

THE AXIOLOGY OF ABORTION

SHOULD WE HOPE PRO-CHOICERS OR PRO-LIFERS ARE RIGHT?

PERRY HENDRICKS

Purdue University

The ethics of abortion considers whether abortion is immoral. Pro-choice philosophers think that it is not immoral, while pro-life philosophers think that it is. The axiology of abortion considers whether world would be *better* if the pro-choice or pro-life position is right. While much attention has been given to the ethics of abortion, there has been no attention given to the axiology of abortion. In this article, I seek to change that. I consider various arguments for thinking our world would be better if the pro-choice position or the pro-life position is correct, ultimately concluding that it would be better if the pro-choice position is right. This is unfortunate, however, since there is no good reason to think the pro-choice position is correct.

1. Introduction

An emerging issue in the philosophy of religion is the axiology of theism, in which it is considered whether the world would be better if God exists and whether we should hope that he exists. In this article, I take some developments in the axiology of theism and apply them to abortion—I consider the axiology of abortion. More exactly, I focus on one particular aspect of the axiology of abortion: I consider arguments for thinking that the world would be better or worse if the fetus has a right to life, ultimately concluding that the world would be better if it does not. So, regardless of where one stands on the *ethics* of abortion, we

Contact: Perry Hendricks <ampchendricks@gmail.com>

should all *hope* that ‘pro-choicers’ turn out to be right—we should all hope that human fetuses do not have a right to life.¹

2. The Axiological Question

The ethics of abortion concerns the morality of abortion. The politics of abortion concerns whether (or, in what circumstances) abortion should be legal. Both the ethics and politics of abortion have been discussed extensively. However, one issue concerning abortion that has not been addressed is *the axiology of abortion*. The axiology of abortion concerns the axiological impact the truth of various positions on abortion would have and what our attitude toward them should be: it concerns whether our world would be more or less valuable given the truth of some position on the ethics of abortion, and whether we should hope for that position to be correct in our world. For example, the following issues concern the axiology of abortion: whether the value impact would be positive, negative, or negligible if the fetus has a right to life; whether the value impact would be positive, negative, or negligible if the fetus does not have a right to life; and whether the value impact would be positive, negative, or negligible if abortion is (full stop) immoral. Additionally, we can ask, given the value impact of a certain position on abortion, whether we should *hope* that it be true. In most cases, if world W1 is more valuable than world W2, we should hope that W1 is actual—though, in Section 4 I will show that this is not always the case. So, the axiology of abortion boasts a broad subject matter. However, in this article, I will focus on two particular axiological issues: (a) the value impact of the fetus having (or lacking) a right to life, and (b) whether we should hope that it has (or lacks) said right. So, I will be considering various questions about the value impact of the fetus having (or lacking) a right to life would have on the world, and whether we should hope that it has (or lacks) said right. One question is whether the world would be better for *some* persons if the fetus has no right to life (NRTL), which I call personal pro-NRTL.² Another question is whether the world would be worse for *some* persons if the fetus has no right to life, which I call personal anti-NRTL.³ Yet another question is whether the world would be

1. I use ‘pro-choicers’ to describe a person that thinks the fetus does not have a right to life. But, of course, one can be pro-choice and hold that the fetus has a right to life. I will drop this terminology below.

2. This parallels personal pro-theism, which holds that the world would be better for some persons if God exists. For an argument for this view, see, e.g., Myron Penner and Kirk Lougheed (2015).

3. This parallels personal anti-theism, which holds that the world would be worse for some persons if God exists. For arguments for this view, see, e.g., Guy Kahane (2011) and Kirk Lougheed (2017).

better *irrespective of persons* if the fetus has no right to life, which I call impersonal pro-NRTL.⁴ Finally, there is the question of whether the world would be worse *irrespective of persons* if the fetus has no right to life, which I call impersonal anti-NRTL.⁵ These questions are not exhaustive of the axiology of abortion. For example, it might be asked whether the world would be better or worse if abortion is immoral *simpliciter*. This is a distinct question, since it does not depend on whether the fetus has a right to life. However, again, I will focus on the first four questions raised, and leave other axiological questions about abortion for homework.

