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Vulnerability, Recognition, and the Ethics of Pregnancy: A Theological Response

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(Received 10 May 2022; revised 12 October 2022; accepted 2 November 2022)

Abstract

Vulnerability is a notion discussed in feminist philosophy as a basis for a morality that widens our sense of those whose deaths are grievable. Vulnerability and grievability also factor in reproductive ethics. This essay employs recognition theory to analyze critically how these notions are mobilized in conservative Christian anti-abortion writings and in feminist philosophy. This analysis exposes weaknesses and misrecognition in both sets of discourses. In response, I offer theological arguments for recognizing fetal value without implying a right to life and for acknowledging how human finitude and the precarity of pregnancy render gestational hospitality a discretionary, not obligatory, moral act.

The notion of vulnerability is increasingly discussed in feminist philosophy as a basis for a morality that widens our sense of those whose deaths are grievable (Butler 2009) and that creates conditions for respecting the psychological and bodily integrity of others (Petherbridge 2016). There is also growing related interest in understanding vulnerability in terms of trauma theory in disciplines ranging from psychology (Herman 1992) to philosophy of religion (Boynton and Capretto 2018) to feminist theology (O'Donnell and Cross 2020). Notions of vulnerability and grievability are found in reproductive ethics as well. This essay employs recognition theory to analyze critically how these notions are mobilized in a range of discourses about the ethics of abortion. The nature of recognition will be articulated as the essay proceeds, but for the sake of introduction, two aspects are pertinent for this subject matter. Positively, recognition is a form of relationality that creates the “possibility of *mutual freedom* in the encounter with the other” (Haker 2021, 467). Negatively, “nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being” (Taylor 1994, 25). This essay will address recognition in its positive and negative forms related to reproductive ethics.

I first analyze the disciplinary dynamics and harmful effects of recognition and misrecognition of vulnerability in prolife Christian discourses. The discussion of Judith

Butler in the following section shows how electing not to recognize fetuses as grievable beings creates a binary between grievable persons and nongrievable nonpersons. I then examine how protecting the principle of reproductive rights can constrain the ways in which feminist philosophical writings conceptualize fetal status. In response, I discuss recognition from a theocentric perspective. I offer theological arguments for how one might recognize intrinsic fetal value without implying a right to life and for acknowledging how human finitude and the precarity of pregnancy render gestational hospital-ity a discretionary, not an obligatory, moral act.

Recognizing and misrecognizing in prolife discourses

Recognition entails power relations in the process of forming the subject. The cultural processes of recognition contribute to what Judith Butler calls the “normative conditions for the production of the subject” (2009, 4). Theorists have referred to Butler’s analysis of disciplinary forms of subjectification as an “ambivalent” theory of recognition (Lepold 2018, 474). Recognition is thus a two-edged sword: it polices even while it constructs an identity. Using recognition theory as a lens exposes the disciplinary mechanisms at work in prolife discourses.

Prolife proponents have long condemned abortion as unjust killing contrary to Christian belief,¹ but a growing group of conservative Christians are adopting a different rhetorical strategy that purports to address compassionately the vulnerability of “both the woman and her unborn child” (Reardon 2002, 24).² These prolife advocates describe women with unwanted pregnancies as vulnerable to manipulation by selfish partners, angry parents, and unscrupulous abortion providers (Mathewes-Green 1994). Conservative religious discourses impose a particular prolife moral frame that constructs women who have had an abortion as spiritually numb sinners and traumatized mothers. According to these conservative Christians, secular therapy cannot provide the antidote to this trauma, which can only be overcome religiously by “helping the woman seek forgiveness and in offering prayers and/or a memorial service for her baby” (Whitney 2017, 101).

Prolife discourses thus create a script for religious women to follow that construes their abortion as a mistake and offers them the identity of repentant sinner who has returned to the fold. These women are directed toward spiritual healing programs and religious rituals, where they are encouraged to acknowledge the humanity of their aborted child and the psychological trauma of their loss. Reputable studies show that “rates of total reported psychiatric disorder were no higher after termination of pregnancy than after childbirth” (Major et al. 2009, 880). Nevertheless, even when faced with this data, prolife proponents simply claim that “any post-abortive women without any symptoms of [PTSD] were simply in denial and too mentally unstable to recognize the effects of their abortions” (Kelly 2014, 21). The notion of post-abortion trauma is imposed on religious women, giving them an identity and a supportive (if also psychologically controlling) community with which they can associate (Kamitsuka 2022). One sees here the dynamics of power in the subjectification process.

The disciplinary nature of prolife discourses is masked by the prolife appeal to pregnancy and motherhood as married women’s God-given moral calling that fulfills their nature as female-bodied persons. Some writers emphasize the naturalness of childbearing and circulate myths about the medical dangers of abortion, while passing over pregnancy risks as rare and insignificant. One Catholic philosopher describes pregnancy as a mere nine-month commitment, which most women can easily accomplish while

“sound asleep, exercising ... chatting with a friend” and with few adverse effects, except maybe “mood swings, irritability, low libido, and weepiness” (Kaczor 2023, 179, 187).

