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PARENTAL RESPONSIBILITIES AND MORAL STATUS

ABSTRACT

Prabhpal Singh has recently defended a relational account of the difference in moral status between fetuses and newborns as a way of explaining why abortion is permissible and infanticide is not. He claims that only a newborn can stand in a parent-child relation, not a fetus, and this relation has a moral dimension that bestows moral value. We challenge Singh's reasoning, arguing that the case he presents is unconvincing. We suggest that the parent-child relation is better understood as an extension of an existing relationship formed during the gestational period. The change in this relation at birth is not sufficient to justify the radical change in moral status required to rule out infanticide while accepting the permissibility of abortion. Given that the moral status of orphans is also problematic under Singh's account, we conclude that Singh has not shown that a newborn has greater moral worth than a fetus.

INTRODUCTION

Prabhpal Singh has recently defended a relational account of the difference in moral status between fetuses and newborns, claiming that a newborn baby is the object of parental responsibilities, while a fetus is not.[1] This, he argues, entails newborns have a higher moral status than fetuses. One of Singh's motivations is to demonstrate that there is no inconsistency between accepting that abortion is morally permissible whilst also holding that infanticide is not. He notes that infants and late-term fetuses differ very little in their intrinsic morally relevant features, such as consciousness and rational capacity. This makes it difficult to explain why the permissibility of abortion and infanticide should differ. To remedy this conundrum, Singh argues that moral status is constituted of both intrinsic and non-intrinsic features such as relational features, and it is the newborn's possession of the latter that distinguishes it from the fetus. Newborns stand in a *parent-child relation*, which has a moral dimension—parental responsibilities—and this confers moral worth. Singh claims that only newborns are the proper objects of parental responsibilities—fetuses cannot be. Accordingly, newborns have significantly higher moral status than fetuses, explaining why abortion is permissible, but infanticide is not.

Here, we challenge Singh's reasoning, arguing that he presents an unconvincing case for only newborns participating in a parent-child relation. We suggest that the parent-child relation is better understood as an extension of an existing relationship formed during gestation, and the

change in this relation at birth is not sufficient to justify the radical change in moral status required to rule out infanticide, if abortion is permissible.

THE PARENT-CHILD RELATION

On Singh's relational account, the moral status of newborns is predicated on relational facts rather than intrinsic facts. He states that the 'special relational features between parents and their children carry with them special moral responsibilities that one would be violating if they killed their newborn'.^[1] We agree that parents have special moral responsibilities towards their newborns. Our disagreement lies in Singh's denial that fetuses, too, stand in a parent-child relation, and that this relationship carries similar moral responsibilities.

Singh's reasoning for this conclusion is not persuasive. He begins by claiming that 'the fetus is not the sort of thing that can stand in a parent-child relation'.^[1] However, no coherent argument is presented for this thesis, only Singh's assertion that it is not 'appropriate' to attribute the status of a parent to a pregnant woman without other children or the biological father. In his view, they are only *potential* parents, and Singh believes it is absurd to regard potential parents as actual parents. Granted, a potential X is not an actual X, but this is irrelevant—what is in question is whether a pregnant woman is an actual parent. Something more than Singh's sense of what is appropriate is required to make his case. The term 'pregnant mother' is often used by scholars in medical and scientific disciplines and in academic journals;^[2] pregnant women often refer to themselves as mothers—so attributing the term 'mother' to a pregnant woman hardly seems inappropriate, and a mother is a parent by definition. Moreover, Singh's account implies we must accept that a woman who experiences a miscarriage—even in the later stages of pregnancy—was never a parent. Singh does consider the objection that the fetus *is* a child, noting it is common to refer to the 'unborn child'. This, he believes, is not significant, stating that 'the fetus certainly is a child in some biological sense but is not a child in a morally relevant sense'.^[1] His only argument for this claim is a dubious analogy between a fetus and a planted seed, which he calls a 'potential sprout'.^[1] A seed, however, is not and is never referred to as a sprout.