3. Should We Hope that Pro-Choicers or Pro-Lifers are Right?

Call the view that the fetus has a right to life “RTL”,⁶ and call the view that a fetus does not have a right to life “NRTL.”⁷ While there has been much work done on whether RTL or NRTL is correct, few have considered which position, if true, would make the world *better*; while many have written on the *ethics* of abortion, few have considered the *axiology* of abortion. The only discussion of the axiology of abortion that I know of is a brief comment of my own in my article “Even If the Fetus Is Not a Person, Abortion Is Immoral: The Impairment Argument.” In that article, I construct and defend the impairment argument against abortion. However, I say that

it is worth mentioning that I do indeed hope that my argument can be shown to be a failure: all those involved in the abortion debate should hope that pro-life arguments fail and, further, that there will eventually emerge a successful pro-choice argument; the world contains far less injustice if the pro-life position is false. That is, we should all hope that abortion is not (nearly) tantamount to murder or worse than giving a fetus [fetal alcohol syndrome]. So, I warmly welcome all challenges to my argument. While there is some hope for showing that my argument fails, there seems little hope that a successful pro-choice argument will emerge. Alvin Plantinga has said that “most attempts to explain why God permits evil—theodicies, as we may call them—strike me as tepid,

4. This parallels impersonal pro-theism, which holds that the world would be better irrespective of persons if God exists. For an argument for this view, see, e.g., Scott Davison (2017) and Alvin Plantinga (2004).

5. This parallels impersonal anti-theism, which holds that the world would be worse irrespective of persons if God exists. I know of no defender of this view.

6. Advocates of RTL include Christopher Kaczor (2011) and Francis Beckwith (2007).

7. Advocates of NRTL include Kate Greasley (2017) and Michael Tooley (1972).

shallow, and ultimately frivolous,” and similar things, in this author’s view, can be said about most pro-choice arguments: they are tepid, shallow, and ultimately frivolous. And if the past is indicative of the future, it is (unfortunately) unlikely that this will change. (Hendricks 2019a: 253)

The axiological position I advocate is a form of impersonal pro-NRTL: I claim that we should *hope* that pro-choicers are right because the world is better if they are.⁸ My reasoning for this is admittedly less than clear, and I do not offer much support for my axiological claim. The purpose of this article is to remedy this problem. Here, I will further consider the axiology of abortion—though, I will narrow my focus: while my original claim was concerned with the value impact abortion being (or not being) immoral would have on the world, I will be concerned in this article with the value impact in the (actual) world⁹ of the fetus having (or lacking) a right to life and whether we should hope that it has (or lacks) a right to life.¹⁰ I will consider four different axiological positions available on this question: personal pro-NRTL, advocates of which hold that the world would be better for some persons if NRTL turns out to be true; personal anti-NRTL, advocates of which hold that the world would be worse for some persons if NRTL turns out to be true; impersonal pro-NRTL, advocates of which hold that the world would be better overall (irrespective of persons) if NRTL turns out to be true; and impersonal anti-NRTL, advocates of which hold that the world would be worse overall (irrespective of persons) if NRTL turns out to be true.

Importantly, I will assume throughout this article that performing wrong or immoral actions makes the world worse, or decreases the value of the world. Additionally, I will assume that if S performs an immoral action, that it is worse *for S*. So, when someone performs an immoral action (e.g., stealing), she has made the world worse overall and for herself personally. Finally, I shall assume the badness of death: death—at least for human *persons*—is *bad* and makes the world worse. Let us now consider these axiological positions in turn.

8. See also Perry Hendricks (2019b: 969).

9. I make this qualification since there are nearby axiological questions, such as whether the world would be better if the fetus has a right to life and everyone knew it, which, clearly, is not the actual world. Additionally, I will strictly focus on how things *currently are*: I shall, for the sake of simplicity and brevity, ignore entirely historical issues pertaining to abortion.

10. Whether abortion is immoral is arguably not tied to whether the fetus has a right to life. For example, David Boonin (2002) and Judith Thompson (1971) think that abortion is permissible even if the fetus has a right to life, and Don Marquis (1989) and Hendricks (2019a; 2019b) think that abortion is immoral even if the fetus does not have a right to life.