Other prolife writers concede the burdens of pregnancy but emphasize the higher spiritual calling of motherhood. As one Catholic writer puts it, “God has endowed women with an inward space for others, namely her womb” (Miller 2005, 177). So strong is the maternal identity toward which women are channeled in pronatalist Christian discourses that self-sacrificial motherhood is seen as a virtuous, even saintly path. Conservative evangelical women are urged to accept a “Titus 2” female role of submission to one’s husband, homemaking, and childrearing (DeRogatis 2015, 97–100).³ Roman Catholicism praises the self-sacrifice of pregnant mothers who take extreme measures to ensure a safe birth, even at the cost of their own life, as exemplified by the death of the now-canonized Gianna Beretta Molla (Vatican n.d.).⁴

It is uncontroversial to say that the precarity we all share as human beings is exacerbated for pregnancy-capable persons. It is also uncontroversial to say that many pregnant women face health risks and the enormous challenges of raising a child, sometimes without a partner, extended family support, or adequate resources. It is very relevant to any philosophical discussion of reproductive ethics that maternal mortality rates are rising in the US (Agrawal 2015). Even when birthing goes well, statistics show that most women come away from parturition with many health complications (Elixhauser and Wier 2011). In addition, pregnant women of color in the US and the UK are more likely to die from pregnancy- and birth-related complications than white women, making pregnancy itself a significant health risk for black and brown women, even in countries with advanced medical care systems (Knight et al. 2021; Petersen et al. 2019). Conservative Christian discourses mask the medical risks of pregnancy and misrecognize childbearing as a natural, divinely ordained event. By downplaying the risks of pregnancy and overinflating the risks of abortion, their “misrecognition is more than misunderstanding; it entails a moral injury” and even threatens women’s health and possibly their life (Haker 2021, 427). Prolife misrecognition of the dangers faced by the pregnant woman says to her: I do not recognize *your* sense of your own precarity; I only recognize the precarity of your fetus and *my* sense of your obligation to treat that fetus as a preborn baby.

Recognizing and misrecognizing in Butler’s views on abortion

For Butler, recognition theory is part of their ethical interest in how society should be held accountable for deeming some lives as grievable and others not. They invoke recognition in order to promote a “social ontology” of human precarity and the need to build societies that acknowledge our vulnerabilities and mutual interdependence (Butler 2009, 3). Butler rejects the Enlightenment notion of the individual as a “self-sufficient” agent (2016, 21) and emphasizes, instead, that we are necessarily dependent on one another, our physical environment, and our surrounding societal structures. Against the backdrop of events like 9/11 and the torture at Abu Ghraib prison during the Iraq war, Butler examines the ways in which some lives are framed as worthy of protection, human rights, and moral regard, and others are deemed unwanted “lives that are not quite lives, cast as ... ‘ungrievable’” (2009, 31).

Butler argues specifically against applying the notion of precarity to human life *in utero*. They anticipate that precarity is at risk of being appropriated by conservative activists, who will insist on protections for vulnerable fetal lives that eclipse the rights of pregnant persons. Butler comments that “one could easily see how those who take

so-called ‘pro-life’ positions might seize upon such a view to argue that the fetus ... should be grievable” (2009, 16). In addition to Butler’s desire to head off any prolife attempts to undermine reproductive rights, they also think that efforts to determine which vulnerable human organisms should be protected and which should not face insuperable obstacles. Questions about ambiguous life forms, such as “embryos, fetuses, stem cells, or random sperm” (2009, 21) are entangled in assumptions that personhood equates to some arbitrary criteria such as “biological individuation” (19) or “a postulated internal drive to live” (21). Because ontological questions about the beginnings of human life are unresolvable, Butler considers it acceptable to frame the fetus as an ungrieved “non-life” to which ethical obligations of recognition need not apply (15).⁵

Beyond Butler’s claims of ontological undecidability, they also assert that uterine organisms should not be recognized as persons until they are born and given over to a wider “social network of hands” that can be enlisted in supporting conditions for their “livable life” (2009, 14, 21). Before that point, fetuses should not be given the same ethical recognition as the societally ensconced persons who gestate and birth them and who have inalienable “rights of autonomy over [their] bodies” (Butler 2006, 25). Moreover, pregnant persons’ access to necessary societal resources should be a factor in judgments about their moral duties. For example, a pregnant woman is not morally obligated always to respond protectively toward her fetus if society has not provided sufficient resources that would alleviate her own vulnerabilities and give her assurances of a life that is livable for her and the baby. In the absence of sufficient societal support, she has no ethical duty to “perform the recognition” that would enact her fetus’s subjectification as a precarious, grievable Other (43).

Thus, Butler’s recognition-based reproductive ethics approach hinges on three elements: (1) humanity shares a common social ontology of precarity; (2) pregnant people have a right to bodily integrity and to advocate for their own well-being in relation to the demands of pregnancy; and (3) inconclusive debates about fetal status and the reality of societal inequalities mean that there is no presumptive moral position that impels one to recognize a fetus as a grievable being.

Butler is right that our visceral sense of grievability is unavoidably shaped by society’s ethos about those to whom we have moral obligations. I question, however, the move to exclude fetuses from processes of recognition. There are strategic political reasons in the reproductive rights movement to refrain from recognizing fetuses as legal entities; however, political expediency alone should not determine one’s ethical position or the nature of philosophical inquiry. Do the challenges one faces in assessing the ontological and moral status of beings in the womb mean that one should simply set these issues aside? Do principles of reproductive rights obligate the philosopher to relegate liminal human life forms to an ungrievable status? Answering yes to these questions amounts to a refusal to entertain that the fetal Other may have a moral claim to one’s acknowledgment—even if one is also morally justified in not acting to protect its life.

Accepting the Other as a grievable being of value need not entail conceding that the Other is a subject with personhood rights that overrule women’s reproductive rights. Moving forward in reproductive ethics means not getting locked into a dead-end binary of either grievable person or nongrievable nonperson. There are categories that might transcend this binary, such as *grievable beings outside of the personhood concept*. Refusing to consider this category is not a neutral position but is itself a moral stance that misrecognizes the moral bearing of developing fetal life. Indeed, feminist

philosophers are taking up the challenge to parse the recognition of fetal life alongside their efforts to uphold reproductive rights.

