proposal. You might have a responsibility to give the proposal a serious thought; but if, on reflection, you realize that marriage to this man—or, to any man—is not what you want, then there we are.²

Little’s argument magnifies the mother’s ideals of her own virtues and values and their intimate roles in the development of a relationship. The decision to marry the perfect man may be the more beneficial decision for those around the courted woman, but it is certain

¹ Margaret Olivia Little, “The Moral Permissibility of Abortion” in *Contemporary Debates in Applied Ethics*, edited by Andrew I. Cohen and Christopher Heath Wellman (Malden, MA: Blackwell, 2005), 58.

² Little, “The Moral Permissibility of Abortion,” 57.

that only she is capable of this decision to weigh her personal obligations against her personal desires, and no one else may qualify to make that decision. Thus, if the intimacy of motherhood may be compared to that of marriage as the embodiment of secure and socially enduring love, then the mother ought to give the same respect and dignity to the relationship with her fetus that is also served to the courtship preceding the marriage.

Furthermore, Little argues that in the intimacy of the mother's pregnancy, only the mother is capable of seeing the true nature of the circumstances following her pregnancy. That is, only the mother is capable of foreseeing what the child deserves as it enters the world. Little argues that if the mother predicts a life of misery, oppression, poor education, and other disadvantages, then abortion may be morally permissible under the norms of responsible creation.³ More so than just inflicting misery on the child by carrying it to term in a potentially cruel and flawed society, birthing a child may violate the mother's sense of morality by conferring this reality onto another living being: "The claim is that bringing about a person's life in these circumstances would do violence to her ideals of creating and parenthood," Little writes. "She does not want to bring into existence a daughter [whom] she cannot love and care for [...], a person whose life will be marked by disrespect or rejection."⁴ This claim moves to say that the mother's rights contained through "stewardship," the responsible management of the child to all ends, grant her the power to judge how a child ought to be created. Moreover, the claim of "authorship" moves to say that a potential mother ought to be given more independence for her rights and views compared to others. The weight of the decision to abort a child's life may be just as serious as allowing the child to grow and enter the world.⁵ In this way, the mother must act responsibly in a manner that does not violate her own moral values of motherhood, which are not universal or objective, but rather conditional to each mother's situation, regardless of the imperatives of others.

In defense of the child's life, authors Patrick Lee and Robert George assert that all persons who have human rights should have their rights defended, with emphasis on the right to life. This premise, while logical and generally agreed upon, becomes more ambiguous in the case of the fetus, *not* because of its status as an incomplete human, but rather because of how abortion may be defined as non-intentional killing. Despite recognizing the fetus's right to life, supporters of abortion may argue that the fetus may not be entitled to use of the mother's body as a resource to sustain itself.⁶ In a sense of bodily rights and consent, the mother has every right to deny the intimate relationship of pregnancy in order to preserve her life, even though the fetus also has a right to life. Lee and George recognize this conflict of rights for both parties and, that in some cases, the mother's right to privacy and personal health may supersede those rights to the child. For example, if the mother's life or general health is threatened as a result of medical illness, then the death of the child may be necessary in order to save the mother. However, these authors also present a third party to whom both the mother and child belong, not only physically, but socially: the community. Lee and George argue that the community's interests must also

³ Ibid., 59.

⁴ Ibid., 60.

⁵ Ibid.

⁶ Patrick Lee and Robert P. George, "The Wrong of Abortion" in *Contemporary Debates in Applied Ethics*, ed. by Andrew I. Cohen and Christopher Heath Wellman (Malden, MA: Blackwell, 2005), 43-44.

be taken into consideration: “Our moral goodness or character consists to a large extent (though not solely) in contributing to the communities of which we are members. We ought to act for our genuine good or flourishing, but our flourishing involves being in communion with others.”⁷ The argument does not seek to chastise a woman who shirks the responsibility of motherhood by ending the relationship with her child; rather, Lee and George are emphasizing the inevitable role of duty each person must fulfill regardless of personal opinion. There are many circumstances in which individuals have no say on a certain matter, such as responsibilities to family members. Motherhood, for Lee and George, is an example of one of these matters; it is not just an intimate bond, but a social construct that should not be interrupted. Thus, this argument shows that the maternal obligation to gestate must be fulfilled as a utilitarian obligation to society because it is the only means through which a child may survive, and it is in the interest of the community for the mother to bring the child to term.

Between the duty-based argument and stewardship or authorship-based argument, Little provides the most relevant context for maternal obligations by outlining the values that a potential mother may possess in order to justify her relationship to the child. Through the analogy of the perfect groom, Little presents a situation in which a spontaneous relationship with a person would bring great utilitarian benefits to one’s own family. Regardless of its benefits, the decision to marry still does not constitute a sound weighing of values when compared to the emotional and romantic investments involved in a relationship. In other words, to commit to a marriage out of wedlock is more or less an insult to marriage as an institution and embodiment of love between two consenting persons. By analogy, Little compares this relationship to that of the fetus and the mother. Despite the mother being the fetus’s only source of support, the woman bearing the child may not have the obligations of a mother.⁸ Put more simply, just because the conditions and imperatives of an action appear overwhelmingly supportive of one circumstance (i.e., a mother protecting her child), it does not mean that the action is already presumed to have taken place. Little, among many other supporters of the moral permissibility of abortion, would agree that the mere presence of a zygote in one’s womb does not constitute motherhood, as seen in cases of rape and the subsequent pregnancy. For Little, the presence of a zygote implies *biological* motherhood, and nothing more. Furthermore, if the consent to pregnancy does not fall within the woman’s values concerning the norms of creation, then she is not considered to be a mother. Therefore, she possesses no obligations to her child. If she were to bring the child to term without consenting to motherhood on the principle that she is not prepared to be a mother, then it would be an injustice to her internal values of motherhood and individuality, as well as to the child and community, for producing a child she cannot support by her own means. This contrasts from Lee and George’s argument, in which they contend that it always benefits the community to produce a child, rather than abort the fetus, because it is one’s “duty” to contribute to society. Lee and George’s argument, however, does not account for that quality of life which follows gestation: a fatal flaw that holds dire consequences for a society unprepared to host children born to deplorable circumstances.