Singh next considers whether a biological relationship is sufficient for a parent-child relation, immediately rejecting the idea. He notes that biological relationships are not *necessary* for parent-child relations, citing adoption as an example, but this does not rule out biological relationships as being *sufficient* for a parent-child relation. It is widely acknowledged that biological ties have moral significance. Biological parents cannot abandon their children—if they do not wish to raise them, they are morally obligated to arrange an alternative. Biological fathers with no continuing relationship with their child are legally obliged to provide child support. Joseph Millum argues that men acquire parental responsibilities through intercourse, and biological fatherhood provides evidence of the act,^[3] while Rivka Weinberg argues that even anonymous sperm donors are fathers with parental responsibility.^[4] These cases indicate that even if biological relationships are insufficient for

the parent-child relation—and this is by no means clear—they are certainly of considerable moral significance, and under Singh’s account should contribute to moral status.

Finally, Singh considers the responsibilities that women have towards their fetuses. He argues that these are the responsibilities of pregnancy, not parenthood, as the woman is not yet a parent, but this is once again assuming what is in dispute. Moreover, Singh argues that the fetus is not the object of these responsibilities, but rather the born child. He considers the infliction of fetal alcohol syndrome (FAS), claiming that the wrong consists solely of the effects on the born child, not the fetus. However, infliction of FAS seems wrong at the time of alcohol consumption, not months later. More generally, Jeff McMahan notes that causing prenatal injury is widely seen to be immoral, and that it is not remedied by abortion to prevent such an injury from affecting the born child.[5] This implies that the fetus *is* the object of the responsibilities of pregnancy.

ORPHANS

A complication for Singh’s account is the moral status of orphaned children. Clearly, they are not objects of parental responsibility, as they do not have parents, and yet Singh admits that it is ‘highly counterintuitive’ that killing them is permissible.[1] Curiously, Singh claims that this can be accounted for by intrinsically morally relevant features present in newborns but not in fetuses, even though he earlier states that ‘by focusing on intrinsic morally relevant features, those on all sides of the debate come to accept the common premise that fetuses and newborns have equal moral status’.[1] In fact, he explicitly states earlier that the object of his relational account is to deal with the challenge of explaining why abortion should be permissible and infanticide impermissible, given their intrinsic moral equivalence.

Consequently, Singh is unable to explain on his relational account why it is not permissible to kill orphan children but it is permissible to abort fetuses. Clearly, his account needs to be modified to deal with such problematic cases, although it does explain why infanticide is impermissible in the vast majority of cases. Of course, we have argued that Singh has failed to provide a substantial argument in favour of his relational account, and so this particular issue only serves to accentuate the account’s shortcomings.

EXTENDING THE PARENT-CHILD RELATION

Our criticism of Singh’s account does not imply we believe there are no moral implications to the parent-child relation, but we dispute Singh’s claim that this relation increases the moral status of the infant. We also contend that the parent-child relation is better understood as a continuation of an *existing* relationship formed during gestation. Singh explicitly denies this is the case, preferring to claim that the responsibilities of pregnancy are different to the responsibilities of parenthood—primarily because he believes pregnancy does not bestow parenthood. We have shown this claim lacks support—it is a largely artificial distinction motivated by the need to solve the infanticide problem.

This is not to underestimate the significance of birth, but it is important to recognise that the maternal-child relationship begins during the normal process of gestation. Maternal-fetal attachment (MFA) is a well-documented phenomenon that describes the relationship between a pregnant woman and her fetus;[6] this bond continues to strengthen throughout pregnancy.[7] Importantly, the quality of that relationship is related to the quality of the subsequent maternal-infant relationship.[8]

Birth marks a significant *change* to the parent-child relation, but it is implausible to claim it *originates* with birth in the case of the mother. It is also not clear that this relational change warrants granting any marked difference in the moral worth between the fetus and newborn, particularly a change sufficient to justify abortion but rule out infanticide.

CONCLUSION

We have argued that Singh's case against fetuses participating in a parent-child relation is unpersuasive, and have shown that this relation begins during gestation and continues after birth. Although birth does alter this relation, this seems insufficient to justify the change in moral status required for abortion to be permissible but infanticide impermissible. The moral status of orphans is also problematic for Singh's account. A more plausible explanation of the moral obligations of the parent-child relation is that they are predicated on intrinsic moral status. For those who believe that abortion is permissible and infanticide is not, the problem of justifying the former but not the latter remains.

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