

To my family and friends,
most especially to my loving parents,

Robert and Margaret Ramirez,

*for the constant support they have given me during my time at Drew; for showing me how to love
my neighbor as myself; and for giving me the strength to fight for what is right.*

TTT

Drew University

College of Liberal Arts

*The Limping Violinist: Why Thomson's Defense of Abortion Does Not Establish the Conclusion
that Abortion is Morally Permissible*

A Thesis in Philosophy

By

Nicholas Masferrer Ramirez

Submitted in Partial Fulfillment of the Requirements for the Degree of Bachelor in Arts

With Specialized Honors in Philosophy

May 2022

Abstract

In this paper, I will attempt to show that Thomson's argument that abortion is morally permissible even if the fetus is a person does not logically follow from her violinist analogy as portrayed in her essay, "A Defense of Abortion". I will not attempt to prove that abortion is morally impermissible. I merely attempt to argue that we cannot arrive at the conclusion that abortion is morally permissible from her analogy. I will do so by identifying four key ways Thomson's violinist analogy is too disanalogous to pregnancy to establish her conclusion. In my first two objections, I will put aside the question of whether or not the violinist analogy succeeds in establishing abortion to be morally permissible in cases of rape. In these sections, I will argue that Thomson is wrong to argue that her analogy also establishes the conclusion that abortion is morally permissible in non-rape cases. In other words, even if she has proven the former, her argument does not prove the latter, despite what she claims. Nevertheless, my final two objections to Thomson's argument will apply to both cases of consensual sex and rape. Only my final objection will provide a consideration for the moral impermissibility of abortion if the fetus is a human person. I will then conclude with some thoughts on the nature of bodily rights arguments, how pro-life advocates must change their strategy in defending human life, and a few possible ways pro-choice advocates can attempt to defend the moral and legal permissibility of abortion if they so choose.

CONTENTS

Preface	1
Introduction: Thomson's Bodily Rights Argument	4
Part I: The Consent Objection	6
Part II: The Forced-Dependency Objection	27
Part III: The Initiation-of-a-Fatal-Sequence Objection	44
Part IV: The Teleological Objection	55
Part V: Concluding Thoughts on the Nature of Bodily Rights Arguments	69
Bibliography	75

Preface

Since 1973 and 1992, there has been no more pressing time to consider the issue of abortion until now. This year, the Supreme Court of the United States will decide in *Dobbs v Jackson* on whether or not it will uphold Mississippi's ban on all abortions after 15 weeks, with the exceptions for the endangerment to the health of the mother and for severe fetal abnormalities. Although *Roe v. Wade* may not be completely overturned, Mississippi's abortion ban may be upheld by a strong conservative majority due to the appointments of Justices Gorsuch, Kavanaugh, and Barrett by former President Donald Trump. Regardless of whether or not the Supreme Court decides to uphold Mississippi's legislation, many Americans will be disappointed or fearful of the court's decision, while many others celebrate the court's defense of their rights. But a right to what? A right to abortion? A right to life?

Abortion is perhaps one of the most pressing and divisive issues in the United States right now and it is clear why. On the women's rights side of the abortion debate, there are those who believe that there is a war on women being waged. They believe the other side is attempting to make women into second class citizens by infringing on their bodily autonomy. On the fetus' rights side of the abortion debate, there are those who fear that the youngest and most innocent members of the human family are being slaughtered on a daily basis. It seems as though one of these sides must be right and the other side must be wrong; there is little room to budge. As a result, the stakes are high. No matter what side you fall on in the debate you will perceive yourself as the great bastion of justice and equality while the other side perceives you as the greatest threat to those same principles. There is a lot to lose, and little room for error.

Being candid for a moment, I will confess that I am on the side who believes abortion to be a grave act of injustice which ought not to be permitted in a genuinely free, loving, and just

society.¹ Nevertheless, I have built up a great deal of respect and compassion for those who vehemently oppose what I stand for. Many of these people I have the privilege of calling my friends, and even my family. This is because I know that they are standing up for what they perceive to be right and just. In a debate where the stakes are this high, no side can afford to sit out lest they lack basic human sympathy. While this paper does not encapsulate the totality of my position, I hope the arguments I pose here challenge those who hold views similar to Thomson and Boonin (perhaps the smartest pro-choice philosophers to date), and illumine the minds of pro-life advocates so that they recognize, although they need not despair, that the debate is not as simple or clear cut as they may believe it to be.