3.1. *Personal Pro-NRTL*

There is a pretty straightforward and (apparently) uncontroversial argument for the truth of personal pro-NRTL. The argument is just this: for any woman that is pregnant and has an abortion, it is better *for her* if the fetus lacks a right to life: it is better for a person if an action she performed turns out to not violate another person's right. Since many women have abortions, the world would be better for many women if the fetus lacks a right to life, i.e., if NRTL is correct. Additionally, it is worse for the fetus if it has a right to life and is killed: it is bad *for the fetus* if it has a right to life that is violated (or overridden).¹¹ So, it would be better for fetuses if they lack a right to life. Therefore, I take it, personal pro-NRTL is secured: there are some persons that it is better if the fetus has no right to life.

3.2. *Personal Anti-NRTL*

While there is a straightforward argument in favor of personal pro-NRTL, there is an equally straightforward argument in favor of personal anti-NRTL. The argument is this: there are many people who have spent a significant portion of their energy trying to protect the right to life of the fetus, pressuring women into not having abortions,¹² and sometimes even threatening or killing abortion doctors. If NRTL turns out to be correct, then these people have not only wasted much of their energy in hopes of furthering an incorrect position: they have been supporting a cause that is unjust and sought to (and perhaps did) cause unjust restrictions on women's autonomy for the sake of a non-existent right to life of the fetus. So, it would be better for those people if NRTL turns out to be false—it would be better for them if they were not supporting an unjust cause—and hence personal anti-NRTL is true.

11. This point can also be made on Marquis's (1989) account of the ethics of killing. Though Marquis does not assume that a fetus is a person, he thinks what makes abortion immoral is that it deprives a fetus of a future like ours: the worst thing that can happen to something is for it to lose a future of like ours. (More exactly, that something has a future like ours is *sufficient* to render abortion immoral.) Thus, it is worse for the fetus if Marquis is right about the ethics of killing and about fetuses having futures like ours. That said, I will not consider the effects of Marquis's position in the main text of this article: I will focus strictly on the axiological impact the fetus having (or lacking) a right to life.

12. Of course, women are also pressured into getting abortions. Perhaps this gives us another reason to think that personal pro-NRTL is correct.

3.3. Impersonal Pro-NRTL

While personal pro-NRTL and personal anti-NRTL have relatively straightforward arguments in their favor, it is much more difficult to construct such an argument for impersonal pro-NRTL. However, there is at least one very powerful reason to think that impersonal pro-NRTL is right: if NRTL is correct, then it follows that no one's right to life is violated in having an abortion. To violate another's right to life is one of the worst actions one can perform: a right to life is perhaps the most intimate and important right one has (if, indeed, she has it), and a violation of it requires substantial justification; if the violation is *unjustified*, then the world is much worse off after said right is violated.¹³ One purported instance of justification for violating a right to life is *deterrence*: the state might put someone to death, thereby violating her right to life,¹⁴ in order to deter future persons from committing similar crimes.¹⁵ In the case of abortion, however, there is no such justification: the human fetus has not done anything that merits violating its right to life, and therefore it is gravely immoral to violate it. If NRTL is right, however, then abortion does not violate the right to life of the fetus. This counts heavily in favor of impersonal pro-NRTL: if abortion turns out to be involve unjustifiably violating the right to life of the fetus in our world, then a duplicate of our world in which the fetus does not have a right to life and so does not have that right violated (because NRTL is correct) is much better than it. Hence, our world is better if the fetus lacks a right to life than if it does not lack said right, and we should hope that NRTL is correct.¹⁶

However, one might claim the above argument in favor of impersonal pro-NRTL overlooks an obvious objection, namely Judith Thomson's (1971) argument that a right to bodily autonomy trumps (or, at least, *can* trump) a right to life. She argues for this thesis with the following analogy:

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

13. True, the world can be made worse even if the right is justifiedly violated (e.g., it is worse for the fetus if it justifiedly loses its right to life, and this makes the world worse off), but the world is even more worse off if the fetus has a right to life and it (the right) is unjustifiably violated.

14. Or, you might hold that the person being put to death has *forfeited* her right to life.

15. I do not assume that deterrence *actually justifies* one in violating another's right to life. I use this only as an illustration of a possible reason one might have for violating another's right to life.