Feminist philosophical approaches to recognition of fetal status

Feminist philosophers offer a range of arguments for abortion rights that address fetal status.⁶ This section discusses five types. Each deepens the notion of the pregnant person's vulnerability; however, these philosophers' commitment to protecting reproductive rights sets a somewhat arbitrary limit on how far they are willing to go in recognizing fetal status.

Permissible abortion prior to fetal recognition—a phenomenological approach

A number of feminist philosophers situate fetal recognition as part of a phenomenological analysis of pregnancy. These philosophers argue that pregnancy is a unique type of relationality with a dependent *in utero* being. Margaret Little puts the case bluntly: "fetuses live in other people's bodies," and this occupation is a highly intimate, "extraordinary physical enmeshment" (1999, 299). Yet when the enmeshment is experienced as a merely corporeal event, especially early in pregnancy, "there simply is little to the relationship, as a relationship, other than the biological substrate and the woman's experience ... of it" (311). At this point in gestation, Little doubts that sufficient recognition of an Other has occurred to warrant a "strong claim" compelling the woman to continue an unwanted pregnancy (312).

Phenomenologists carve out space for abortion rights by drawing a distinction between the corporeality of pregnancy and conscious motherhood, which allows for a gradation of ethical maternal duties. Taking her cues from Maurice Merleau-Ponty, Frances Gray makes a distinction between the "flesh," which is the "sensible and sentient" aspect of the embodied self, and the "subjective-will," meaning a person's more self-reflective aspect of consciousness (2013, 78, 73). Pregnancy is a kind of "primitive hospitality" that the flesh gives to the fetus (84). A pregnant woman may "see and recognize" the vulnerable being growing her uterus (77), but if she has not accepted to be its mother, she is "bracketed from the responsibility of the maternal" (85). For Gray, pregnancy is not coterminous with motherhood obligations, which only arise after a conscious acceptance of one's relationship with the fetus. The flesh's recognition of the uterine being is separate from the moral agent's consent to be its gestational mother.

Similarly, Jane Lymer argues that moral responsibility only begins after sufficient alterity has been established so that the fetus unavoidably becomes a genuine Other to the pregnant woman. Physical experiences in pregnancy—such as quickening, feeling the baby bump, and no longer being able to reach one's feet—mark the fetus's emergence as distinct from the woman. Before the onset of these types of difficult-to-ignore gestational signposts, Lymer insists, "there is no ethical relation and so an early termination can be seen as morally acceptable" (2016, 185). The most radical alterity occurs at birth, which creates the unavoidable conditions for mutual recognition between mother and child, each "within their own skin" (186), with the moral duties of parenting and the rights of dependent care entailed therein.

An advantage of a phenomenological approach is that it takes seriously the value-laden bodily hospitality of pregnancy. If pregnancy is a significant gift that a woman makes of her body to a dependent fetus, then her labor and the being on whose behalf she labors are not ethically negligible. However, fetal moral status, in the sense of a right to maternal hospitality, is not intrinsic but relationally bestowed by the pregnant

person. The moral status with which a fetus is credited relationally can be characterized as an “extrinsic” value (Zimmerman and Bradley 2019).

This phenomenological approach depends on clearing space for a supposedly pre-moral phase in gestation during which the pregnant person is unself-reflectively experiencing pregnancy without yet recognizing the alterity of the Other. However, there are downsides to bracketing a period of time early in a pregnancy when abortion would be justifiable. First, alterity becomes a factor of the pregnant subject’s bestowal of recognition. Theorists of recognition, however, emphasize that less dominating processes of recognition strive to maintain an “*openness toward the other*” (Petherbridge 2016, 591). The openness of the flesh to an Other is not yet consent, but it is also not nothing. Second, this phenomenological approach suggests that the pregnancy-capable person is someone with a limited perspective on her own early pregnancy and on the vulnerabilities of her dependent fetus. If her perspective is limited, so then is her authority.

For-the-sake-of-argument recognition while defending reproductive rights

Judith Thomson’s classic essay “A defense of abortion” concedes that the fetus may be recognized as a person for the sake of proceeding with an abortion rights argument. Seeing the fetus analogically—as akin to an ailing famous violinist who requires the use of my kidneys for dialysis, or akin to a needy neighbor for whom I could be a good Samaritan—allows one to recognize the justifiable limits to one’s body being forced to sustain the life of another person, however vulnerable or valuable. Thomson argues that a woman should retain the right not to be a “Splendid Samaritan” when she deems the pregnancy would be onerous (1971, 65). In other words, instead of arguing that abortion is morally permissible because one has not yet recognized the fetus’s alterity, Thomson sees abortion as a moral act even when one concedes fetal personhood, because no person has an unlimited right to another person’s body. Thomson believes personhood is not in place early in a pregnancy, but she is vague on when it becomes a significant ontological and moral factor beyond a for-the-sake-of-argument concession.

Personhood recognized only at birth

Kate Greasley takes up the challenge Thomson avoids, insisting that no prochoice stance can proceed properly without addressing the personhood issue.⁷ Greasley believes she can identify some archetypical and largely uncontroversial aspects of personhood, which will be serviceable as criteria for identifying when fetuses can be said to be undeniably a person, even if only “immature versions” of it (2017, 183). Paradigm personhood can be based, she argues, on features that most functioning adults recognizably have, including various cognitive, emotional, and linguistic capacities. With this definition to hand, Greasley can agree with prolife philosophers that a fetus is a member of the human species from conception, but she rejects the claim that personhood begins at that point. Not only do uterine beings fail to meet philosophical criteria for even immature personhood, but commonsense also tells us that “the death of a single-celled zygote” is not “tantamount to the death of a five-year-old child” (160).