While emotions understandably run high in such a debate, one should not underestimate the need for sharp philosophers like Thomson, Boonin, Beckwith, and Horn in such a complex issue. Throughout this paper, many hypothetical thought experiments and arguments from analogy will be employed by both pro-choice and pro-life advocates in defending their position. I will make use of many abstract principles that I hope will provide further insight and clarification into the nature of bodily rights arguments for abortion. While these kinds of approaches are necessary for making headway on such an emotionally complex topic, it is important to emphasize that this is not a purely intellectual issue with little consequences. As mentioned above, the consequences are grave. It is repugnant for any philosopher to treat this issue as merely a linguistic or intellectual game, and I certainly do not mean for this to be the impression of this paper. On the contrary, I hope the arguments I employ here provide not only

¹ As a point of clarification, I use the term abortion to mean the direct and intentional killing of a human person in the womb. Of course, there are certain tragic situations in which the mother's life may be in danger because of her pregnancy (e.g. an ectopic pregnancy). While I believe the direct and intentional killing of her child in these circumstances remains morally impermissible, I believe it is morally permissible to perform a procedure (e.g. a salpingectomy) in which the fetus is not intentionally killed in order to save the life of the mother. This is because the death of the fetus is not intended but results as a double effect or foreseen consequence of an action which is intended to save the mother's life. Nevertheless, the point remains that abortion is never morally justifiable.

intellectual clarity on the issue, but also moral clarity with the fullest intention of arriving at what is true and just.

Introduction: Thomson's Bodily Rights Argument

In her influential essay, "A Defense of Abortion", Judith Jarvis Thomson provides a thought experiment in which she attempts to prove that, even if a fetus is a person endowed with a right to life, we could not necessarily conclude from that fact that abortion is morally impermissible. Thomson sets the stage as follows:

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?"²

Thomson argues that it is not morally incumbent on you to accede to this situation. Even if we acknowledge that the violinist is a person with a right to life, Thomson and others would argue, we recognize from the thought experiment above that he does not have a right to use your body to continue living. Similarly, even if we recognize that the fetus is a person with a right to life, the fetus' right to life does not have a right to use his mother's body to continue living. Therefore, according to Thomson, abortion is morally permissible. These kinds of arguments for abortion which attempt to demonstrate that abortion is morally permissible even if the fetus is a person with a right to life are commonly referred to as 'bodily rights arguments', and I will continue to refer to them as such throughout the paper.

² Judith Jarvis Thomson, "A Defense of Abortion," *Philosophy & Public Affairs* 1, no. 1 (1971): 48-49, <https://www.jstor.org/stable/2265091>.

In this paper, I will attempt to show that Thomson's argument that abortion is morally permissible even if the fetus is a person does not logically follow from her violinist analogy. I will not attempt to prove that abortion is morally impermissible. I merely attempt to argue that we cannot arrive at the conclusion that abortion is morally permissible from her analogy. I will do so by arguing that Thomson's violinist analogy is too disanalogous to pregnancy to establish her conclusion. Moreover, for the sake of argument in my first two objections, I will put aside the question of whether or not the violinist analogy succeeds in establishing abortion to be morally permissible in cases of rape. However, I will argue that Thomson is wrong to argue that her analogy also establishes the conclusion that abortion is morally permissible in non-rape cases. In other words, even if she has proven the former, her argument does not prove the latter, despite what she claims. Nevertheless, my final two objections to Thomson's argument will apply to both cases of pregnancy that result from consensual sex and rape.

Part I: The Consent Objection

Setting Up the Consent Objection

One immediate objection commonly posed to Thomson's analogy is that I did not consent to being hooked up to the violinist whereas a mother consents to engaging in an act which is ordered to the end of procreation. This is commonly referred to as the 'consent objection'. The obvious exception to this is when a mother becomes pregnant as a result of rape. For this section, I will put to one side the argument that Thomson's analogy is successful in demonstrating that abortion is morally permissible in cases of rape. I will instead focus my attention on demonstrating that, in light of the consent objection, Thomson's analogy is not successful in establishing the conclusion that abortion is morally permissible in non-rape cases.

Consent-to-Sex vs. Consent-to-Pregnancy

Proponents of Thomson's argument who hope to hold on to the violinist analogy as a sound analogy to pregnancy in non-rape cases argue that a mother's consent to have sex with a man is not the same as consenting to having his child. If this is true, namely that consent-to-sex is not the same as consent-to-pregnancy, then it would seem that the violinist analogy is properly analogous to pregnancy. Just as you did not consent to being hooked up to the violinist, so too did the mother not consent to being "hooked up" to her unborn child. She only consented to having sex. Therefore, the analogy demonstrates that abortion is morally permissible in rape and non-rape cases.

