

Philosophy 104, Ethics, Queens College, Spring 2005
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Lecture Notes, April 6

Continuing our discussion of abortion, and Thomson's violinist example...

I. Abortion Prohibition

It is possible to hold that abortion is impermissible, if you accept that disconnection from the violinist is also impermissible.

Thomson calls this the 'extreme view'.

The extreme view maintains that the right to life is stronger than the right to choose what happens in and to your body.

(Remember that this article was written before *Roe v Wade*, when abortions were illegal.)

The extreme view may conflict with our intuitions about what to do in cases in which the mother will die if she carries to term.

We generally let people kill in self defense.

In this case, there are competing rights to life, not a balance of a right to life with a right to choose what happens to your body.

To maintain the extreme view, you could rely on the doctrine of acts and omissions: it is better to let die than to kill.

This option is not open to a consequentialist.

The extreme view seems implausible.

II. The 'weak extreme view'

We can modify the extreme view, to account for competing rights to life.

On the new view, abortion is permissible only given equal, competing rights to life.

That is, if the mother's life is at stake, an abortion is allowable.

Call this the 'weak extreme view'.

Even on the weak extreme view, you have to stay connected to the violinist, unless doing so would kill you.

This too is implausible.

It seems that we do have the right to disconnect ourselves.

III. The difference between the fetus and the violinist

Let's proceed on the assumption that you are morally permitted to disconnect from the violinist.

Either:

1) The classic argument is defective; or

2) The difference between the violinist case and the abortion case is relevant.

If 2), the difference can not be that the fetus is voluntarily assumed.

If you have a right to life, it should not matter how you were created, e.g. by voluntary pregnancy or rape.

You might want to say that the difference is that you were kidnaped in the violinist story, but the mother can become pregnant voluntarily.

This would mean that if a pregnancy was involuntary, then one would be allowed to have an abortion.

This would entail that the difference in whether the right to life outweighs the right to choose depends on how the fetus was created.

Different people would have different rights, depending on their origins.

This would be a dangerous distinction to make.

This is really indefensible, inconsistent with what we think about human rights.

It would create different classes of people depending on their parents.

IV. An aside on abortion politics

Often, politicians, and others, oppose abortion, except in cases of rape and incest.

We can see here that this is an intellectually irresponsible position.

If the fetus is a person, and the right to life is stronger than the right to choose what happens to one's body, then abortion is immoral, no matter who the parents of the fetus are.

If abortion is permissible in the case of rape or incest, then it must mean either that the fetus is not a person, or the right to life does not outweigh the woman's right to choose.

This position may be politically expedient, but it is not philosophically defensible.

V. The right to life

If there is no other support for 2), both the original argument and the version with the violinist must be defective.

Thomson argues that the problem in the argument is that the right to life does not outweigh the right to choose.

So, what is a right to life?

It is not a right to bare minimum we need to survive.

Consider Thomson's Henry Fonda example.

Also, consider the debates over welfare in our country.

We might provide a basic right to food and shelter.

But we don't even do that, let alone ensure survival.