Greasley can also agree with prochoice gradualists that fetuses “are owed increasing moral respect as they develop in utero” (172); however, unlike gradualists, Greasley argues for birth as the definitive moral threshold. Birth is “a highly visible event” (189), and there are significant bodily changes that separate even a viable fetus from a neonate. With birth, a human being—still very vulnerable but now with moral and

legal significance—comes on the scene with newly acquired “intrinsic properties” that more adequately approximate personhood as she defines it (189).

Addressing the personhood question directly, rather than conceding it merely for the sake of argument, is a stronger philosophical position to take. Greasley makes a compelling case for the definitive change that occurs at birth, which is why infanticide is morally impermissible whereas a late-term abortion may not be. However, her efforts not to recognize personhood until birth echo Judith Butler’s binary between grievable persons and ungrievable nonperson organisms. In Greasley’s proposal, there is little basis for solidarity between archetypical persons like us and zygotes, whose “radically immature embodiment precludes it from being fully the sort of creature whose good and ill reflects that of our own” (178). I am not convinced that an us–them binary constitutes a step forward regarding philosophical reflection on fetal status, even if it seems to be a politically expedient step.

Recognizing one’s possible future child over whom one has maternal authority

Abortion rights should be based on a claim for maternal authority over a fetus who is recognized as one’s possible future child. Feminist philosophers taking this approach deem that a pregnant woman has the responsibility and, therefore, the authority to determine her fetus’s fate, including taking steps so “that there be no being at all” that would become a child for whom she would have moral obligations (Mackenzie 1992, 138). As Soran Reader puts it, in terminating a pregnancy, the woman “exercises her maternal moral authority to complete her responsibility early” (2008, 143). She has “considered facts about whether she can continue to mother” and has judged that she cannot (143). This approach grounds not only the right to evacuate one’s uterus (the bodily integrity principle) but also the right to end the life of another being —“abortion-as-killing” (137). Reader uses maternal and motherhood terminology to indicate not only the female-specific bodily work of pregnancy (over which the biological father should have no authority) but also to flag the burden of societal expectations that mothers should care well for their children.⁸ It is not the woman’s pre-moral lack of relationality with her fetus that makes abortion permissible; rather, recognizing the fetus as one’s own potential future child is the very basis for the pregnant person’s authority to make the decision to end its life before birth.⁹

It may seem counterintuitive to religious prolife proponents to say that a pregnant person opting to have an abortion is making a mothering decision. Nevertheless, ethnographic studies reflect this reality. In a study of the experiences of conservative Christian women who had abortions, many of the participants thought of their termination in personal, parental terms. One interviewee recounted an abortion clinic counselor telling her that “it wasn’t more than a mass of tissue ... It’s not a child, it’s a choice.” The interviewee reflected, “It was so infuriating. Because really, it isn’t one or the other. It is a choice about a child. And it’s my choice, and my possible child” (Ellison 2008, 201). Even women who are conflicted about their termination speak of it as a decision about a baby, as seen in this young woman’s statement about why she had an abortion: “A baby needs someone who is, well, who knows who she is. So I decided the only thing I could do was have an abortion ... I just know I can’t do a good job of being a mom now” (69). Not every pregnant person sees abortion as having to do with the fate of a possible child-to-be (nor should they have to); however, those who do think in these terms seem to be claiming their maternal authority to make this significant decision.

In this approach to reproductive ethics, fetal value is more than assumed for the sake of argument. Reader asserts that “fetuses have full moral significance as human beings” (2008, 147), which is a step toward an argument laying out the bases for recognition of such a being, whose life a women would still have the maternal moral authority to end.

Private recognition of fetal loss distinct from public prochoice politics

There is a growing feminist literature attempting to break the taboo against addressing the experience of miscarriage loss, which has implications for reproductive ethics (Parsons 2010; Wright 2018). Writing about her miscarriages, feminist philosopher Kate Parsons was disappointed in not finding any “illuminating proposals on how to transform my private sadness into more liberating forms of feminist thought” (2010, 4). Parsons found the recommendations of miscarriage self-help books “to name the lost being as a baby” to be “simultaneously disquieting and compelling” (2). Her solution is to draw a private/political distinction between her personal need to recognize what she lost in her miscarriages (blood, tissue, dreams, and yes, even her “baby”) and her feminist commitment never to claim that “a prenatal being is a ‘person’ in the moral sense” that would support anti-abortion political activity (3). This approach implies a kind of disciplinary discourse in which a pro-choice feminist is allowed to voice grief about her lost baby *sotto voce*, so to speak, in order to avoid implying that the fetus had value separate from the private “meaning for her” (11). This solution rests uneasily for feminists who adhere to the dictum that the personal is political.

Hilde Lindemann similarly takes the position that “miscarriage is the loss of something valuable”—not just the “baby-to-be” but also one’s hopes for the future, one’s socially recognized identity as an expectant mother, and so on (2015, 81, 83). In a wanted pregnancy, the fetus is mourned, because it is treated by its mother and others proleptically “as if it had already attained personhood” (84). This personal recognition of a lost child, however, does not mean that the fetus qualifies as a person, since it falls below Lindemann’s criteria of biological and socially interactive capacities that constitute “personality” (83). (In this way, she is similar to Greasley in proposing a personhood definition whose threshold a fetus can never attain.) This actual/proleptic distinction allows Lindemann to render private baby talk understandable but without entailing public personhood rights. Lindemann offers a clear-cut solution that, nevertheless, risks misrecognizing aspects of what she herself calls the “epistemically opaque” nature of miscarriage (88). I will say more, from a theological perspective below, about how we can take seriously the opacity of reproductive realities.

Lindemann does entertain the question of whether the fetus itself can “sustain loss” (86) in the sense of “future life like ours” (Marquis 1989, 199). She concludes that a fetus can be said to have “lost something precious” at death (Lindemann 2015, 86). Lindemann apparently means that a loss is incurred only by fetuses that could actually have a future like ours, which excludes, for example, any fetus with a condition incompatible with life (89 n. 1). Even the concession about fetal loss, however, does not change Lindemann’s claim that a fetus is not a person—except in the minds of the people who mourn its death.