David Boonin (one of the foremost defenders of bodily rights arguments in contemporary debates on abortion) asks us to consider the case of two friends, Bill and Ted, who decide to eat at a restaurant. From here on out, I will refer to this as the 'Ted case'. Upon sitting down at a table, Ted voluntarily takes out all of the cash from his pocket and puts it on the table so that he

can sit down and enjoy his meal comfortably. Upon leaving the restaurant Ted realizes that he accidentally left all of his money on the table and goes back in to retrieve his money. Boonin argues that because Ted voluntarily put his money on the table when he first sat down, it does not mean Ted has consented to letting the waiter keep all of the money. He then concludes that, “the lesson of this is that even if voluntarily bringing about a certain state of affairs constitutes consent to bear the burdens it imposes on you...it does not follow that voluntarily doing an action foreseeing that this may lead to a certain state of affairs constitutes such consent (as in the case of Ted).”³ Similarly, the argument continues, a mother’s voluntary act to have sex “cannot reasonably be understood as evidence that she has consented to anything with respect to the state of affairs in which there is now a fetus making unwanted demands on her body.”⁴ Thus, just because a woman consents to have intercourse, even if she “foresees” pregnancy to be a consequence of her action, it does not mean that she has consented to pregnancy. There are several different ways I would like to respond to this kind of argument, and I shall label the responses accordingly: (1) the pregnancy as a prima facie good response; (2) the pregnancy as the intelligible end response; and (3) the consent-to-actions response. I shall now respond to Boonin’s objection in this order.

Pregnancy as a Prima Facie Good

Francis Beckwith has pointed out that Thomson and Boonin’s works imply that pregnancy is not a prima facie good, and both he and Trent Horn have argued that this is made explicit in the writings of Eileen McDonagh. For example, in *Breaking the Abortion Deadlock: From Choice to Consent*, McDonagh argues, “Nonconsensual pregnancy, like nonconsensual sexual intercourse, is a condition that must be stopped immediately because both processes

³ David Boonin, *A Defense of Abortion* (Cambridge: Cambridge Univ. Press, 2005), 157.

⁴ *Ibid.*, 159.

severely violate one's bodily integrity and liberty."⁵ In other words, as Horn notes, McDonagh makes a direct comparison between rape and pregnancy, signaling that the latter may be just as bad as the former. Nevertheless, Beckwith argues that this pushes strongly against our moral intuitions about pregnancy being a prima facie good. But Beckwith correctly writes why this is such a significant observation, "If pregnancy is a prima facie good, then the analogies employed by Thomson, Boonin, and McDonagh - which are all cases of prima facie wrongs - fail to capture the essence of pregnancy."⁶ Beckwith teases this point further by asking us to consider the case of a young woman who, unbeknownst to her, is several weeks pregnant when she is rendered unconscious as a result of a car accident. Beckwith argues that if we accept "McDonagh's understanding of pregnancy as morally equivalent to rape or assault, or Boonin and Thomson's notion that pregnancy is a prima facie violation of the woman's bodily integrity"⁷, it would seem to follow that the doctor is morally obligated to abort the woman's child who is currently violating his mother's "bodily integrity and liberty".

Horn also seems to follow this line of reasoning when arguing that if Thomson's proponents, including McDonagh and Boonin, are correct about pregnancy requiring consent, 'it follows that pregnancy that occurs without consent would be an evil, like rape, that should be stopped.'⁸ In other words, if rape and "nonconsensual" pregnancy are truly similar, then a doctor is morally obligated to end the fetus' violation of his unconscious mother's uterus just as anyone would be obligated to intervene to stop a man who is having sex with an unconscious woman who is currently unable to provide consent. However, as Beckwith argues, it seems strongly

⁵ Eileen L McDonagh, *Breaking the Abortion Deadlock : From Choice to Consent* (New York: Oxford University Press, 1996), 12.

⁶ Francis Beckwith, *Defending Life : A Moral and Legal Case against Abortion Choice* (New York: Cambridge University Press, 2007), 176.

⁷ Ibid.

⁸ Trent Horn, *Persuasive Pro-Life : How to Talk about Our Culture's Toughest Issue* (El Cajon, California: Catholic Answers Press, 2014), 172.

opposed to our moral intuitions that the doctor should kill the woman's child simply because there is no evidence that she was aware of and consented to her pregnancy. Therefore, as Beckwith concludes, "contra McDonagh, the abortion, not the pregnancy, would be more analagous to rape."⁹ And if this is true, it stands to reason that abortion, like rape, is a prima facie evil which should be stopped, not pregnancy.

Immediately after defending this argument, Beckwith provides a criticism offered by an anonymous referee who responded that in the case of the woman in the car accident "...what matters is not whether the now-unconscious woman consented to pregnancy, but whether she would consent to pregnancy now."¹⁰ However, this rebuttal could only apply to prima facie goods since it does not seem to sit comfortably with our moral intuitions when applied to other situations which are grossly wrong. For example, suppose a man and a woman are having sex when all of a sudden, a condition the woman has which occasionally renders her temporarily unconscious causes her to pass out. For the sake of the argument, let us say this condition is relatively benign and the man knows that she does not need to seek medical attention. Nevertheless, you walk into the room and see that the man is continuing to have sex with the now unconscious woman. You immediately step in and intervene to stop the man when he tells you, "It's okay. What matters is not if she consented to sex before she passed out but if she would consent to sex now". I doubt that you would go your merry way and leave him be. On the contrary, we would find this reply by the man repulsive. Clearly the woman would have consented to having sex with the man now if she were conscious since she was engaging in sexual intercourse with the man immediately prior to being rendered unconscious. However, she is unconscious and cannot *currently* consent to sex which would constitute the man's act as an

⁹ Francis Beckwith, 177.