16. Again, similar comments can be made about Marquis's (1989) account of killing: if fetuses actually have futures of value, our world is much worse than if they lack said futures.

have the right blood type 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. The director of the hospital now tells you, “Look, we’re sorry the Society of Music Lovers did this to you—we would never have permitted it if we had known. But still, they did it, and the violinist is now plugged into you. To unplug you would be to kill him. But never mind, it’s only for nine months. By then he will have recovered from his ailment, and can safely be unplugged from you.” (1971: 48–49)

The idea here is that one is not obligated to stay plugged in to the violinist even though the violinist has a right to life—is a person—and hence one’s right to autonomy trumps (or, at least, can trump) another’s right to life. How it is with the violinist, so it is with abortion: Thomson claims that *even if* the fetus has a right to life—even if RTL is correct—it is still permissible (in certain cases) for a woman to have an abortion. From this, it follows both that abortion is not wrong and that it is immoral to restrict a woman’s access to abortion *even if* RTL is correct.

Far from undermining the case for impersonal pro-NRTL, this *supports* it. Figure 1 illustrates why this is so.

	Right to Autonomy	Right to Life of Fetus
RTL	Violated	Violated
NRTL	Violated	Not Violated
RTL*	Not Violated	Violated

Figure 1: RTL means that RTL *and* Thomson’s argument is correct, NRTL means that NRTL is correct, and RTL* means that the fetus has a right to life *and* Thomson’s argument is *incorrect*.

The idea is that if RTL is correct, then—assuming Thomson’s argument is correct—rights are violated in both cases: if a woman is not able to have an abortion, then her right to autonomy is violated; and if a woman has an abortion, then the fetus’s right to life is violated—though, justifiedly so (or, at least, that is the way that Thomson tells the story). Alternatively, if NRTL is correct, then a woman’s right to autonomy is violated, *however*, no fetal rights to life are ever violated (since there are not any). Now, if RTL is correct, even though the fetus, has its right to life *justifiedly* violated, it is nevertheless true that it would

be better if there were no violation at all. This seems clear: if one can achieve her goal by justifiably violating *S*'s right *or* by not violating *S*'s right at all, it would be better for her to do the latter. And hence it would be better if NRTL turns out to be true, since fewer rights, and less important rights,¹⁷ are violated.

While Thomson's argument strengthens the case for impersonal pro-NRTL, there has been much controversy about whether her defense is successful.¹⁸ However, I will not enter this debate here. Instead, I just conclude that *if* one is convinced by Thomson, *then* she has even more reason to endorse impersonal pro-NRTL.

A final consideration in favor of impersonal pro-NRTL is just the fact that *if* RTL is correct, then miscarriages are far worse than they are typically viewed.¹⁹ This is because, given RTL, a miscarriage results in the death of a *person*—a thing that has a right to life—and the death of a person is very bad.²⁰ Since there are many miscarriages (many more than there are abortions), there are many more deaths of persons than usually assumed. Indeed, this fact is sometimes used to criticize advocates of RTL: if RTL is correct, the objector points out, then miscarriages are extremely bad. Moreover, she continues, there are many more miscarriages than abortion, which suggests that 'the problem of miscarriages' is more urgent than 'the problem of abortion'.²¹ However, she continues, advocates of RTL do not typically spend much energy trying to prevent miscarriages, and they are therefore (somewhat) hypocritical.²² Whether or not this argument is successful (and I doubt it is), it is no doubt true that if RTL is correct, then miscarriages are very bad indeed. However, if NRTL is correct, then miscarriages are much less bad: they do not involve the death of persons—though, of course (and obviously), it is still bad for the woman having the miscarriage.²³ And hence we have more reason to hope that NRTL turns out correct: we have more reason to endorse impersonal pro-NRTL.

17. This point is relevant when comparing NRTL and RTL*: the same number of rights violated in NRTL and in RTL*, but the violation of rights in RTL*, namely the fetus's right to life, is a *worse* violation than the violations of rights in NRTL.

18. See Boonin (2002) for a defense of it, and Kaczor (2011) and Gina Schouten (2017) for devastating critiques of it.

19. This is not to say that miscarriages are not bad given NRTL. Rather, it is just to say that they are *even worse* if RTL is correct.