In her discussion of miscarriage, Ann Cahill acknowledges that “feminist theorists have struggled to articulate the moral value that a fetus can have” (Cahill 2015, 48). She is critical of miscarriage support groups’ fixation on the “miscarried fetus as ... equivalent to a full-term or born baby” (54). She wishes to recognize the experience

of suffering after miscarriage, without “endowing the fetus with the rights of personhood,” which might eclipse the rights of pregnant people (56). She takes a phenomenological approach to pregnancy defined as the pregnant person’s subject-constituting processes of “corporeal generosity” to the fetus, a concept she borrows from Rosalyn Diprose (Cahill 2015, 51). Cahill uses this definition to reframe miscarriage “not as the loss that an individual suffers of some thing (a fetus, a baby...) but rather as the cessation of a specific identity-in-process that required an other” (54). The fetus is an other whose “unexpected absence ... has profound repercussions on one’s own being” (56). That Cahill does not consider the possibility that an identity-in-process could be said to end for the fetus as well is not a function of her phenomenology but, rather, is a function of her reluctance to open the door to fetal personhood rights.

Feminist philosophers have made great strides in articulating a basis for the moral agency of pregnancy-capable persons. They have also insisted that feminist silence on miscarriage loss is debilitating and counterproductive. A loose consensus exists in feminist philosophy today that not addressing fetal status (however it is construed) is a form of misrecognition of the relationality of pregnancy. Recognizing fetal status can take various forms, as the above discussion demonstrates; however, the notion of a fetus, not to mention a zygote, having intrinsic value is a nonstarter in prochoice philosophical ethics. I am not convinced that feminist thinkers, in the interests of protecting reproductive rights, are obliged to refrain from conceding anything more than extrinsic, relationally endowed value for the fetal nonperson. A theocentric perspective on vulnerability has something to offer that opens up alternative ways of thinking about fetal value, personhood concepts, and the pregnant person’s reproductive agency.

A theology of abortion

Feminist theologians share many perspectives with their secular philosophical counterparts, but theologians wish to say more about both women’s reproductive agency and the nature of fetal value, in light of a theocentric worldview. A feminist theological methodology attentive to women’s experience has its roots in a liberationist approach to critiquing and reconstructing the Christian tradition’s role in perpetuating gender inequality (Young 1990). I propose a theology of abortion that employs this methodology of critically engaging the sources of the religious tradition as a means of arguing for the pregnant person’s reproductive agency that includes recognition of fetal life. Three important components of this approach to reproductive ethics are: (1) a biblical understanding of pregnancy as precarious; (2) fetal life recognized as an intrinsic good; and (3) epistemological reticence regarding God’s providential will about pregnancy outcomes. Reflecting on these components provides a theological rationale for abstaining from calling a fetus a person while recognizing intrinsic fetal value, as well as for supporting women’s reproductive self-determination in ways that cohere with Christian faith. These points constitute a challenge to other scholars who work with Christian sources to rethink the popular but mistaken assumption that Christianity has always been exclusively a prolife belief system. Secular philosophers may not credit the normative religious sources undergirding these arguments, but they still may be interested in how feminist theology grounds a prochoice position on abortion. Moreover, the ontological argument about intrinsic goodness holds its own, even without God in the picture.

Pregnancy is precarious

The picture of pregnancy given throughout the Bible is that it is often a precarious, painful, even lethal event and requires significant effort from women to achieve. The biblical creation narrative depicts God as turning pregnancy, after the fall, into a corporeal punishment for women. As the curse handed down to Eve in Genesis 3:16 states: “I will greatly increase your pangs in childbearing; in pain you shall bring forth children, yet your desire shall be for your husband, and he shall rule over you.”¹⁰ The physiological burdens of pregnancy are exacerbated by the compulsory reproductive heteronormativity within a patriarchal system of marriage. Even if we categorize the Adam and Eve story as an ancient etiological tale, its cultural impact cannot be underestimated. Proto-feminists throughout church history and today’s feminist scholars have battled the misogynous religious mindset that has assumed this curse to be women’s divinely ordained fate.

Vulnerability associated with pregnancy is often at the root of interpersonal conflict in biblical narratives. Procreation is an arduous task for many biblical wives who are afflicted with difficulty in conceiving and are desperate for children. Sarah finally produces an heir by arranging a surrogacy relationship with Hagar (Genesis 16)—a mistress-slave relationship that disturbs womanist scholars to this day (Williams 1993). Rachel competes with her sister and fertile co-wife Leah to produce children for their husband Jacob, again with both wives resorting to the use of their servants as surrogates. At one point Rachel begs Jacob, “Give me children, or I shall die!” (Genesis 30:1). Ironically and tragically, when she finally conceives her second child, Benjamin, she dies in childbirth (Genesis 35:16–19). In the world of Hebrew Bible, women can be relentless, even ruthless, to achieve reproductive ends that will ensure their status in the family. Barrenness erodes sisterhood, exacerbates class hierarchies, and relegates childless women to a kind of societal netherworld (Moss and Baden 2015).

The arguably most famous pregnant woman in the New Testament is Mary the mother of Jesus. The church has mostly praised her declaration “fiat mihi” in the Annunciation narrative (Luke 1:38) as a sign of her pious consent to be impregnated with the Son of God.¹¹ The degree to which her encounter with the angel rises to a level of what we would today call informed consent is open to considerable debate. A feminist reading of the conception and birth of Jesus in the Bible sees Mary’s pregnancy as marked by societal and medical vulnerabilities.