¹⁰ Ibid.

act of rape. But if one would stop the man from continuing to have sex with the unconscious woman but allow the unconscious woman's pregnancy from the accident case to continue, "then this shows that the [Thomson-McDonagh-Boonin] parallels are ill-formed and that pregnancy is in fact a prima facie good."¹¹ This would show that rape and pregnancy are not truly equivalent since the former is a genuinely egregious and horrific evil while the latter is a good, demonstrating that pregnancy is not truly analogous to rape as McDonagh argues. Similarly, albeit in a much less extreme manner, being hooked up to the violinist against your consent and Ted losing his money at the restaurant are cases of prima facie evils. Thus, Thomson's violinist and Boonin's Ted case both suffer from the same problem of attempting to analogize those evils with what we typically treat upon first glance as a good - pregnancy.

Pregnancy as The Intelligible End

In his Ted case, Boonin argues that even if Ted foresees one possible consequence of his action of leaving money at the table to be that his money is taken, it does not mean Ted consented to such a state of affairs. Arguing in the same vein, Boonin uses the 1978 court case of *McFall v Shimp* to highlight this point. In this court case, Robert McFall needed a bone marrow transplant to live, and the only eligible candidate was his cousin David Shimp. McFall sued Shimp after Shimp refused to go through with the bone marrow transplant. Judge John P. Flaherty ruled in favor of Shimp, and fifteen days after Judge Flaherty's ruling, McFall had died. One of Boonin's fictional twists on the case asks us to consider whether or not Shimp provides McFall with tacit consent to use his bone marrow when Shimp voluntarily walks across the recently polished hospital floor knowing that if he slips and falls, "it might result in his becoming stuck to the bone marrow transferring machine."¹²

¹¹ Ibid.

¹² David Boonin, *Beyond Roe : Why Abortion Should Be Legal--Even If the Fetus Is a Person* (New York, Ny: Oxford University Press, 2019), 67.

Beckwith charges these analogies, particularly the analogy of Ted, with presupposing a contestable philosophical anthropology that most people would find unintuitive. Beckwith argues that these analogies fall apart because they assume that sex and pregnancy are truly separable.

Beckwith writes,

It is not clear to everyone that [sex and pregnancy] are detachable, though causally related events, like wandering into a forest and being attacked by a grizzly bear, acquiring lung cancer as a result of smoking cigarettes, accidentally leaving money at the restaurant and the waiter taking his tip, or being hooked up involuntarily to an unconscious violinist.¹³

Beckwith argues that the philosophical anthropology of the pro-life view of persons recognizes that the act of sex is ordered to pregnancy. Pregnancy is not merely a foreseeable consequence of sex in the way that lung cancer is a foreseeable consequence of smoking. Instead “*pregnancy is the* intelligible point of the participants' parts acting in concert.”¹⁴ Therefore, although Thomson and Boonin say they assume the fetus to be a person like the subjects they employ in their analogies, they are not truly conceding the view of personhood held by most pro-life advocates, along with “the broader teleological considerations that go with that pro-life understanding.”¹⁵

Nevertheless, it still may be beneficial to argue the merit of understanding sex as teleologically ordered to the act of procreation. In assessing a few possible candidates as to “what gives the central unitive meaning to sex”,¹⁶ Alexander Pruss concludes that the central unitive meaning is reproduction. In demonstrating his reasoning for this, Pruss asks us to consider how we might explain the purpose of sex to an alien who comes from a species that reproduces asexually. One piece of information we could relay to this alien is that our sexual

¹³ Francis Beckwith, 179.

¹⁴ *Ibid.*, 180.

¹⁵ *Ibid.*

¹⁶ Alexander R Pruss, *One Body : An Essay in Christian Sexual Ethics* (Notre Dame, Indiana: University Of Notre Dame Press, 2013), 133.

organs produce pleasure. However, simply stating that our sexual organs are pleasure-producing “would not distinguish sexual activity from sharing ice cream.”¹⁷ Therefore, pleasure alone is not a sufficient explanation as to what sex is for. We could specify that sexual activity produces not just any kind of pleasure in us, but *sexual* pleasure. Nevertheless, the alien would be unable to understand how sexual pleasure differs from other kinds of pleasures such as the pleasure of solving a mathematical problem or eating chocolate. Pruss even suggests that we could engineer the alien’s brain so as to stimulate the feeling of sexual pleasure. But even if it could feel what sexual pleasure feels like, recognize it as being unique from all other pleasures, and recognize it as a good, “the alien would not be able to explain what kind of a good this is.”¹⁸ Therefore, Pruss concludes, “the only way we could give the crucial information to the alien would be by saying that the sexual organs are *reproductive* organs.”¹⁹ This emphasizes Beckwith’s point that pregnancy is what makes our reproductive organs intelligible; they cannot be reduced to anatomical parts that are meant for the production of pleasure. For reducing sexual organs to such a status makes their reproductive powers as unintelligible as trying to understand why my eyes produce sight (as opposed to any other sense perception) if my eyes are simply reducible to a mere collection of atoms. As Beckwith writes, “it seems correct to say that the *telos* (or purpose) of reproductive organs *is* reproduction (i.e., pregnancy), for sperm and ova seem intrinsically ordered to that very purpose.”²⁰ And if this is correct to say, which I think it is, then our reproductive organs cannot be discussed without reference to reproduction, which means sex and pregnancy are not detachable as McDonagh and Boonin make them out to be.

