

Reading Guide #8: Abortion

These reading guides are provided to assist you in your reading. I encourage you to read the material through, first, then go back to answer the questions. You are not expected to hand in written answers. You are expected to have responses ready for class discussion. Only the boldfaced questions will appear on exams. Page numbers refer to Arthur, *Morality and Moral Controversies*, 6th ed.

'The Constitutional Right to Abortion: Roe v. Wade', pp 190-195

- 1. What three reasons does the court provide to explain the historical enactment of anti-abortion laws? Describe the two reasons in which the Court claims that the State maintains an interest.**
 2. On what aspect of the Constitution does the court base a woman's right to an abortion? Is this an absolute right?
 3. Why isn't the right to life of the fetus protected by the fourteenth amendment?
 4. What are four views of when life begins? Who supports each? Which definition is the basis for most criminal law?
 - 5. Specifically, why does the court permit abortions up to, approximately, the end of the first trimester?**
 - 6. What role does viability play in the State's ability to proscribe abortion? Why?**
 7. How does the dissenting opinion describe the majority opinion? What are the objections voiced there?
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Judith Jarvis Thomson, 'A Defense of Abortion', pp 195-204

- 1. Specifically, which premise will Thomson allow for the sake of her argument?**
- 2. Explain the argument against abortion, granting the above premise. Does it sound plausible? Does her violinist example make it sound less plausible?**
- 3. What is the "extreme view"? Explain Thomson's argument against this view. How does the analogy of the growing child in a tiny house apply?**
4. Explain how the example of Smith and Jones and the coat relates to Thomson's discussion of abortion.
- 5. What problem arises for the view that a right to life includes a right to at least the bare minimum one needs to survive?**
6. For what reasons does Thomson argue that recognizing a right to life isn't sufficient to prohibit abortion?
- 7. How does Thomson describe the right to life, after she emends it? How does this change the anti-abortion argument?**
8. "Opponents of abortion have been so concerned to make out the independence of the fetus, in order to establish that it has a right to life, just as its mother does, that they have tended to overlook the possible support they might gain from making out that the fetus is *dependent* on the mother..." (201) Explain. How would this kind of support rule out prohibiting abortion in cases of rape?
9. Describe the analogy of the person-plant. What does it show?
- 10. If pregnancy only lasted an hour, how would the argument about rights change, according to Thomson?**
- 11. What's the difference between a Good Samaritan and a Minimally Decent Samaritan? Why does Thomson make this distinction?**
12. What is "that special kind of responsibility"? What role does it play in Thomson's argument?

Mary Anne Warren, 'On the Moral and Legal Status of Abortion', pp 204-211

1. How, specifically, will Warren argue for abortion rights?
 2. **What are the two typical pro-abortion arguments? How do they fail, according to Warren?**
 3. **What does Warren mean by 'moral community'? Why does she seek to define it?**
 4. **What are two senses of 'human being' that Warren introduces? What's the difference between a person and a human, in her terminology?**
 5. **What are Warren's five criteria for personhood?**
 6. **What kinds of human beings are not people? What sorts of non-humans might be persons?**
 7. What two questions does Warren think need to be answered in determining whether a fetus is a person?
 8. Why isn't the fetus relevantly person-like, according to Warren?
 9. **What does the example of the speck of dust show?**
 10. **Why doesn't the fetus' potential personhood provide a basis for an argument against abortion, according to Warren?**
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Dan Marquis, 'An Argument That Abortion Is Wrong', pp 218-227

1. **What does Marquis grant that Thomson's argument establishes? How does he argue that her argument doesn't establish a general right to abortion?**
2. **Why do opponents of abortion favor a broad criterion for the right to life? Why do those who believe that abortion is morally permissible look toward a narrow criterion?**
3. **What problems arise for the broad criterion?**
4. **What problems arise for the narrow criterion?**
5. Why does Marquis approach the question of why killing is wrong?
6. Why is killing wrong? Be specific.
7. **What is the FLO theory?**
8. **Describe the Considered Judgment Argument for the FLO theory.**
9. **Describe the Worst of Crimes Argument for the FLO theory.**
10. **Describe the Appeal to Cases Argument for the FLO theory.**
11. "[I]t is not the mere *desire* to enjoy a FLO which is crucial to our understanding of the wrongness of killing. *Having* a FLO is what is crucial to the account..." (223) Explain.
12. **How does the FLO theory deal with the personhood of non-human aliens?**
13. Describe the Analogy with Animals Argument for the FLO theory.
14. What is the Potentiality Objection? How does Marquis respond?
15. **What is the Argument from Interests Objection? Why does Marquis claim that it fails?**
16. **Describe the Contraception Objection, including the counter-reply. How does Marquis conclude that contraception is not wrong, consistent with the FLO theory?**
17. **"Therefore, the FLO account shows that abortion, except in rare instances, is seriously wrong." (227) Explain.**