20. Recall, this is one of the assumptions made at the beginning of this article, see Section 2.

21. This phraseology (i.e., "the problem of . . .") is my own.

22. See William Simkulet (2019) and Henrick Friberg-Fernros (2019) for a discussion of this issue. And see David Hershenov (2020) for a particularly insightful discussion.

23. Perhaps one views the death of non-persons as bad as well. But even if this is the case, the badness of death of persons outweighs the badness of death of non-persons, and so this will not affect my argument here. In other words, while miscarriages may be bad on NRTL since the fetus, though lacking a right to life, has some value, miscarriages will be much worse given RTL since they have rights to life.

In summary, in an NRTL world (i) no fetal rights to life are violated (justifiedly or not) and (ii) miscarriages do not result in the death of persons, and this counts heavily in favor of impersonal pro-NRTL. (i) and (ii) are very good reasons to think impersonal pro-NRTL is correct.

3.4. *Impersonal Anti-NRTL*

So, there are good reasons to endorse impersonal pro-NRTL. In this section, I will consider several reasons for thinking impersonal anti-NRTL is correct.

Recall the reasons given in favor of personal anti-NRTL in Section 3.2: (iii) many people have spent significant portions of their lives trying to protect the lives of fetuses, (iv) many people have pressured women into not having abortions, and (v) some have threatened or even killed abortion doctors. Since, if NRTL is true, these actions are all bad (or worse than if RTL is correct), it follows that the world would be better for those persons if NRTL is false, i.e., if the fetus has a right to life. While these reasons offer support for *personal* anti-NRTL, they also offer support for *impersonal* anti-NRTL. This is because if NRTL is false (i.e., if RTL is correct), then pressuring women into not having abortions is (typically) good (or, at least, much less bad), threatening (or killing) abortion doctors is far less bad, and spending time trying to protect the lives of fetuses is laudable. However, while these reasons do count in favor of impersonal anti-NRTL, it is implausible to think that they outweigh (i) and (ii) from Section 3.3: the violation of fetal rights to life (i.e., (i)) and the badness of miscarriages if the fetus has a right to life (i.e., (ii)) is not offset by (iii)–(v): the reasons in favor of impersonal anti-NRTL discussed here simply are not valuable enough in themselves to offset, let alone outweigh, (i) and (ii), nor are their occurrences (in our world) frequent enough to offset (i) and (ii). So, these are not plausible reasons for endorsing impersonal anti-NRTL.

There is, however, at least one somewhat plausible reason in favor of impersonal anti-NRTL that we should consider, and that is just the fact that if NRTL is correct, then women's right to autonomy has been needlessly violated on account of the (supposed) non-existent right to life of the human fetus.²⁴ This would indeed be bad. However, note that this argument is not available to anyone that is convinced by Thomson's argument: anyone who thinks Thomson is right will think that women's rights to autonomy are needlessly violated by abortion restrictions *whether or not RTL is correct*.

24. I speak generally here for the sake of simplicity. But, of course, the scale of violations will vary throughout the world, since some countries (e.g., America) have stricter policies on abortion than other countries (e.g., Canada), and abortion laws have not been static in our world's history.

But suppose one is not convinced by Thomson's argument, should she still endorse impersonal anti-NRTL? Her choice, then, is between a world in which women's rights to autonomy are needlessly violated (i.e., an NRTL world) or a world in which human fetuses' rights to life are violated (i.e., an RTL world). Which is better? It is difficult to tell. Does the scale of the violation matter? That is, suppose that if RTL is right, then n number of rights to life are violated, and that if NRTL is correct, then m number of rights to autonomy are violated, where $m > n$. Would that mean that an RTL world is better, since fewer rights are violated? Presumably, m being greater than n is insufficient for this position: presumably m must be *far greater* than n if it is to stand a chance, since violating a right to life is far more serious than violating a right to autonomy (my taking away a choice from you is better than my killing you). So, if m is *far greater* than n , would it follow that an RTL world is better? I doubt that it is. Granted, it is bad to unjustifiably violate rights to autonomy. However, it is *far* worse to unjustifiably violate rights to life: given the choice between violating 1 right to life or 5 rights to autonomy, we should violate the latter every time. That said, I concede that this point is less than clear.²⁵