Boonin may concede that reproduction is one purpose of sexual activity but it is not the

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Francis Beckwith, 180.

only purpose. Therefore, sex could be ordered to any of these other purposes. Some other purposes of sex are “to facilitate intimacy” and “to unify spouses”,²¹ and on this point both Beckwith and Pruss explicitly agree. Nevertheless, the reproductive powers of the sexual organs seem to be what distinguish these organs from all of our other organs: “without it, all we would have is the bits of gut rubbing together and making slime.”²² After all, we can experience a variety of bodily pleasures with some of our nonsexual organs including our flesh, lips, and tongue. However, no other bodily organ is capable of generating life. As opposed to pleasure being the intended end of sex, it seems as though pleasure is a motivating force for having sex.²³ Thus, insofar as our sexual organs are reproductive organs, their telos is to reproduce whereas the “purpose” of smoking cigarettes and leaving money on a restaurant table do not have a natural telos. (We will elaborate on this insight more when we examine the roulette case below.) Thomson, Boonin, and McDonagh may deny the teleological component of personhood and the existence of organs that are ordered to reproduction, but they would be denying two things. First, they would be denying the pro-life account of personhood, and therefore, not actually conceding the pro-life perspective’s central premise. Second, they would be denying the existence of the reproductive rights they purport to defend. If there are no such thing as reproductive organs, properly understood as such, then there can be no such thing as rights to control those reproductive processes. (I elaborate more on this in the teleological section.) Therefore, a denial

²¹ Ibid.

²² Alexander R Pruss, 135.

²³ Alexander Pruss highlights this point in *One Body: An Essay in Christian Sexual Ethics* when discussing pleasure as a “reward mechanism” for us to engage in sex. As Pruss argues, it would seem odd biologically speaking, for pleasure to be what sex is ordered to if pleasure is in fact a reward mechanism. If pleasure is a reward mechanism, the natural question is “What is it a reward for?”. And the answer cannot be sex lest you risk arguing in a vicious circle. What is sex for? To feel pleasure. What is the pleasure for? So that you can have sex. Thus, it is more natural to say that pleasure is a reward for engaging in sex because sex is ordered to reproduction. Pruss argues that “to try to activate a reward mechanism only makes sense if the activity being rewarded is worth rewarding” (126). In other words, if an activity is not good in and of itself, there would be no intelligible reason for rewarding it. This seems to support our previous response to the “consent-to-sex vs. consent-to-pregnancy” rebuttal of pregnancy seeming to be a prima facie good.

of reproductive organs ultimately undermines the whole defense for reproductive rights.

In summary, if one perceives pregnancy as the intelligible end of sex, then the Ted case and the variation of the *McFall v. Shimp* case are not properly analogous to sex. This is because there is nothing about leaving money at a restaurant table that necessarily entails that the money will be taken, and there is nothing inherent about walking on slippery floors that is ordered to the end of being hooked up to a bone marrow extraction seat. On the contrary, sex is the one and only action ordered to the end of pregnancy. While the former consequences (losing money and being hooked up to a bone marrow machine) may be “foreseeable”, the consequence of sex (pregnancy) is not merely foreseeable, but the proper end of the preceding action. Therefore, consent-to-sex *is* consent-to-pregnancy and they cannot be radically divorced as Boonin and Thomson suggest. If this is the case, then the violinist analogy is in fact disanalogous to pregnancy in that you do not consent to being hooked up to the violinist whereas the mother does implicitly consent to pregnancy. Thus, the analogy is disanalogous, and Thomson cannot establish the conclusion that abortion is morally permissible from the violinist case if she were to grant personhood to the fetus in the manner that personhood is understood by the pro-life advocate.