As an unmarried and possibly reproductively naïve young woman, pregnancy could only have been unintended for Mary. The pregnancy she faced in first-century Palestine was uncertain, and her risk of death in childbirth was high (Heyne 2013). Famine, war, and disease could expose any pregnant woman or nursing mother to additional suffering, as Jesus himself is depicted as describing (Mark 13:17). Mary did give birth safely though, apparently, in inhospitable conditions. Thus, while there are moments when women’s reproductive agency peeks through the biblical text, a feminist reading recognizes the dark side and precarity of their procreative burdens.

Fetal life as an intrinsic good

Just as the Bible does not paint a rosy picture of pregnancy, neither does it trumpet the sacrality of the unborn. Only in a few biblical pregnancies does God express a direct preference for a birth outcome, such as Jacob and Esau (Genesis 25:23), or designate a special sanctified status, as with the prophet Jeremiah (Jeremiah 1:5), John the

Baptist (Luke 1:13–17), and Jesus (Luke 1:31–33). However, there is no indication that these special callings of notable fetuses should be universalized and seen as ontologically determinative. In fact, medieval philosopher-theologian Thomas Aquinas specifically said one should not apply these special sanctifications to all unborn beings.¹² Even some prolife theologians today call into question the theological validity of the sanctity of life principle that is so common in prolife discourses (Jones 2016).

While there is little basis in the Christian tradition for a claim of fetal sacredness, a strong case can be made for recognizing the goodness of uterine life. The goodness of being in general is supported by biblical texts such as Genesis 1:31, “God saw everything that he had made, and indeed, it was very good.” This verse informed the thinking of the eminent early church theologian Augustine of Hippo, as seen in his claim in *Confessions* (7.12) that “whatsoever is, is good” (Augustine 1955, 107). The notion of existence as an intrinsic good has been influential in the history of Christian thought and has its philosophical defenders today (MacDonald 1991; Helm 2010). Recognizing the goodness of something or someone, according to Paul Ricoeur, bears “witness to one’s gratitude” (2005, 8). The convergence of goodness and gratitude regarding developing life is affirmed in verses such as Psalm 139:13–14: “For it was you who ... knit me together in my mother’s womb. I praise you, for I am fearfully and wonderfully made.” A verse like this can play an important role in the personal piety of the pregnant person.

That Augustine valued fetal life, specifically, is evidenced in his eschatological concern about whether those who die in the womb would be included in the final resurrection and granted eternal life. Augustine speculated that fetuses will not “rise in that diminutive body in which they died” but will be given glorified bodies in heaven (*City of God* 22.13–14).¹³ Given that the goodness of human life is affirmed in the doctrines of creation and eschatology, I am not sure how any Christian theologian could deny the intrinsic goodness of life *in utero*.¹⁴ The question then comes down to whether that recognition of goodness translates into recognition of subjecthood and an inviolable right to life. I do not believe it does.

Recognition of goodness can constitute part of a recognition of subjecthood, but the two concepts are distinct. The distinction is a factor of the different kinds of possible recognition processes. Psychological recognition theory insists that recognition must entail intersubjective mutuality to avoid a damaging imposition of power (Benjamin 1988). The mutuality must be cultivated as much as possible, even when a power disparity is present, such as a parent–child relationship. However, subjects are daily constituted under conditions of patriarchy, neocolonialism, racism, capitalism, and other nexuses of discursive power. In this second type of recognition, there is a co-constitution of subjects in the context of an oppressive power imbalance, as in the master–slave dyad. The slave is useful to the master but not recognized as having intrinsic value. A third type of recognition acknowledges goodness without conferring subjecthood. One can value an ancient sequoia and a beautiful waterfall and recognize their ecological vulnerability without deeming them subjects with inviolable rights. The theist can even ground their natural goodness in a creator God, without entailments of subjecthood. Some types of recognition do not result in the co-constitution of subjects—whether in a theocentric perspective or not. Fetal value, as I am presenting it here, would be an instance of recognition of its value and vulnerability, without it being constituted as a subject. To say this another way, a fetus is grievable, but not a person in the sense of a co-constitutive subject.

Regarding fetal rights, the only biblical legal discussion of fetal legal status has to do with punitive measures after a forced miscarriage. The text characterizes a fetus's death as a loss (even, no doubt, a grievable one for the family) but incurring a penalty less than if the mother dies as well (Exodus 21:22–25).¹⁵ Since the Bible does not posit gradations of humanity (i.e., slaves or resident aliens are not subhuman beings), this passage recognizes a fetus's vulnerable humanity, but its vulnerability does not translate into a claim for legal personhood. This verse is formative in Jewish ethics, which is unique among the Abrahamic religions in making birth the event when personhood is recognized from a halakhic perspective (Schiff 2002, ch. 2).

Thus, no biblical passage specifies that a fetus is sacred or a person, and church teachings have been historically ambiguous on fetal status and punishment for abortion (Harrison 1983, ch. 5; Castuera 2017; Kamitsuka 2019, ch. 1). Augustine, for example, was concerned with but remained agnostic on fetal personhood: "a question may be most carefully discussed ... and still I do not know that any man can answer it, namely: When does a human being begin to live in the womb?" (*Enchiridion* 23.86).¹⁶ Medieval theologians applied Aristotelian embryology to affirm ensoulment for a fetus not at conception but weeks into development (Amerini 2013, ch. 3).

Even the Vatican today refrains from specifying a definitive point in gestation when a person begins to exist.¹⁷ Obviously, agnosticism about when a person begins does not necessarily lead to abortion rights, since the Vatican, even in the absence of *ex cathedra* clarity on the personhood question, deems any direct abortion to be a grievous sin incurring automatic excommunication. Catholics in the pews are called upon to recognize personhood from conception for moral purposes.¹⁸

Large institutions like the Roman Catholic Church or multimedia Protestant evangelical organizations wield significant power globally. When they issue pronouncements about a right to life from conception (USCCB 1998; Focus on the Family 2014), those discourses influence average believers to accept that uterine beings are preborn children who must be protected. A prochoice understanding of the intrinsic goodness of unborn beings will not, in one fell swoop, topple the edifice of prolife rhetoric. However, this argument constitutes one brick of a competing theological position, with grounding in the sources that both prolife and prochoice scholars use.