So, if we only compare the violation of bodily autonomy with the violation of rights to life, it is unclear whether impersonal anti-NRTL or impersonal pro-NRTL is correct. However, once all the reasons in favor of impersonal pro and anti-NRTL discussed in this article are on the table, the scales are clearly tipped in favor of impersonal pro-NRTL. Let p refer a world in which all the reasons in favor of impersonal anti-NRTL hold (i.e., a p world includes the needless violation of women's rights to autonomy and (iii)–(v)) and let r refer to a world that is as similar as possible to p except that only the reasons discussed in this article in favor of impersonal pro-NRTL hold (i.e., (i) and (ii)) and not the reasons in favor of impersonal anti-NRTL. It is clear that the r world is (far) better than the p world. For, *if* the violation of rights to autonomy is worse than the violation of rights to life,²⁶ it is not by much; the best case scenario for the impersonal anti-NRTL is that the violation of rights to autonomy does little more than offset the violation of rights to life. We are then left to consider whether (ii) outweighs (iii)–(v). Given that (ii) carries with it the death of a multitude of persons, whereas (iii)–(v) carries with it the unjustified death of a small number of persons (i.e., abortion doctors), and renders some behavior bad, it is clear that (ii) is far worse than (iii)–(v). But this suggests, then, that since the other reasons in play merely offset each other,²⁷ that a p world is better than an r world: since (ii) is far worse than (iii)–(v) and the other reasons (*at best*) offset each other,

25. I assume here that it is actually the case that many more rights to autonomy are violated (or would be violated given NRTL) than rights to life (given RTL). But it is unclear to me that this is right.

26. And I doubt that it is.

27. Again, this has been assumed only for the sake of argument. It is almost certainly false.

we should hope that in our world (iii)–(v) obtain instead of (ii), and hence we should endorse impersonal pro-NRTL. In other words, (iii)–(v) is swamped by (ii), and we should hope our world contains (iii)–(v) over (ii). But a world in which (iii)–(v) obtain and not (ii) is an NRTL world, and hence we should hope NRTL is true.

It seems, therefore, that the spirit of my original axiological comment is correct: an NRTL world is better than an RTL world, and we should all hope that NRTL turns out to be true; we should endorse impersonal pro-NRTL. This, however, is unfortunate since there is no good reason to think the fetus does not have a right to life—there is no good reason to think NRTL is true in our world.

4. Repugnant Axiological Questions

In this article, I have considered whether the world would be better if NRTL or RTL turns out to be true, and have argued that the world is better if, and we should hope that, NRTL is correct. This seems fine and well. But what happens when we consider the axiological question about *other* moral issues. More specifically, what happens when we consider *repugnant* moral positions? For example: would it be better if the Nazis were right, and it is permissible to kill Jews? Would it be better if rapists were right, and it is not wrong to rape? Would it be better if slavery is justified? The answer to all of these questions seems to clearly be “Yes”: it would be better if these morally repugnant positions were correct. Consider just the last example. If slavery is justified, then our world contains far less injustice than it does otherwise: if slave owners were not acting immorally, then the world is better. But is this the wrong result? Is it not wrong to think that a world in which slavery is justified is better than our world (in which it is not justified)? Answer: No, this result is the right one. If slavery is justified, the world is quite clearly better. However, this leads to a troubling issue: while it is true that the world would be better if slavery is justified, it seems wrong to say that we should *hope* that it is. Indeed, it seems morally repugnant to hope that slavery is justified. But this means that *in some cases* we should not hope the world is better, and that is certainly odd. Has something gone awry here? Below, I will try to show that, contrary to initial appearances, this is the right result and it does not cast doubt upon the axiological project of this article.

The problem raised above is this: the world would be better if slavery is justified. But, at the same time, we should not *hope* that it is. So, we should not hope that the world turns out to be better. How can this be? How can it make sense to not hope that our world is better? Below, I will offer two replies to this, one tentative and one non-tentative.