Consent-to-Actions

Some may find the above argument compelling and agree that pregnancy is not just a foreseeable consequence of sex but *the* intelligible end of sex. Others, however, may find it unconvincing and continue to hold that pregnancy is merely a consequence of sex. We must now ask if there is good reason to suppose that the consent-to-pregnancy vs. content-to-sex distinction is a valid distinction *even if* pregnancy is merely a consequence of sex. Scott Klusendorf provides us with one reason why we should be skeptical of saying we are able to consent to pregnancy if

pregnancy is a consequence of sex. Using just one of the few examples Klusendorf provides, suppose I buy a lottery ticket and miraculously win. When I win, we cannot make the claim that I “consented” to winning. As Klusendorf writes, “This is a misuse of words. You may consent to buying a ticket, but you don’t consent to winning. Winning and losing are entirely outside the realm of your control. You only consent to what is within your realm of control.”²⁴ To be clear, if I win the lottery I could be insane enough to refuse the prize. However, being declared the winner of the lottery is outside the realm of my consent. I may “consent” to receiving the prize, but I do not “consent” to being the winner. This is because the purchasing of the lottery ticket and claiming the prize money are actions I can decide to take or not to take, while being the winner of the lottery is a consequence of an action. Consequences, unlike actions, are within the realm of our control and thus, do not require our consent.

Similarly, when Ted loses his money, we call this a consequence of a previous action he committed. Of course, we do not say he consented to lose his money, but this is exactly the point. He *could not* “consent” to losing his money because consequences happen regardless of consent, unlike actions that require our consent. Thus, the Ted case cannot actually defend the distinction between consent-to-sex and consent-to-pregnancy. Why? Well if the Ted case is properly analogous to pregnancy, it is because, as Boonin claims, pregnancy is a “foreseeable consequence” of sex just like Ted losing his money is a foreseeable consequence of him leaving his money at the table. So if Ted did not consent to losing his money, a woman could not have consented to becoming pregnant. Boonin would surely be right on this point if pregnancy is a foreseeable consequence of sex. But he is mistaken in thinking that this means a woman is impregnated in *violation* of her consent or as if being pregnant is an *action* in and of itself that

²⁴ Scott Klusendorf, *The Case for Life : Equipping Christians to Engage the Culture* (Wheaton, Illinois: Crossway Books, 2009), 192.

requires consenting to. Thus, the consent-to-pregnancy vs consent-to-sex distinction cannot hold because at no point can pregnancy be consented to, properly speaking, since it is regarded as a consequence and only a consequence of a prior action. To suggest the distinction is a legitimate distinction is to suggest that pregnancy is a separate *action* from sex that requires consent. But if Boonin's analogy treats pregnancy as a consequence of an action and not an action itself (which I think it does), there is no sense in making a "distinction" that supposes pregnancy can be consented to at all. It would be similar if I said that there is a distinction between me consenting to buy a lottery ticket and me consenting to win the lottery (winning the lottery as understood only as a consequence of buying a lottery ticket). If I buy a lottery ticket, I am then not asked for my consent to win as if my consent was a necessary precondition to being the winner. I simply just win. As I have said above, I could refuse to accept the money but that is different from me simply being the winner of the ticket which I cannot refuse to be. And my inability to refuse to be the winner of the lottery is no violation of my consent. Rather, it is natural to all consequences that consent is not required for them to occur. If this is right, then falling back on pregnancy as merely being a consequence of sex (and not the intelligible end) does not salvage the distinction that has attempted to be defended.

Properly speaking then, one cannot provide "consent" to pregnancy because pregnancy is a consequence of an action one has already consented to. And since consent is not involved in pregnancy, there can be no such distinction between consent-to-sex and consent-to-pregnancy. As Trent Horn acknowledges, we may act in certain ways in response to our consequences, "such as giving away our lottery money or having an abortion, but those actions can then be judged as being right or wrong."²⁵ We witness examples like this everyday, not just when buying lottery tickets. Borrowing another example from Klusendorf, if a father breaks a neighbor's glass

²⁵ Trent Horn, 171-172.

window when playing baseball with his sons, the owner of the window will not be moved to forswear compensation by any claim that the father consented to playing baseball but that he did not consent to breaking the window. If the father refused to provide compensation for his neighbor's broken window, we would judge the father's response to the *consequence* of his actions to be morally wrong. We must conclude then that "we can only consent to our initial actions, not the consequences that follow."²⁶ As Horn argues, "when a man and a woman consent to sexual behavior, their duty to help the child they create is a consequence they either rightfully accept or wrongfully reject."²⁷

Once again, even if one rejects an Aristotelian teleological view of pregnancy as the intelligible end of sex, one cannot accept the consent-to-sex vs. consent-to-pregnancy distinction on the grounds that pregnancy is merely an unconsented consequence of sex, for consequences lie beyond the realm of our control and consent. If this is right, then this means that even if the Ted case is properly analogous to sex, we have no reason to believe that there is a distinction between a consent-to-sex and consent-to-pregnancy. And if there is no real distinction between these two things, then the consent objection demonstrates that there is a morally relevant disanalogy between Thomson's violinist analogy and pregnancy as a result from consensual sex, namely, that you did not consent to the action of being hooked up to the violinist but you did consent to the action of having sex. Therefore, Thomson's violinist argument cannot get us to the conclusion that abortion is morally permissible in the cases of consensual sex if we grant personhood to the fetus.

