

## The Ethics of Abortion through the eyes of Marquis and Thomson

Official CDC data from 2019 reports that 754 women were identified to have died due to maternal causes in the United States (Hoyert). In 2020, this figure increased to 861, transforming a rate of 20.1 deaths per 100,000 live births to 23.8 in just a single year (Hoyert). As popular films and media continue to romanticize pregnancy, it can be very easy to forget that a woman's life is constantly threatened when enduring this 9 month period. To Judith Jarvis Thomson, an American philosopher and feminist writer, this failure to recognize the woman's perspective during a pregnancy is an inherent flaw in the pro-life movement. A key figure of this movement is American journalist Don Marquis whose essay, *Why Abortion is Immoral* (1989), continues to be widely praised today by pro-life followers as the most convincing argument against abortion. In this paper, I closely examine the arguments made in both essays and conclude why I believe Thompson's argument to be more appealing than Marquis'.

In his essay, Don Marquis argues that abortion is, "except possibly in rare cases, seriously immoral, [and] in the same moral category as killing an innocent adult human being" (Marquis 183). He arrives at this conclusion by first examining a typical pro-life argument and a typical pro-choice argument and establishes that, while both attempts seem to maintain a level of truth, they fail in remedying their deficiencies, "we find symmetries in the two positions and arrive at a standoff" (Marquis 186). He proposes we take a step back from arguing whether life is present at conception, or whether fetuses can be considered rational beings, and instead ask ourselves why the act of killing is immoral (Marquis, pp. 189).

For Marquis, killing is immoral because it leads to a deprivation of what he calls a "future-like-ours"; by killing someone, you are depriving the victim of all the experiences,

activities, projects, and enjoyments that would have constituted to one's future, similar to your own (Marquis, pp. 189). By establishing this, Marquis concludes that this condition provides enough reason to think that abortion is *prima facie* wrong as aborting a fetus is the same as killing it, "the correct ethic of the wrongness of killing can be extended to fetal life and used to show that there is a strong presumption that any abortion is morally impermissible" (Marquis, pp. 201).

This is a stark difference to Thomson's argument in her essay, *A Defense of Abortion*. In it, she argues that even if it is assumed that a fetus is a person from the moment of conception, nothing is proved on the permissibility of abortion (Thomson, pp. 47). Rather, one must have to show that the fetus' right to live outweighs the mother's right to live and her right to autonomy over her own body. To illustrate this claim, Thomson presents us with a thought experiment in which an individual is abducted and put to sleep. While unconscious, this individual is connected to a renowned violinist who requires a blood transfusion. The scenario assumes that this abducted individual possesses the singular compatible blood type necessary to sustain the violinist's life. When he awakens, he has to make a decision — either he disconnects himself from the transfusion apparatus, or he remains connected. The former would result in the violinist's death while the latter would, while constituting an act of considerable kindness, impose a substantial physical and mental burden on the individual that would severely deprive him of most day-to-day activities in the future. Through this thought experiment, Thomson formulates that there should be no exceptions; that whether this individual were kidnapped or voluntarily strapped to the violinist, he is not morally incumbent to remain strapped for however long it takes (Thomson, pp. 49). Despite the fact that the violinist has a right to live, the individual has no moral obligation to remain strapped to the violinist to save his life. This

analogy can be extended to a pregnancy — the fetus has a right to live but the mother has no moral obligation to carry her child. Hence, according to Thompson, we cannot classify abortion as unjust killing.

Even after formulating her thought experiment, Thompson is not finished. She takes the time to make a special consideration on cases in which pregnancy can have fatal consequences on the mother. She asks whether we must insist that the mother passively wait for death. Thomson asserts that typical pro-life arguments routinely ignore the woman's perspective and instead debate whether a third party should be permitted to perform abortions, "the main focus of attention in writings on abortion has been on what a third party may or may not do in answer to a request from a woman for an abortion" (Thomson, pp. 52). She believes that while a third party is well within their right to object, they cannot prevent a woman from deciding on what she can and cannot do with her body. She explains this idea by proposing another thought experiment that now imagines another individual trapped in a house with a rapidly expanding child. If nothing is done, the child will crush this unfortunate victim to death and burst out the house a free person (Thomson, pp. 53). A third party outside the house can choose between saving this victim or letting the child crush her, but it does not mean that this victim cannot act in self defense and attack the child to save her life. In such a case, to prevent this victim from acting in self defense is to ask that she passively wait for her death in her own home. Hence, preventing a woman from performing an abortion is asking her to do the same.

Marquis and Thompson stand at opposite sides of the podium, and just as how their beliefs differ from one another, how they arrive at their conclusions differs as well. I find Thomson's argument to be more appealing because she makes a clear distinction between a right to remove a fetus than a right to kill it, and thus is at a better position to prove that abortion is

permissible if the pregnancy were fatal or if a woman does not grant the fetus the use of her body. Because the woman's autonomy is not in Marquis' framework, his argument essentially suggests that a fetus' life is of higher value than the mother's. Thomson disagrees and states that even if we consider both the fetus' and the mother's right to life to be equal, we add to the mother's rights her right to autonomy over her own body. This addition would outweigh her rights over the fetus'.

Moreover, Thomson also highlights the fact that pro-life arguments, such as the one presented by Marquis, do not consider the rare cases such as rape. Marquis admits that his account does not provide the necessary condition on the account of wrongful killing, but rather a sufficient condition that need not be met by all instances of wrongful killing. I see this is a critical flaw in his argument. Thomson, on the other hand, attempts to make a necessary condition that meets all of the cases of abortion, "surely the question of whether you have a right to life at all, or how much of it you have, shouldn't turn on the question of whether or not you are a product of a rape" (Thomson, pp. 49).

Thomson's deliberate centering of women's perspectives within this debate renders her argument particularly compelling. An extremist pro-life argument contends that nothing can be done to end a fetus' life—it is wrong and morally impermissible to terminate a pregnancy under most circumstances. Thomson's comparative analysis of maternal and fetal rights challenges this framework by illuminating a fundamental inequality in the treatment of women. Her argument demonstrates that denying a woman an abortion against her will effectively compels her to assume the role of a Good Samaritan; she is forced to sacrifice her own well-being to preserve the life of the fetus. The inconsistency lies in the fact that there exists no legal precedent in the United States that requires citizens to be minimally decent to each other. For instance, while

witnesses to a crime are strongly encouraged to contact 911, they have no legal obligation to do so. It contends that criminalizing abortion uniquely imposes upon women a legal duty of minimal decency that is otherwise unprecedented in American law, illustrating a significant inequality in the legal treatment of women.

### Works Cited

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