

Noonan, “An Almost Absolute Value in History”

Central question is when a being becomes a human.

Noonan’s proposal-- “if you are conceived by human parents, you are human.”

Argument by elimination:

1. Viability--ability to survive outside of the mother’s womb, currently considered to be after the second trimester, though medical technology may push that back.

--Viability is too elastic. It’s a vague notion, and varies among different persons and groups.

--Why, exactly, does Noonan think this is a problem? Does the fact that we can’t draw one line for everyone mean no line should be drawn? And even if we admit this poses a problem for crafting a law, does it affect the moral argument?

--Viability doesn’t “signify any special acquisition of humanity.” It’s just a lessening of dependence on the mother, but even after a fetus is viable, and, in fact, for quite some time afterwards, it is dependent on others for survival. There is a continuum of dependence and viability doesn’t seem to mark any special place on that continuum.

2. Experience--”Humanity depends on formation by experience.”

--What counts as ‘experience’? If we define it broadly, the earliest stages of the fetus have experiences, in the sense of reacting to stimuli. If we define it narrowly, infants and

children might be left out, since they lack the kind of experiences that might be considered uniquely human.

--Basing it on experience threatens to leave out cases in which we clearly want to say a being is human.

(Notice Noonan's process here. He's starting with a general principle that we might accept, and testing it with specific cases to see if the principle covers the cases we intuitively want it to. If not, we have to either revise our intuitions or abandon the general principle. Sound familiar?)

3. Social visibility/recognition--The fetus is not perceived by others and cannot communicate with others. It's not a member of society, so societal rules don't apply.

--If humanity depends on social recognition, then denying someone standing in society would thereby deny them their humanity. This flies in the face of human rights.

--Does the argument change if we use 'recognizability' instead of 'recognition'?

Buttressing with probabilities:

--We don't determine humanity by looking at the probabilities, but an objective change in probabilities is an important concern in moral reasoning, and a definition of humanity that does not correspond to any such change in probabilities is suspect

--None of these distinctions correspond to any significant change in probability.

--But there is a significant change in the probabilities at the moment of conception. The chances that the conceptus will

develop into a human is significantly higher than the chances any individual sperm or egg will develop into a human.

--We do make moral distinctions based on probabilities-- juggling your knives in the middle of a crowd vs. juggling your knives in the middle of nowhere--and the fact that the change in probabilities at conception corresponds to Noonan's proposed definition of humanity "buttresses" that definition.

The positive argument for Noonan's definition:

-- "The positive argument for conception as the decisive moment of humanization is that at conception the new being receives the genetic code. It is this genetic information which determines his characteristics, which is the biological carrier of the possibility of human wisdom, which makes him a self-evolving being. **A being with a human genetic code is man.**"

--So the fetus is a human, just like us, and so it has a right to life, just like us, which means you can't kill it, unless it's the kind of situation in which you would be prepared to say it's okay to kill an adult human.

--Self-defense is the only case Noonan even considers as being justifiable. That is, only in cases in which the fetus is threatening the mother's life is abortion even possibly an option, and even then the issue is not clear.

--Generally, we think that you have a stronger right to be left alone than you do to have someone intervene to save you. But if we imagine a case in which pregnancy will kill the mother but the fetus will survive, then what the fetus needs is to

just be left alone, while the mother needs positive intervention. It might be that the fetus has a stronger right here.

Noonan in a nutshell: Humanity is conferred at conception, when a being gets a human genetic code. No other definition withstands scrutiny, and no are buttressed by the objective probabilities. The only thing that can possibly outweigh the right to life is another right to life, so the only case abortion might be permissible is when the mother's life is at stake. It's a violation of the fetus's right to life in all other cases, including rape and incest.