Non-tentative reply: it is no doubt puzzling that the world would be better if slavery is justified *and* that we should not hope that it is justified. However, it is also no doubt equally true that *if* my argument above for impersonal pro-NRTL is sound, that we should hope that NRTL is correct. So, we have two different axiological questions, and in response to one of them (abortion) we should hope for the better outcome and in response to the other (slavery) we should not hope for the better outcome. How can this be? Answer: I don't know. However, this does not mean that we should abandon the axiological project altogether. Rather, it just shows that there are certain cases in which we should not hope for the better outcome and certain cases in which we should. As evidenced by the abortion example and the slavery example, we can (at least some of the time) tell when hope is appropriate. Perhaps there are some cases in which we cannot. However, again, none of this threatens the axiological project with respect to abortion, or with respect to moral positions in general. Instead, it just tells us that hope is appropriate only in some cases. In this non-tentative answer, I have not tried to explain *why* it makes sense to only hope for the better outcome in respect to some axiological issues. Instead, I have only claimed that it does not impugn the project of this article. However, below I will offer a tentative explanation of why this is so.

So much for my non-tentative reply. In what follows, I will offer a tentative reply, detailing what I suspect explains the puzzling phenomenon we have considered in this section.²⁸ Here is my explanation: simply put, it does not make sense to hope that slavery is just because we *know* that slavery is unjust. It does not make sense to *hope* that something you *know is false* turns out to be true; it makes no sense to hope, for example, that the Seahawks won the 2006 Superbowl.²⁹ In other words, hope that *p* entails that we do not know that $\sim p$.³⁰ But we (or, at least, most of us) *know* that slavery is not justified, and hence we should not hope slavery is justified *even though the world would be better if it is*. The same goes for Nazis and rapists: we *know* that the Nazis were wrong, and we *know* that rapists are wrong. So, though the world would be better if Nazis and rapists were right, it makes no sense to hope that they were. Of course, knowledge varies from person to person, so there might be some person that does not know that, e.g., slavery is unjust, and it might make sense for her to hope that slavery is just. Perhaps (better yet: probably) that person is culpable for their lack of

28 While I endorsed this reply merely tentatively when this article was accepted at Ergo on 2/26/2020, I have come to think the explanation I provide in this section is correct full-stop while editing the proofs of this article on 08/17/2021. Apparently, a lot can change in a year and a half!

29. Although, it is arguable that, in light of some questionable calls by the referees, they *should* have won the Superbowl!

30. It also entails that we do not know that *p*. See Matthew Benton (in press) for an overview of (some) reasons for thinking that hope that *p* is incompatible with knowledge that $\sim p$ and knowledge that *p*.

knowledge of the unjust nature of slavery, but this does not make it wrong for her to hope that slavery turns out just. Rather, it just shows that her noetic structure allows for hope that slavery is just. So, this does not seem to be an issue for asking axiological questions about moral issues. Indeed, it provides clarity on how we should approach axiological issues about moral positions: it shows that one should not always hope that our world turns out to be better. In other words, axiological questions contain two components: (1) would the world be better if X is true?, and (2) should we hope that X is true?³¹ with respect to repugnant moral positions (that are known to be false), if the truth of X (i.e., a repugnant moral position *known* to be false) would make the world better, then the answer to (1) is “Yes” and the answer to (2) is “No.”

Where does this leave us in respect to the axiology of abortion and what attitude we should have toward RTL and NRTL? I suspect that the lack of knowledge of the truth of NRTL or RTL is widespread. And this is why it is appropriate for most of us to ask both whether the world would be better if NRTL is right *and* whether we should hope NRTL is right: since we do not know which is right, hope for the axiologically better position ‘winning out’ makes sense. Michael Huemer nicely illustrates this point. He uses the ethics and politics of abortion as a paradigmatic case of our lacking knowledge. He says “*Sometimes* we do not know what is substantively just. But often we do know. I do not know, for example, whether a ban on abortion would be unjust. But I know that the Jim Crow Laws were unjust” (2013: 173). Huemer’s point is that while we know racist laws are immoral, we (or, at least, he) does not know whether laws restricting abortion access are immoral. So, it would be appropriate for him to consider both whether abortion being immoral would be better for the world and if he should hope that it would be.³² I suspect that Huemer’s position is widespread: I suspect that many positions on the ethics of abortion (and other moral issues) are not known to be true by most persons, while morally repugnant positions (such as the affirmation of racist laws) are known to be false by most persons. And if this is the case, then most persons can consider whether they should hope that, e.g., NRTL is right while not considering whether they should hope that, e.g., slavery is just. (This is, of course, compatible with having very good reason to think that RTL is correct: if I have very good reason to think that I will lose the lottery but do not know that I will lose, I can still *hope* to win. Thus, even though we might have very good reason to think RTL is correct, we can still hope that NRTL ‘wins out’.)