⁷ Ibid, 46.

⁸ Little, “The Moral Permissibility of Abortion,” 57.

However, a logical inconsistency exists within Little's argument in that the woman becomes a mother only after the child is born. "Then there is the aftermath of the nine months, she writes. "For gestation does not only just turn cells into a person; it turns a woman into a mother."⁹ While it is quite clear that an intimacy exists that requires consent, one may be inclined to ask what kind of intimacy exists if *not* motherhood. That is, if a woman is pregnant, but refuses motherhood, does a relationship even exist between the child and woman? This is the period of what Little describes as "[sharing] one's body in an extraordinarily intimate and extensive way," yet the relationship does not constitute official motherhood, whose definition seems vital to the abortion debate.¹⁰ I will not be naïve, however, in assuming that Little implies that pregnancy does not raise the question of stewardship and responsibilities, which parallel and are similar in motherhood (i.e., as per Little's definition, after the child is born, or what I refer to as post-gestational motherhood) because, indeed, these obligations certainly exist if one has already consented to post-gestational motherhood. Basically, if a woman wants to be a mother, then she will want to fulfill motherly duties as well as possible. The "norms of creation" argument supports a mother's decision to gestate as dependent upon whether or not she is uncomfortable with the child's welfare once the child is born. This argument seems to be exclusive of the child's welfare within her own body and should have no implications on the weighted decision of either killing the child or allowing the child to live in unsuitable conditions. Still, the rejection of motherhood does not equate to the rejection of a fetus's right to life. Lee and George state that "in some few cases, abortion is chosen as a means precisely toward ending the condition of the pregnancy, and the woman requesting the termination would not object if somehow the child survived."¹¹ If the woman is not a mother until the child is born, then it follows that consent is required for raising the child as one's own. In a manner of speaking, *gestational motherhood* ought to be a separate but equally weighted decision if post-gestational motherhood remains undecided in the course of the woman's pregnancy.

This counterargument may be flawed in that an intimate relationship does not reach its maximum potential at its inception. Looking at Little's argument through this lens, simply meeting the perfect groom does not constitute immediate wedlock after making eye contact. While this may be true, a relationship has still begun, and it is a relationship that all parties would agree comes with special responsibilities. If, in the progress of the relationship, one does not consent, then it is reasonable to terminate that relationship with both objective and intrinsic reasoning to that decision. Likewise, if gestational relationships differ from the established maternal relationships, then consent must be obtained through each stage of the relationship. Moreover, one may argue that gestation and pregnancy are identical to each other, and that by gestating the child, one implies ownership of that child regardless of whether that child is wanted. This consideration may result in a situation where a mother is capable of gestating, yet incapable of raising the child, for economic reasons or otherwise. Here lies another central problem to the intricacies of the abortion debate which this paper cannot do justice and, thus, requires more insight in the future.

⁹ *Ibid.*, 56.

¹⁰ *Ibid.*, 58.

¹¹ Lee and George, "The Wrong of Abortion," 44.

In essence, maternal obligation depends on whether the relationship of motherhood exists during gestation, and whether the mother consents to that relationship, which may be described at best as mother and child, and, at worst, parasitic. While Little presents a strong argument in favor of creating a child responsibly, her argument demonstrates no clear answer on gestational consent. Her argument only shows that the gestational relationship is not “motherhood,” which may be subject to debate. Nevertheless, consent to motherhood as per Little’s post-gestational definition still implies the will to gestate, combining biological and sociological concepts of motherhood. Lee and George, on the other hand, ignore the plausibility of consent entirely with an imperative that values gestation as the very least a woman can provide to any person within her, providing that her life is not at stake. This may assume that gestation implies a *form* of motherhood, and that, as a duty to society, all mothers must raise and nurture children who may support that society. This assumption implies a biological responsibility, but no social responsibility beyond birth. Little’s argument, rooted as it is in the norms of creation, is more persuasive than that of Lee and George’s argument of duty, though the argument supporting abortion as a weighted decision requires insight into the nature of the relationship of the child to the mother during gestation. This investigation may benefit from current legal and scientific precedents that define the fetus’s physical capabilities in each trimester. Most importantly, however, we must investigate the planning of families so that those who are capable and willing to gestate, but incapable of raising the child, may be enabled to support all children regardless of disposition or circumstance. Any participant in this debate would agree that we ought to be more considerate in how we help people outside the womb, as well as those within, regardless of the mechanisms that brought those people into existence.

REFERENCES

- Lee, Patrick and Robert P. George. “The Wrong of Abortion.” In *Contemporary Debates in Applied Ethics*. Edited by Andrew I. Cohen and Christopher Heath Wellman. Malden, MA: Blackwell, 2005. 37-50.
- Little, Margaret Olivia. “The Moral Permissibility of Abortion.” In *Contemporary Debates in Applied Ethics*. Edited by Andrew I. Cohen and Christopher Heath Wellman. Malden, MA: Blackwell, 2005. 51-62.