Epistemological reticence regarding God's providential will

How should one think about pregnancy and God's providence? In his book *The question of providence*, theologian Charles Wood explicates the current troubled state of the doctrine, which has "fallen on hard times" in our modern world (2008, xi). One normative definition of providence for Protestants, as given in the sixteenth-century Calvinist Heidelberg Catechism, only partly rings true with many believers today:

God's providence is his almighty and ever present power, whereby, ... he still upholds heaven and earth and all creatures, and so governs them that leaf and blade, rain and drought, fruitful and barren years, food and drink, health and sickness, riches and poverty, indeed, all things, come to us not by chance but by his fatherly hand. (Heidelberg Catechism (1563) 2011)

However, one cannot avoid the cosmology that strikes modern people as somewhat quaint. Whether one invokes Darwin or Einstein, we know that much of what grows, dies, or prospers in our universe is governed by physical laws. Moreover, things like climate change have raised our consciousness that the human community is to blame for a

lot of what goes wrong with leaf or blade, rain or drought. In short, there seems to be a disconnect between what some Christians think they ought to believe about God's providence and what they have learned from science and commonsense.

That said, Christian faith asserts the beneficence of God's providence. The challenge, then, is how to affirm divine care of creation without falling into an archaic cosmology of divine control over the universe. The crux of the issue is epistemological. Regarding knowledge of God's will and how to act upon it, the theologian must be careful not to overstep her epistemological bounds. Affirming the intrinsic goodness of humans developing in the womb seems basic to a Christian ethos, but knowing God's providential will regarding their disposition and care is another matter altogether. All beings are bestowed with the goodness of existence, but what parts of God's good creation should one devote one's energies and resources to protect? Finite creatures cannot maintain in existence all that is, and God's justice would never require what is impossible.

Recognizing the vulnerable Other as deserving of care is poignantly captured by Emmanuel Levinas' statement that the "Other becomes my neighbor precisely through the way the face summons me, calls for me" (Levinas 1989, 83). However, our neighbors are legion, and it is not possible to respond to every "face." Samaritanism regarding needs of one's vulnerable neighbor stands in a tensive relationship with human finitude—a situation that is complicated even more by patriarchal, classist, and other inequities affecting those upon whom most of society's caretaking labors fall.

While faith affirms God's providential care, human acts of caring always take place under the conditions of the "ambiguities of an incomplete, open-ended world" (Ricoeur 2005, 257). Uterine life is one of many goods about which the pregnant believer has to exercise moral discernment, and justice demands that women not be expected to provide gestational hospitality every time they fall pregnant. In the real world, acts of valuing and preserving unborn beings are necessarily contingent, finite, and discretionary.

Prolife proponents typically deem successful conception as a sign that God wishes that conceptus to be born. Theologians writing about providence, however, counsel against asserting "too tight a fit between contingent events and the divine will" (Fergusson 2018, 335). Unless one directly links God's will to biological events, which is a dubious theological move, then one has to admit the inscrutability of God's will, especially related to reproductive matters. This idea of epistemic uncertainty in reproductive matters is not just some new-fangled modern skepticism. In 1542 Protestant reformer Martin Luther (himself a husband and father) penned a pastoral letter on miscarriage. He wrote, "we may not and cannot know the hidden counsel of God" regarding why "God did not allow the child to be born alive." Luther's point is not that one knows that the "*abortivum*" was God's will but, rather, that one does not know God's will regarding pregnancy outcomes (Luther 2016, 423).

If one asserts that the divine will is directly manifested in and served by reproductive events (barrenness, conception, miscarriage, birth), then a theodicy dilemma ensues when the outcomes are maternal and infant morbidity and mortality. How could a good and powerful God allow such calamities to occur? The theological alternative, for which I am advocating, is to de-link one's understanding of divine providence from reproductive (or any biological or natural) events. That is, instead of answering the questions arising from reproductive quandaries with a laconic "It is God's will," one should see those quandaries as necessitating the believer's moral decision-making. Reproductive difficulties include infertility, miscarriage, mistimed pregnancy, the discovery of fetal anomalies, and threats to the health of the pregnant person. If one

concedes opacity in divine providence, then decisions about reproductive matters belong on the shoulders of those whose bodies are most affected by them—pregnant persons.

The corollary to a willingness to accept the mystery of God’s counsel is the willingness to trust one’s fellow believers to “live ‘wisely in the darkness’” as they strive to discern how to maximize the good in their reproductive lives (Fergusson 2018, 119). Personhood debates are likely to continue unabated. A proper understanding of the nature of divine providence should induce prolife Christians to refrain from making the state the enforcer on reproductive matters based on claims about fetal personhood. Even the church, in its more judiciously reflective moments, admits that moral personhood cannot be proven theologically or scientifically.

Contributions of a theocentric perspective on reproductive ethics

Speaking theologically about reproductive realities allows one to bring a theocentric perspective to the notion of vulnerability and how it is recognized in relation to pregnancy and fetal life. Scripture directs believers to an awareness of pregnancy as an ambiguous and precarious undertaking. Biblical narratives also imply that women have a right to consent to pregnancy and to manage their fraught reproductive lives. Belief in a creator God points to the goodness of developing life *in utero*; however, there is no theological consensus on when personhood begins. There are good reasons to remain not only theologically agnostic on this question but to resist capitulating to a person/nonperson binary.