The Roulette Case

In the sections that follow, I would like to examine two final considerations about the

²⁶ Scott Klusendorf, 192.

²⁷Trent Horn, 172.

supposed distinction between consent-to-sex and consent-to-pregnancy. First, we will examine two cases which may demonstrate, potentially unacceptable, consequences of defending such a distinction: (1) ‘the roulette case’ and (2) ‘the absolute autonomy case’. Finally, we will address one last criticism in which Boonin argues that even if a woman has consented to the pregnancy, she is well within her right to withdraw her consent at any point during the pregnancy.

Let us begin with what I will call ‘the roulette case’, as described by Rachel Crawford. Suppose I went to the casino and decided to play at a roulette table. I feel like a lucky man and decided to place all of my chips on 15. Unfortunately for me, the ball lands on 18 and I lose all my money. However, I decided to argue with the pitboss and say that I consented to betting my money but I never consented to losing it. Crawford argues that the general principle we can gather from this example, which can be applied to sex, is that “You consent to the act, knowing what the possible outcomes are, and you could’ve withdrawn the consent at any point. You can’t just change the rules because you didn’t get the outcome you wanted.”²⁸ We can push this analogy further than Crawford by imagining that I took every measure I could to make sure that I won. I used several methods of cheating to make sure that I could not possibly lose my money and I bet on 15 knowing that there was a 99% chance that I would win. Nevertheless, the odds are not in my favor that day and I still lose. Clearly, in this case, I had no intention of losing my money. I wanted to play, but I only wanted to win. Would you say this makes my plea to keep my money any stronger? I doubt you would. Similarly, even if a man and a woman take every possible precaution and use every possible contraceptive measure so as not to reproduce, this would not change the parents’ responsibility to accept the consequences of their actions.

Boonin offers one kind of response to this analogy which we partially addressed earlier,

²⁸ Rachel Crawford, “Refuting ‘Abortion as Self-Defense,’” Equal Rights Institute Blog, July 15, 2020, <https://blog.equalrightsinstitute.com/refuting-abortion-as-self-defense/>.

but it will be helpful to reevaluate here. Boonin argues that the tacit consent I give when I place my bet at the table is different than the tacit consent a woman gives when she has sex because of the difference in the widely recognized social conventions operating in the background. It is a social convention we have come up with that if I put my chips on 15, I am agreeing to bet my money without explicitly doing so. On the other hand, “having sex is clearly not a convention we’ve come up with to allow women to indicate, without having to say so explicitly, that they agree to give a fetus the right to remain in their uterus.”²⁹ How can we respond to such a counterargument? We can start by asking Boonin if abortion would be impermissible if having sex *were* a social convention we have come up with to allow women to give tacit consent to being pregnant. There are only two ways for Boonin to respond to this, yes or no; there is no third option. Let us examine these two ways Boonin could respond to our question, and the logical implications of such responses.

First, if Boonin answers no, it would not be wrong for a mother to receive an abortion if it were a social convention that having sex gives tacit consent to being impregnated, then Boonin’s argument does not depend on social convention at all but on some other principle. Boonin’s central argument is that the relevant difference between sex and the roulette case is that the social conventions operating in the background of each of those activities are different. But if the social convention about what a woman consents to when she consents to sex changes, but the moral permissibility of her abortion remains, the social convention in the background cannot be what is guiding his answer. If pressed on this, Boonin could argue that abortion is morally permissible on the grounds of one of the many arguments which he has provided. But then his real argument has nothing to do with the social convention at all. Therefore, Boonin’s appeal to social convention,

²⁹ David Boonin, *Beyond Roe : Why Abortion Should Be Legal--Even If the Fetus Is a Person* (New York, Ny: Oxford University Press, 2019),. 65.

if his answer on the moral permissibility of abortion remains the same despite the convention changing, would only be begging the question.

Therefore, Boonin's only sound reply would be to say yes, it would be wrong for a mother to have an abortion if having sex were a social convention we've come up with to allow women to give tacit consent to being pregnant. However, if he were to answer in this way, he would accept a kind of moral relativism that would result in some unsettling consequences. Suppose there were two societies, A and B, that coexisted alongside each other geographically. In society A, having sex is a convention for women to give tacit consent to be pregnant, whereas in society B it is not. Boonin's affirmative answer would mean that it is morally permissible to have an abortion in society B, but not so in society A. A woman who lives in society A may not be allowed to abort her child because of the social convention in her society, but the same woman could travel ten minutes to the next society and abort her child simply because their social convention is different. Some might be weary of the belief that social convention is what determines the rightness or wrongness of such a serious moral matter. Moreover, in critiquing this kind of cultural relativism and the weight of social convention as being the guiding force behind such social matters, Beckwith points out the following problem: "Because each of us belongs to a number of different "societies or "cultures," which one of them should be followed when they conflict?"³⁰ Using a similar example that Beckwith provides, let us say Bill is a practicing member of the Catholic Church where fornication is condemned as a mortal sin. However, he is also a resident of a progressive community and attends a very progressive university where most of the student body find no issue with fornication. Suppose further that he decides to fornicate with Barbara who is not a member of a religious community but comes from a very Catholic and conservative neighborhood. In such a case "it is not clear which society is

