



Dear Friend,

A few months ago I told you about my conversation with a Georgia Tech student named Garin. I argued that if we deserve equal rights, then there must be something the same about us that demands that we be treated equally. If the thing that is the same is humanness, then abortion is wrong, because the unborn have humanness and hence would deserve the same kind of protection the rest of us deserve. (Click on the April 2013 newsletter link at www.jfaweb.org/Timothy_Brahm to read Part 1 of this series.)

Garin was convinced quickly, because it seemed obvious to him that humanness is the way to explain equal rights, and he agreed the unborn is included. But what if a pro-choice person argued for an alternative explanation for equal rights that *doesn't* include the unborn? The most plausible way for a pro-choice person to do this is to use what my colleagues and I call *threshold arguments*, which argue that the unborn is not a person, or is not a valuable human being, because in order to have value, you must cross a specific threshold.



For instance, a pro-choice person might say you have to cross the threshold of being able to think at all. He can't just say thinking makes you valuable, because that wouldn't explain equal rights. After all, some people think better than others. (Witness the comments under any YouTube video for an illustration.) But if he is careful, and he says you just need to have your first thought or be able to think *at all* in order to be valuable, then you have a way to explain why all born humans have equal rights but why the unborn doesn't (at least early in pregnancy).

This may sound overwhelming, but fret not! As Trent Horn has written, the problem with threshold arguments is that they will always either include too many, such as animals, or exclude too many, such as newborns. A few hours after my conversation with Garin, I had the opportunity to expose this problem with threshold arguments by telling a story that I call *The Zoo Shooting*.

I overheard a student named David insisting to one of our volunteers that the unborn can't be a person because it isn't conscious. I joined the discussion and talked with David for forty minutes about consciousness and the validity of reasoning using moral intuitions. The next day he came back to continue our conversation, and he clarified that what he really had meant was that in order to be a person, you have to be self-aware. I said,

Tim: I agree that the unborn isn't self-aware. David, can we agree that at least all of the born people deserve equal rights, regarding basic things like the right to life?

David: Yes.

Tim: I'm trying to figure out the best way to make sense of that. If all of these different people deserve equal rights, then there must be something the same about us that demands we be treated equally. We need to figure out what that is, because anything that has it should be protected. I think the best way to explain it



is that we're all equally human. It sounds like you believe it's that we're all equally self-aware. While I think one could potentially understand self-awareness in a degree way, it seems like you just mean "having any self-awareness at all." Am I understanding you?

David: Yes, if you're self-aware, then you deserve equal rights, but if you aren't self-aware then you don't.

Tim: Okay, that's helpful. I think both of our views can explain this one piece of data we agree on, that all of the people walking around us deserve equal rights, because we each have something in mind that all of them have equally. I think it's that we are human, while you think it is that we have self-awareness. [But I think there is a second piece of data that my view can explain that your view can't. Suppose that tomorrow you and I decide to go to the zoo to blow off some steam after a long conversation about philosophy. We're standing in front of the gorilla cage when a madman runs into the zoo with a gun and fires off six shots before he is apprehended.]* The first bullet kills the world's unluckiest cockroach. The second bullet goes into the bushes and kills a possum. The third bullet goes into the gorilla cage and kills Koko the gorilla. The fourth bullet kills a human newborn, the fifth a toddler, and the sixth bullet kills a middle-aged woman. My question is, how many acts of homicide should the madman be charged with? I think it should be three, namely the three humans. On your view, I think we still get three, but we get **the wrong three**. Koko the gorilla is included and the newborn is not included. Koko can recognize herself in the mirror and even communicate with sign language, but an infant isn't self-aware until something like six months after birth. If the thing that gives us our equal rights is being self-aware, don't we have to say that someone who kills a gorilla has done something just as wrong as someone who kills a toddler or middle-aged human? And don't we have to say that it isn't murder to kill a newborn?

After struggling with these questions for about twenty minutes, David finally admitted that if the newborn isn't self-aware at six months, then it's okay to kill it. I spent the last thirty minutes of our conversation trying to help him see this view as the ugly thing that it is.

Threshold arguments will always fail because we aren't valuable based on the kinds of things we can do; we're valuable based on the kind of thing we are, a human being made in the image of God.

An Easy Transition to Religion

One of the strengths of this line of argument is its versatility. You don't have to be religious to know that humans are more valuable than animals, so if you don't want to transition to discussing religion, you don't have to. But if you struggle to transition from talking about abortion to talking about your faith, asking *why* humans are more valuable than animals is a great way to do it.

Remember that I said threshold arguments always either include animals or exclude newborns. Notice that this particular threshold of self-awareness had *both* weaknesses. If self-awareness makes us valuable, then it's justified to kill infants and some animals should have equal rights to humans. I have had similar conversations over a dozen times this year, and each time the pro-choice advocate is faced with an insurmountable challenge: He or she must come up with some kind of functional ability that a newborn has but no animal also has.

The Equal Rights Argument begins by establishing that our value cannot be based on something that comes in degrees, then makes a strong case that our value is based on our humanness, which doesn't come in degrees. *The Zoo Shooting* shows that alternative accounts of our equal rights fail, unless one is willing to grant to animals the same rights humans have or deprive newborns of rights.

Here's what I think is happening under the surface of the discussion. Threshold arguments will always fail because we aren't valuable based on the kinds of things we can *do*; we're valuable based on the kind of thing we *are*, a human being made in the image of God. That's why it's obviously more wrong to kill a newborn who can't do much, than it is to kill a dog who can do much more, and why it is wrong to kill an unborn baby.

I'm grateful to be able to work full-time defending the rights of the unborn. Thanks for standing with me.

In Christ,
Tim

*I told David the story of *The Zoo Shooting* when we were discussing "consciousness" on the first day of our two-day conversation, so on the second day when I referenced it I didn't have to repeat this bracketed portion. I have included it here for the sake of clarity.