The assumption for Christian ethics is to value life, unborn and born, and to respond to one’s vulnerable neighbor, according to one’s ability—no need to have a prior working definition of paradigmatic personhood. That Samaritan assumption, however, stands in a tensive relationship with the fact of human limitations. There can be no reasonable expectation that pregnant persons will have the wherewithal always to secure each embryo’s entry into this world (life in the next world can be entrusted to God’s hands). Divine inscrutability makes the exercise of a woman’s reproductive agency a necessity. The believer’s moral decision-making is a proportional and discretionary attempt to maximize the good in every situation. Moreover, a reasoned view of providence recognizes the lack of transparency about God’s will and, therefore, theologians should refrain from linking divine providence to biological events, including reproductive ones. In Christian faith, the ultimate end for every being is not birth but eternal life, and God presumably does not need theologians or ethicists to determine a fetus’s personhood status in order for God to include it in the final resurrection.

Needless to say, the theological position I have outlined differs from conservative Christian discourses, which misrecognize the nature of pregnancy, women’s maternal obligations, and fetal status. The biblical and doctrinal bases for this prochoice approach to fetal value constitute a direct challenge to the logic of the Christian prolife position, even if it may not overwhelm widespread prolife rhetoric.

My theological approach also has some resonances with and differences from feminist philosophical views. My position does not withhold recognition of fetal grievability or try to carve out a pre-moral stage of pregnancy prior to a conscious acceptance of fetal alterity. A feminist whose miscarriage or abortion is experienced as the loss of her “baby” should not feel obligated to sequester such talk to a private sphere—for fear of eroding the reproductive rights of her sisters. My position takes the intrinsic goodness of fetal life as ontologically prior to any act of human

recognition. Whether one wishes to see that goodness as God-given is optional. Recognizing the goodness of life developing in the womb does not mean one should feel obligated to mourn each reproductive ending as the death of an unborn child. However, the fact that even feminists mourn their miscarriages means that promoting the notion of the fetus as a ungrivable nonlife is an untenable philosophical position.

A feminist theological perspective thus offers resources for expanding our understanding of vulnerability and recognition in reproductive ethics. Whether one invokes Augustinian views on the goodness of being, or agnosticism regarding fetal personhood, or epistemological reticence regarding divine providence—these discourses enact a particular type of recognition process, with a particular disciplinary effect for the believer. While one cannot determine the outcome of subjectification processes, I would venture that this theological model would tend toward a moral formation of individuals slow to judge pregnant persons contemplating abortion and attuned to pregnant persons' societal vulnerabilities. I hope this discursive script would also empower women's reproductive self-determination, reduce the stigma of miscarriage and abortion, and enhance the desire of all believers to value, as and when they are able, vulnerable created goodness throughout creation.

Acknowledgments. My thanks go to the two anonymous *Hypatia* reviewers whose gracious and perceptive critical comments helped me to improve my argument.

Notes

- 1 I critically analyze Christian prolife arguments (biblical, theological, and ethical) elsewhere (Kamitsuka 2019).
- 2 Prolife Christian writings only refer to the pregnant person as a woman, which is a product of a binary heterosexist understanding of human beings as created only male and female. I use a number of terms (women, pregnant persons, pregnancy-capable persons) in an effort to speak to a wide constituency. My use of woman or women is not based a binary view of natural sex or gender but is a way of acknowledging the historical oppression of persons categorized as women.
- 3 "Tell the older women to ... teach what is good, so that they may encourage the young women to love their husbands, to love their children, to be self-controlled, chaste, good managers of the household, kind, being submissive to their husbands" (Titus 2:3–5).
- 4 Molla died as a result of refusing cancer treatment during pregnancy in order to maximize her fetus's chance of survival. She was beatified in 1994 and canonized in 2004.
- 5 Butler's reason to dispense with metaphysics is different from Rosalind Hursthouse's. Butler claims that the personhood question is unresolvable. Hursthouse argues that it is too "recondite" to be relevant to the average moral agent (1991, 235).
- 6 There is also a large and growing literature of feminist legal theory in support of reproductive rights and reproductive justice, which I will not discuss in his paper. See McDonagh 1996; West 2009; Dobbins-Harris 2017.
- 7 Greasley gives a detailed rebuttal of Ronald Dworkin's claim that personhood is not the real issue in abortion debates (Greasley 2017, ch. 1).
- 8 One can widen Reader's proposal to include the gestational authority of any pregnancy-capable person; however, the cisgender-related term "maternal" is relevant to the issue of traditional societal expectations for women.
- 9 To my mind, this argument applies only to the gestational period and is not an argument for the permissibility of infanticide, which Reader discusses as an *in extremis* situation (2008, 145–46).
- 10 All biblical citations are from the New Revised Standard Version, unless otherwise noted.
- 11 "Be it unto me" (King James Version).
- 12 See Thomas Aquinas, *Summa Theologiae* III q. 27, a. 6, *respondeo*.
- 13 Translation from Augustine (1972, 494–95).

14 The theocentric basis for intrinsic goodness is not applicable for secular philosophical ethics. However, the ontological goodness of existence is a concept that could have applicability in any thought system that is not dogmatically opposed to metaphysics.

15 This passage is fundamental for the Jewish ethical principle that, if the mother's life is endangered, her safety comes before that of the fetus (Schiff 2002, ch. 1).

16 Augustine 1955, 276.

17 The Vatican admits that "no experimental datum can be in itself sufficient to bring us to the recognition of a spiritual soul" (i.e., personhood) at a particular moment in gestation (Congregation for the Doctrine of the Faith 1987, § I.1).

18 I cannot address here the complicated casuistry of Roman Catholic moral teaching that allows some so-called indirect abortions by using the logic of double effect (Coleman 2013).

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