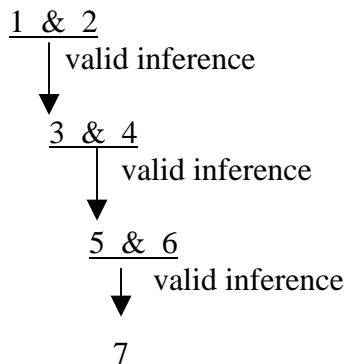


“A defense of Abortion”, Judith Jarvis Thomson

1. Fetus is a person.
  2. Every person has a right to life.
  3. So, a fetus has a right to life.
  4. Whoever has a right to life should never be killed.
  5. So, a fetus should never be killed.
  6. To abort a fetus is to kill it.
  7. No fetus should ever be aborted.
- (1&2)→3, (3&4)→5, (5&6)→7. The three inferences are valid.



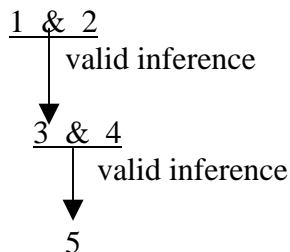
(A) What is the meaning of “having a right to life”?

(i) The right to be given at least the bare minimum one needs for continued life. Are there such rights?

Counterexample (CE): I have just enough food to barely keep my family alive for the next two months, but my neighbor’s family is currently starving, and there is no other food available for them. They do not have a right to my family’s food.

(ii) The right not to be unjustly killed by anyone. Given this clarification, the full argument now becomes:

1. Fetus is a person.
  2. Everyone has a right not to be unjustly killed.
  3. So, a fetus has a right not to be unjustly killed.
  4. To abort a fetus is to unjustly kill it. 5. No fetus should ever be aborted.
- (1&2)→3, (3&4)→5. The two inferences are valid.



*Problem:* premise 4 is *question begging*: it’s just as problematic as the conclusion.

(B) The violinist counterexample by analogy *against the truth of 4*. You have been kidnapped and surgically connected to a famous unconscious (& innocent) violinist who needs your particular kind of blood for about nine months. If you unplug yourself, you kill the violinist. Since all persons have a right not to be unjustly killed, then you ought not to unplug yourself. *Is pulling the plug unjust in this*

*particular case?* Is this example sufficiently similar to what kind of unwanted pregnancy? Are abortions morally permissible for those pregnancies?

What would we need to change in the counterexample in order to make it similar in the relevant respects to unwanted pregnancies? (a) Violinist is her offspring (relationship factor). (b) Violinist is miniaturized and changes in weight and size just like a normal fetus; carried around in back pack, with all the same inconveniences of a pregnancy. So, you are not restricted to a bed for nine months. Under such conditions, is it morally permissible to unplug the violinist? To abort? (when?)

*When does a fetus have a moral right to use a woman's body against her will?* Whenever there is sex without contraceptives. CEs by analogy:

1. Suppose you lock up your car. No one has a right to steal it. Your right to your car is not diminished if someone does steal it. If stolen, you can repossess your car and eject the thief.
2. Suppose a couple has sex, takes reasonable precautions against conception, and yet pregnancy occurs. Does the fetus have a right to the woman's body? Are there any relevant disanalogies?
3. Suppose you lock up your car; someone confuses your car with their own; their car keys work on your car; s/he drives away with it. You have a right to repossess your car and eject the innocent driver – after stopping the car (You may not kill the innocent thief.). Relevant disanalogies?
4. Suppose you forget to lock up you car; someone confuses your car with their own; their car keys work on your car; s/he drives away with it. Same consequences. Relevant disanalogies?
5. Suppose you consciously choose to leave your car keys in your car, knowing that this increases the risk of theft. Still, no one has a right to take possession of your car.
6. Suppose a couple has sex, takes no precaution against conception, and yet pregnancy occurs. Does the fetus have a right to the woman's body? Relevant disanalogies?
7. Suppose you leave the front door of your house unlocked. This still does not give anyone the right to walk in and live there with you for nine months. You may kick the intruder out.
8. Suppose you knowingly go to a place in town where you can have lots of fun, but where there is a risk of being abducted and having one's body plugged to an innocent person who needs your body. S/he would still have no right to your body.
9. Suppose you knowingly go to a place in town where you can have lots of fun, but where there is a risk of being impregnated by special pollen that floats in only that part of town. Does the person resulting from that impregnation have a right to your body?

These are all situations where you knowingly or unknowingly created conditions in which someone could end up using you, but in none of those situations does the intruder have a right to use you, and in none of those situations do you have a right to kill the intruder. So, negligent sex does not give a fetus the right to a woman's body, but these analogies do not show that the fetus may be aborted. *What analogies can further clarify the issue?*

Third party involvement in abortions: **1.** Suppose you find yourself trapped in a very tiny house with a growing child. You are already up against the wall of the house and will soon be crushed to death. The child won't be crushed to death, but will just burst out of the house, at which point you'll be dead. You will live only if the child dies. Is it morally permissible for **(a)** a bystander save your life by killing the child? for **(b)** you to kill the child? **2.** X finds and wears Z's coat, necessary to stay alive from the cold. Z is slowly freezing to death. Would it be impartial for W who could help Z to repossess his/her coat to say, "I cannot choose between you two". *Which scenario is sufficiently similar to the case of an unwanted pregnancy?*

"Why Abortion is Immoral", Don Marquis

**(a)** Killing deprives its victims of more than any other crime: the loss of one's entire future life (activities, projects, experiences, enjoyments). So, killing is morally wrong. It is the value of the lost future that makes killing wrong.

**(b)** Terminally ill and suffering patients do not have any valuable future to lose. So, active euthanasia could be permissible.

**(c)** Since fetuses have an even greater future to lose than children or adults, then it is prima facie wrong to abort (kill) fetuses (not necessarily in all circumstances).

Problems **1.** *Is the principle too strong?* Non-human life forms (e.g., cockroaches, scorpions, germs, cows, fish, chickens, etc.) have futures, so, it's wrong to kill them also. But how valuable (to whom?) are their futures? How do we know that their future lives are less valuable to them than our future lives are to us?

**2.** Since one's future diminishes as one's life advances, killing an 80-year old is not as serious as killing a 20-year old.

**3.** Does contraception contribute to the "loss" of future lives?

**4.** Whether we justifiably (e.g., in self-defense) or unjustifiably kill X, we equally deprive X of a future life. So, depriving X of a future life, though relevant, is *not sufficient* for determining when it is wrong to kill someone.

**5.** This approach does not address a fetus's unconsented use of a woman's body.