

Judith thomson essay



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In this paper, Thomson argues on the basis of the violinist thought experiment that “ the right to life consists not in the right not to be killed, but rather in the right not to be killed unjustly”. Therefore, to show that abortion is morally impermissible, “ it is by no means enough to show that the fetus is a person and to remind us that all persons have a right to life—we need to be shown also that killing the fetus violates its right to life, i. e. , that abortion is unjust killing. And is it? ” Thomson’s article defends abortion rights and functions primarily as an argument by analogy in regards to the idea of mother/fetus consanguinity. Judith Jarvis Thomson provided one of the most striking and effective thought experiments in the moral realm.

Her example is aimed at a popular anti-abortion argument that goes something like this: The fetus is an innocent person with a right to life. Abortion results in the death of a fetus. Therefore, [even in the case of abortion resulting from rape] abortion is morally wrong. In her thought experiment we are asked to imagine a famous violinist falling into a coma.

The society of music lovers determines from medical records that you and you alone can save the violinist’s life by being hooked up to him for nine months. The music lovers break into your home while you are asleep and hook the unconscious (and unknowing, hence innocent) violinist to you. You may want to unhook him, but you are then faced with this argument put forward by the music lovers: The violinist is an innocent person with a right to life. Unhooking him will result in his death.

Therefore, unhooking him is morally wrong. However, the argument does not seem convincing in this case. You would be very generous to remain attached and in bed for nine months, but you are not morally obliged to do so. The parallel with the abortion case [in the case of rape] is evident.

The thought experiment is effective in distinguishing [three] concepts that had previously been run together: “ right to life, [...] “ right to what is needed to sustain life,” [and “ actions establishing responsibility to provide what is needed to sustain life”]. The fetus and the violinist may each have the [first], but it is not evident that either has the [second], [while it is clear that the neither the “ you” of the thought experiment nor the woman pregnant s a result of rape has taken the third]. The upshot is that even if the fetus has a right to life (which Thomson does not believe but allows for the sake of the argument), it may still be morally permissible to abort [if the pregnancy is a result of rape].

[1] In her introduction to her “ Famous Violinist Problem”, Thomson notes that much of the inadequate debate on abortion was getting lost within the issue of whether the fetus is a person or a mass of tissue. Having identified this question, Thomson attempted to circumvent this issue by “[immediately granting] that the fetus is a person from the moment of conception”; which then allowed her to address what she felt was the only issue involved: that of whether the mother, or the fetus, had the “ stronger and more stringent... right to life”. [2] In the opinion of some critics, Thomson failed to note a key difference between the thought experiment and the realities to which she applied it. In the case of the violinist, you are not involved in the decision-making process that caused you to become attached. However, certain other

critics offer that the same woman who is considering the abortion of her fetus is supposed to have been intentionally involved in an activity with a high degree of probability of becoming pregnant (“attached”) (namely engaging in the sex act that produced the fetus).

From this, some have argued that Thomson’s thought experiment only closely analogizes abortion in the case of rape and suggest that the issue is purely a question of how the arguments apply in instances where the mother is raped, and they then examine whether or not it is morally justifiable to abort the fetus in such case. However, this presumes that outside of rape, women are privy to full autonomy regarding such decision-making processes towards pregnancy, which is by no means guaranteed under numerous and varied cultural, religious, and political decrees globally. Others have noted that Thomson’s thought experiment overlooks both the legal obligation (should she choose not to offer the child for adoption) of a mother to provide for a child she brings to term until the age of majority, and the lifelong moral obligation to insure that the child she gives birth to will grow up to be a happy and productive person. In addition, the scenario discounts the possibly catastrophic financial and social prices an unplanned pregnancy can burden unprepared parents with, as compared with a famous violinist who will have no negative impact upon either the individual or society as a whole if allowed to live. Judith Jarvis Thomson on the Morality of Abortion Main Issue: If we grant that a fetus has a right to life, does that make voluntary abortion immoral? Thomson’s strategy is to get us to think about cases that do not involve abortion, in order to force us to articulate our basic moral assumptions.

Some of these cases are pretty silly, but that is because she wants us to think about the moral issues without obscuring the issues with the emotional dimensions of the abortion issue. Only after we make a moral decision about a non-abortion case does she examine the implications for abortion. Analogy 1 (Pregnancy due to rape) Kidnapped, you wake up and find that you are connected to a famous violinist, who needs your kidneys for the next 9 months. Although the violinist is an innocent person with a right to life, separating yourself would kill the violinist. Yet it would be moral to “unplug” yourself, even if it means the death of the violinist.

