# Arguments from Analogy: The Case of the Dying Violinist

When people think of “arguments” outside of logic, they often think of debates of controversial moral or political issues, such as the debate between “pro-life” and “pro-choice” positions on abortion. In this lesson and the next one, we’ll be using the abortion debate to examine some general principles of moral and legal argumentation. Our goal here is NOT to provide definitive answers to questions like “Should abortion be legal?” or even “Under which circumstances, if any, is abortion morally acceptable?” Instead, our goal is to identify some common *problems* with the arguments we tend to make regarding these sorts of highly emotional issues, and start to think about we might avoid them. This will hopefully allow us to become better at engaging with those who disagree this.

A few main points we’ll be covering:

1. Arguments about morals/law can be both deductive and inductive. Many people use a combination of deductive and inductive arguments to defend their positions.
2. It’s important not to confuse your *feeling* that a certain principle/idea must be true with having *evidence* that it is true.
3. In many cases, we really can make progress of moral issues by paying careful attention to how we reason/argue. However, logic can’t solve all of our problems. In some cases, there really do seem to be “deep” ethical disagreements.

Let’s get started!

## Two Methods of Thinking About Morality and the Law

While there are a number of different ways of arguing about ethical and legal issues (what philosophers sometimes call **normative** matters, since they concern norms about what we ought to do), we’ll be focusing on two main techniques. These techniques are among the most important and commonly used.

### Method 1: Argue from First Principles

The first method is to take general moral “rules” or “principles,” and to offer an argument showing how they can be applied to the case that you are interested. These are generally (though not always) deductive arguments. If you disagree with the conclusion, you must either show that the argument is invalid, or that a premise is false.

1. Premise (Factual Claim): Action A is of type T.
2. Premise (Rule, Principle, or Law): All actions of type T are moral/immoral. (Or, this type of action is legal/illegal.)
3. Conclusion: So, action A is moral/immoral.

So, for example:

1. Premise: Jones had no good reason to kick his dog Dina. This action caused pain to Dina, who is clearly a sentient being (who can feel pleasure or pain).
2. Premise: It is morally wrong to cause pain to sentient beings for no good reason.
3. Conclusion: It was morally wrong of Jones to kick Dina.

Assuming the argument is valid (a big if!), the success of these sorts of arguments depends on whether the premises are true or false:

1. **Are the facts of the particular case described accurately and objectively?** In any ethical arguments, it’s always worth making sure that all of the facts are accurate *before* starting to get into a big debate about principles. So, for example, in the abortion debate, you’ll want to make sure that any claims about things like the ability of the fetus to feel pain, etc. are backed up by scientific consensus. Remember to avoid *appeals to inappropriate authority.*
2. **Is the rule, principle, or law being appealed to one that is acceptable to your audience?** In order for an argument like this to actually work, you’ll need to start with rule, principle, or law that your opponent actually accepts. So, for example, in the abortion debate, you can’t *start* with a principle like “All fetuses have a right to life” or “No fetuses have a right to life.” By contrast, a principle like “Normal adult humans have a right to life” is a safer starting point.
3. **Is the rule, principle, or law applied to the case in an acceptable way?** Even if the principle you’ve used is an acceptable one, the application to a particular case might still be challenged. So, for example, in the United States, Supreme Court Judges all accept general principles like the right to free speech and the right to bear arms. However, they don’t always agree on which particular actions these principles apply to, or how they apply. Here, you’ll want to be on the lookout for the *fallacy of accident,*

Even if you don’t spend your time arguing about morality or the law, this sort of reasoning can play an important role in day-to-day life. In particular, whenever you get put in charge of making/enforcing rules (for employees, children, students, etc.), it’s important to make sure that the rules are clear, that they are applied in consistent ways, etc. (In real life, this is often complicated by the fact that *multiple principles* may apply to a given case, and each principle might suggest a somewhat different conclusion).