31. I have made this point implicitly throughout the article, talking about both whether an NRTL world is better and whether we should hope that NRTL is true.

32. To be clear, Huemer is not discussing the axiology of abortion in this passage.

I conclude, therefore, that morally repugnant axiological questions do not threaten my analysis here. Indeed, they help identify when hope for an axiological position is appropriate—namely, when the issue under consideration is not known.³³

5. Conclusion

It should be clear that the above arguments are *sketches* of how one might approach the axiology of abortion—there is much more to say about all the arguments considered here. I do not claim to have had the last word on this issue—indeed, it is far closer to truth to say that this is the *first* word on the issue.

Acknowledgements

Thanks to Brett Lunn, Alex Landyshev, and two anonymous referees for comments on this article. And thanks especially to G.L.G.—Colin Patrick Mitchell—for particularly insightful comments.

References

- Beckwith, Francis (2007). *Defending Life: A Moral and Legal Case against Abortion Choice*. Cambridge University Press
- Benton, Matthew (in press). Knowledge, Hope, and Fallibilism. *Synthese*. Advance online publication. <https://doi.org/10.1007/s11229-018-1794-8>
- Boonin, David (2002). *A Defense of Abortion*. Cambridge University Press.
- Davison, Scott (2017). God and Intrinsic Value. In Klaas Kraay (Ed.), *Does God Matter? Essays on the Axiological Consequences of Theism* (39–46). Routledge.
- Friberg-Fernros, Henrick (2019). Defending the Two Tragedies Argument: A Response to Simkulet. *Journal of Medical Ethics*, 45, 417–18.
- Greasley, Kate (2017). *Arguments about Abortion: Personhood, Morality, and Law*. Oxford University Press.
- Hendricks Perry (2019a). Even If the Fetus Is Not a Person, Abortion is Immoral: The Impairment Argument. *Bioethics*, 33(2), 245–53.
- Hendricks, Perry (2019b). (Regrettably) Abortion Remains Immoral: The Impairment Argument Defended. *Bioethics*, 33(8), 968–69.
- Hershenov, David. What Must Pro-Lifers Believe about the Moral Status of Embryos? *Pacific Philosophical Quarterly*, 101(2), 186–202.
- Huemer, Michael (2013). *The Problem of Political Authority: An Examination of the Right to Coerce and the Duty to Obey*. Palgrave-Macmillan

33. Thanks to two anonymous referees for raising the issue addressed in this section.

- Kaczor, Christopher (2011). *The Ethics of Abortion: Women's Rights, Human Life, and the Question of Justice*. Routledge.
- Kahane, Guy (2011). Should We Want God to Exist? *Philosophy and Phenomenological Research*, 82(3), 674–96.
- Lougheed, Kirk (2017). Anti-Theism and the Objective Meaningful Life Argument. *Dialogue: Canadian Philosophical Review*, 56(2), 337–55.
- Marquis, Don (1989). Why Abortion is Immoral. *The Journal of Philosophy*, 86(4), 183–202.
- Penner, Myron and Kirk Lougheed (2015). Pro-Theism and the Added Value of Morally Good Agents. *Philosophia Christi*, 17(1), 53–69.
- Plantinga, Alvin (2004). Supralapsarianism, or 'O Felix Culpa'. In Peter van Inwagen (Ed.), *Christian Faith and the Problem of Evil* (1–25). Eerdmans.
- Schouten, Gina (2017). Fetuses, Orphans, and a Famous Violinist: On the Ethics and Politics of Abortion. *Social Theory and Practice*, 43(3), 637–65
- Simkulet, William (2019). The Two Tragedies Argument. *Journal of Medical Ethics*, 45, 304–8.
- Thomson, Judith (1971). A Defense of Abortion. *Philosophy and Public Affairs* 1(1), 47–66.
- Tooley, Michael (1972). Abortion and Infanticide. *Philosophy and Public Affairs*, 2(1), 37–65.