If you didn't consent to supporting the violinist for 9 months, you don't have an obligation to do so. Moral conclusion: the violinist's right to life does not give the violinist a right to your body. Similarly, pregnancy due to rape is an unjust relationship, and a woman does not have an obligation to carry the fetus to term, and the fetus' right to life is not enough to require continuation of the pregnancy. Analogy 2 (carrying fetus to term will kill the mother) Same as #1, but the strain on your kidneys will kill you within a month.

Your own right to life gives you the moral right to unplug yourself if your life is threatened. Similarly, if both the woman and the fetus have a right to life, then the woman's right to life gives her the right to end a pregnancy that threatens her own life. Analogy 3 (Ectopic pregnancy) You are trapped in a tiny, tiny house with a rapidly expanding child, whose growth will crush you. The child is “innocent” with respect to the threat on your life. Yet, should you choose to defend your right to life, it is morally permissible to kill this

child to save your own life. Moral conclusion: directly killing an innocent person is sometimes moral.

Similarly, directly killing a fetus can sometimes be justified. The extreme view, which would forbid all abortion, is mistaken. Analogy 4 (the issue of third party impartiality) Jones has put on a coat, but will freeze to death if it is taken away. However, Smith will freeze to death if the coat is not given to Smith. Jones stole the coat from Smith. Obviously, if it's Smith's coat, others have a right to intervene to get it back to Smith.

The fact that Jones will now freeze to death is not a reason to deny aid to Smith. Similarly, when a woman can morally have an abortion, others are moral in providing abortion services. It is wrong to criminalize all “third party” support for abortion. Analogy 5a and 5b (What does a right to life entail? Thomson suggests that this is the most important question in the abortion debate.) Sick and about to die, the cool touch of Fonda's hand will heal you. (a) Fonda is not in this part of the country.

(b) Fonda is out in the hall. In case 5a, Fonda does nothing wrong in refusing to travel here to heal you. But in case 5b, Fonda would be horribly unjust not to heal you. What does this difference demonstrate about the right to life?

Three versions of a right to life: Generous: Your right to life gives you a right to “the bare minimum” you need to continuing living.

Less generous: Your right to life gives you a right not to be killed by anyone.

Least generous: Your right to life gives you a right not to be killed unjustly.

The mere physical distance between you and Fonda cannot generate a right to have Fonda help you. So we should interpret the right to life in the

strictest way, and we should look for some other reason (other than a right to life) to explain why Fonda would be unjust to refuse to help you in case 5b. Analogy 6a and 6b (That one ought to do something doesn't establish a right to it) A box is full of chocolates, and one brother refuses to give any to another brother.

(a) They were jointly given the box as a gift. (b) Only the brother who has the box was given them. If one brother refuses to share in case 6a, the action is unjust because the other brother has a right to half. But in case 6b, even if the refusal to share is indecent, and shows that the brother is a self-centered and horrible person, it is not unjust, because no right has been violated. The brother ought to share because sharing when we can is morally good, not because others have a right to what we have. Moral conclusion: People ought to be Minimally Decent Samaritans, but the rights of one person don't generate a requirement of a higher standard of obligatory personal sacrifice.

If you are attached to the violist because you were kidnapped, but you only need to remain there for one hour, Minimally Decent Samaritanism requires you to remain for the hour. Similarly, in abortion cases, if a woman has no rights that she can point to in order to justify the abortion (no threat to her life and health, for instance), and the pregnancy has already progressed, then Minimally Decent Samaritanism requires continuing the pregnancy.

Analogy 7a, 7b, 7c (The limits of personal responsibility) You open a window because it is a hot night. (a) A burglar climbs in the window. Everyone says, "It's your fault."

” (b) The burglar broke in despite the bars you installed on your windows. (c) People-seeds drift in, despite the expensive mesh screens you have installed to prevent their entry. Proposed principle: An unborn person has a right to the mother’s body (beyond the general right to life) ONLY IF the pregnancy resulted from her voluntary act. A voluntary act is an informed act. The woman must have consented to the act that resulted in pregnancy, and must have done so in full knowledge of the chance of pregnancy.

Are you responsible for being robbed in 7A? Doesn’t 7b protect you from the charge that you “ consented” to the robbery? And doesn’t 7c also protect you from responsibility for the life of the person-plant? Similarly, with pregnancy, there are reasonable standards for deciding which actions taken to avoid