### Method 2: Argue from Analogy with Other Cases

An argument from analogy is an inductive argument that depends on a claim of similarity. If you disagree with the conclusion, you must show the argument is weak, that the premises are false, OR that some evidence has been “left out.” It has the following form:

* Premise 1: Object P1 has properties A and B, and also has property C.
* Premise 2 [optional]: Object P2 (and P3, P4,…) has properties A and B, and also has property C.
* Premise 3: Object X has properties A and B.
* Conclusion: Object X has probably has property C.

Objects P1, P2, P3, P4, etc. are the **primary analogues.** Properties A, B, and C are the **similarities.** An example:

* Premise 1: Adult men are generally reasonable, and benefit from political participation. They deserve the right to vote.
* Premise 2: Adult women are generally reasonable, and benefit from political participation.
* Conclusion: Adult women deserve the right to vote.

Arguments from analogy (unlike arguments from first principles) are always inductive. These means that they come on a spectrum: from “very weak” to “very strong”, and everything in between. Moreover, their strength can change as we gather more and more evidence. The strength of an argument from analogy depends on a few things:

1. **In how many ways are the primary analogues *relevantly* similar to your case? In how many ways are they *relevantly* dissimilar?** In general, an argument from analogy gains strength from having relevant similarities between the primary analogue and the conclusion case, and loses strength from relevant dissimilarities. So, for example, in the context of political participation, adult women are highly similar to adult men (in cognitive ability, interests in voting, etc.). By contrast, the dissimilarities between adult women and adult men don’t seem terribly convincing.
   1. If the analogues are *very, very* similar, we may only need one premise. So, for example, when testing new products (cars, computers, etc.), magazines like *Consumer Reports* may need to rest the tests only model, (and conclude that the test results can tell us something about *all* models.
2. **How many primary analogues do you have, and how different are they *from each other?*** In general, we want primary analogues that are themselves quite diverse, just to make sure we’ve covered all of our bases. While the sample argument above only mentions one primary analogue (adult men), we could break this premise down further to make the diversity more obvious: by the time the U.S. and U.K. considered giving women the vote, nearly ALL men could vote. This included men without education, employment, wealth, etc. This strengthened the argument for providing women the vote.

As is the case with the method of arguing from first principles, it’s tough to overstate just how frequently we use arguments from analogy in everyday life. So, for example, we argue by analogy every time we say (or think) something like “This outcome isn’t fair! Why I am being treated different from Sam, whose behavior was just like mine?” or “I want to learn how to be a better player. So, I should watch a really good player X, and try to imitate her/him…”

## Application to the Abortion Debate: A Pro-Life Argument

Let’s begin by considering a common pro-life argument:

* Premise 1: All innocent persons are beings with a right to life.
* Premise 2: No beings with a right to life are beings it is OK to kill. (RULE)
* Premise 3: All fetuses are innocent persons.
* Conclusion: So, no fetuses are beings that it is OK to kill. (That is, abortion is immoral)

A close examination will show that this argument from first principles is both *deductive* and *valid.* So, if you disagree with the conclusion, you *must* show that at least one premise is false. Most writers have focused on arguing for/against premise 3, with pro-life writers arguing that fetuses are relevantly “like” adult humans and pro-choice authors arguing that they are more “like” a body part or non-human animal. However, the philosopher **Judith Thomson** offers a different response which we’ll be examining.

