

Handout: Judith Jarvis Thomson – “A Defense of Abortion”

The Philosophical Problem

The problem: Most arguments against abortion rest on the assumption that *the fetus is a person from the moment of conception*, and that this fact alone renders abortion morally impermissible.

- Thomson finds this leap *logically unsubstantiated*.
 - The inference often goes:
 1. The fetus is a person.
 2. Every person has a right to life.
 3. Therefore, abortion is morally impermissible.

She challenges this argument not by *denying* the personhood of the fetus, but by *granting it for the sake of argument*—and still *rejecting the conclusion* that abortion is always impermissible.

The Aim and Solution

Thomson’s aim: Even *if* the fetus is a person with a right to life, it does *not follow* that abortion is morally impermissible.

Her central thesis: **A right to life does *not* entail a right to use another person’s body to stay alive.**

Thus, even if the fetus has a right to life, abortion is not necessarily unjust killing.

Thought Experiments and Argument Structure

Thomson's argument proceeds via a series of thought experiments. These function as *philosophical analogies* to show that the fetus's right to life does not guarantee the right to use the mother's body.

1. The Famous Violinist (pp. 48–49)

Scenario: You wake up connected to a famous unconscious violinist. You're told your kidneys are keeping him alive, and disconnecting would kill him. He needs to remain attached for 9 months.

- *Analogy:* Pregnancy resulting from **non-consensual sex**.
- *Moral intuition:* You are not obligated to stay connected—even if disconnecting results in death. Therefore:

→ **The fetus's right to life does not entail the right to use the mother's body.**

2. The Expanding Child (p. 52)

Scenario: You're trapped in a tiny house with a rapidly growing child who will crush you to death unless killed.

- *Analogy:* Pregnancy threatening the mother's life.
- *Point:* Self-defense justifies abortion in such a case—even if it kills an innocent person.

→ **Direct killing may be justified if it's self-defense.**

3. The Coat Analogy (p. 53)

Scenario: A third party sees two people freezing. One owns the only coat; the other has taken it. The third party may return it to its rightful owner.

- *Analogy*: Third parties performing abortions.
- *Point*: Refusing to assist (i.e., doctors declining to abort) fails to recognize the woman's ownership over her own body.

→ **Abortion may be permissible as restoring rightful control over one's body.**

4. People-Seeds (p. 59)

Scenario: Imagine people-seeds drift in through windows. You install fine mesh screens, but one is defective, and a seed takes root in your house.

- *Analogy*: Pregnancy despite precautions (e.g., contraception).
- *Point*: Taking precautions does not entail granting the fetus a right to the body.

→ **Voluntary intercourse does not automatically grant the fetus a right to use the woman's body.**

Justice vs. Decency (pp. 60–61)

Thomson distinguishes:

- **Unjust killing**: Violating someone's *rights*.
- **Indecent behavior**: Morally objectionable, but not a rights violation.

E.g., refusing to donate an hour of your time to save the violinist may be indecent, but not unjust.

→ **Not all morally questionable actions are rights violations. Abortion may be indecent in some cases but not unjust.**

Clarification of the Right to Life (pp. 55–56)

- A right to life ≠ a right to be given what you need to live.

- It is a **right not to be killed unjustly**.
- Therefore, unless the fetus has a *right to the woman's body*, abortion is *not* unjust killing.

"The right to life does not guarantee the right to use another's body—even if it's needed to stay alive."

Responsibility & Parental Obligation (pp. 57–58)

Thomson examines whether *causing* the fetus to exist makes one responsible for keeping it alive.

- Rejects the idea that mere *biological parenthood* entails an obligation to carry the fetus.
- Only if one *assumes responsibility* (e.g., chooses to keep the child), does one acquire an obligation.

Good Samaritan vs. Minimally Decent Samaritan (pp. 62–63)

- **Good Samaritan:** Goes out of their way to help others.
- **Minimally Decent Samaritan:** Does the bare minimum.

Thomson argues that laws forcing women to carry pregnancies make them Good Samaritans—an **unjust standard not applied to anyone else in society**.

E.g., No one is legally required to donate a kidney to save another, but pregnant women are expected to risk their health and make massive sacrifices.

Third Party Interventions (p. 64)

- If a woman is being *compelled by nature* to sustain another's life at great cost, a third party may intervene and perform the abortion.
- This is not injustice to the fetus *because it has no right to the woman's body in the first place*.