## Thomson’s Violinist Analogy

Thomson begins with a thought experiment:

You wake up in the morning and find yourself back to back in bed with an unconscious violinist. A famous unconscious violinist. He has been found to have a fatal kidney ailment, and the Society of Music Lovers has canvassed all the available medical records and found that you alone have the right blood type to help. They have therefore kidnapped you, and last night the violinist's circulatory system was plugged into yours, so that your kidneys can be used to extract poisons from his blood as well as your own. The director of the hospital now tells you, "Look, we're sorry the Society of Music Lovers did this to you-we would never have permitted it if we had known. But still, they did it, and the violinist now is plugged into you. To unplug you would be to kill him. But never mind, it's only for nine months. By then he will have recovered from his ailment, and can safely be unplugged from you." **Is it morally incumbent on you to accede to this situation?**

**Conclusion 1: Abortion is sometimes OK.** Thomson has several goals with this argument. One thing she wants to show is that abortion is OK *when pregnancies are caused by rape:*

* Premise 1: The violinist is an innocent person with a right to life, but you did not consent to let him use your body. There are significant costs to staying hooked up to him. **It is morally OK to disconnect.** [PRIMARY ANALOGUE]
* Premise 2: If you were raped, the fetus is an innocent person with a right to life, but you did not consent to the pregnancy. There are significant costs to being pregnant.
* Conclusion: It is morally OK to have an abortion in the case of rape.

**Conclusion 2:** Along with directly arguing for the permissibility of abortion in the case of rape, Thomson *also* wants to show that there is something wrong with the common pro-life argument: that is, she thinks that the *reasons* they give for thinking abortion is immoral actually are not actually very good ones.

* Premise 1: The violinist is an innocent person with a right to life.
* Premise 2: It is morally OK to kill the violinist.
* Conclusion: **Some beings with a right to life are beings it is OK to kill.**

**The Take-Away:** If this argument works, it means that the pro-life argument discussed earlier is not sound (that is, it is valid but has a false premise). It does NOT show that abortion is morally OK (except in the special case of rape mentioned earlier). It puts us back at “square one”—we have no good argument for (or against) the morality of abortion in the general case.

**How might this argument be criticized?** First, we can ask whether Thomson’s premises true. For example, do you agree that it’s OK to disconnect from the violinist? Second, we can ask whether Thomson left out any *morally relevant* disanalogies between the violinist and the fetus. (Remember that not all differences are relevant ones).

## People Seeds: The General Case

At the end of her article, Thomson tries to expand her argument to cover abortion more generally. She uses the thought experiment of the “people seeds” to make her case. Here is the basic idea:

* A “people seed” is a thing that floats around in the air. When it lands in a human house with furniture, it sprouts, and immediately becomes a full-fledged adult human being.
* The person resulting from a people-seed can’t leave your house for nine months, though, and will need you to take care of him/her. You’ll feel nauseous, can’t drink, etc. It’s just as if you are pregnant.
* Thomson’s question: Under what sorts of condition would it be appropriate to kill the person resulting from a people seed? She uses this to explore the morality of abortion in non-rape cases. **Thomson thinks that careful consideration of this analogy will show that abortion is morally OK in at least some non-rape cases.**

Many authors who have *agreed* with Thomson’s violinist case have *disagreed* with this argument. This includes some pro-choice writers, who think that abortion is morally *only* because the fetus is not a “person.” (So, they agree at least in part with Thomson’s conclusion, but disagree about her reasoning process by which she gets there.).

## Review Questions

1. Name at least three DIFFERENCES between a fetus and Thomson’s violinist. Do you think these differences morally relevant? Why or why not? How do they affect the strength of her argument from analogy?
2. Consider the following variants of the people-seed case. (a) What sorts of pregnancies are these analogous to? (b) Do you think it is OK to kill the people-seed person in this case? Why or why not?
3. You live in a house with no windows, out of fear of people seeds. However, the league for people-seeding smashes opens your door, and throws a people-seed in which attaches to your couch. You come home to find an (innocent) person attached to your couch, who will die without your constant attention for nine months.
4. You have windows, but they are guarded with top of the line screens to keep out people seeds. Due to no fault of your own, the screen has a flaw and a people-seed slips in. You come home to find an innocent person...
5. You have windows with screens as described above. However, you occasionally forget to put up the screens properly. During one of these occasions, a people seed slips by. You come home to find an innocent person...
6. You have windows with no screens whatsoever. The rest is as described above.