³⁰ Francis Beckwith, 10.

morally relevant.”³¹

We can demonstrate some more disturbing conclusions of Boonin’s affirmative reply were we to ask him the following: “Suppose there exists a society in which parents regularly brought their newborn children home from the hospital but it is not a social convention in this society that bringing a newborn baby home means parents have given tacit consent to feeding the baby. Therefore, it is not expected of you socially that you feed your child just because you have brought her home. Would it then be morally permissible for you to allow your child to starve to death at home?”. It would seem that by Boonin’s appeal to social convention, this would be morally permissible. However, I would imagine that he would believe this society to be committing a grave injustice, and that their social convention to be also unjust. But if this is true, then two things follow: (1) pro-life advocates would state that just as Boonin would find this society’s social convention to be unjust, so to is the social convention of killing an unborn child to escape the consequences of your actions; and (2) once again, it cannot be the social convention which makes the action right or wrong, but some other unnamed ethical principle Boonin has yet to appeal to. If he would believe this society to be doing something egregiously wrong, it must not be the social convention that makes it wrong but the act itself that makes it wrong. Similar to what we have stated above, Boonin could not deny the conclusions of replying yes without begging the question or arguing circularly. Thus, we should have no reason to believe that his appeal to the distinction of social conventions in sex and the roulette case is one which merits any true worry at all.

The Absolute Autonomy Case

In speaking about bodily rights arguments, Klusendorf writes that they are “compelling if and only if a pregnant woman’s right to control her body is absolute, meaning she can do

³¹ Ibid.

whatever she wants with her body regardless of the impact on her unborn offspring.”³² This seems to be true of the bodily rights argument employed by Thomson, but even more so about the emphasis on ongoing consent with everything that happens to your body. Of course, I am not denying that ongoing consent is unnecessary when it comes to sexual behavior. On the contrary, I believe ongoing consent is necessary for all sexual acts and that consent to have sex at one point in time is not sufficient for someone to have continued access to your body for sexual purposes. Nevertheless, it does not seem to me that consent in this context means that you have an absolute right to bodily autonomy such that *everything* regarding your body requires your consent, as Klusendorf suggests. Klusendorf provides the following thought experiment from a pro-choice blogger by the name of Paul W. which demonstrates the weakness of bodily rights arguments:

Suppose that a woman could get pregnant, and stay pregnant indefinitely, while the fetus inside her did develop into an actual person. Perhaps a physically dwarfed person, the size of a baby, but developing the basic kinds of cognition and emotions that children and adults have. Suppose this physically dwarfed, stunted person lives in its mother’s belly for decades, fully aware of who it is and where it is - it is trapped in its mother’s belly. Suppose it wants to get out and live something like a normal life, but she won’t let it. She says “it’s my vagina, and I don’t have to let you through it.”

Suppose, even, that the woman chooses to do all of this on purpose, because she likes the idea of having a helpless small person stuck inside her body for its entire life. She lives to a ripe old age of 90, at which time the person inside her has lived a full 70 years of fully aware helpless misery - and then she dies and her 70-year-old “child” dies with her - because right up to the end, it’s her body and that’s how she wants it.

In that scenario, the child is the mother’s slave - its bodily autonomy is overridden by her rights, and it lives a miserable existence its entire life at her whim. Supposing a woman had the ability to do that, would she really have the right to?³³

This thought experiment from Paul W., although dark and morbid, seems to be a compelling argument for believing that we do not have absolute autonomy over our own bodies.

³² Scott Klusendorf, *The Case for Life : Equipping Christians to Engage the Culture* (Wheaton, Illinois: Crossway Books, 2009), 193.

³³ *Ibid.*, 194. I have tried looking up the original argument using the link to the blog which Klusendorf provides in his book. However, I was unable to successfully find the original blog post from Paul W.

If the implication of the consent-to-sex versus consent-to-pregnancy distinction is true, namely that everything having to do with my body requires my consent, then there seems to be nothing wrong in regards to what the mother does in Paul's twisted thought experiment. After all, the mother only has to say, "I consented to being pregnant, I never consented to my child making use of my vagina to leave my body, or for me to be cut open for my child to be removed." But what important difference is there between the consent-to-pregnancy and 'consent-to-giving-birth' distinction, and the consent-to-sex and consent-to-pregnancy distinction? Boonin may argue that it is because a social convention exists in which consenting to pregnancy is giving tacit consent to birth, but for the reasons we looked at earlier, this objection does not seem to hold.

Moreover, Klusendorf painfully reminds us that this thought experiment is not as far-fetched as it sounds. Klusendorf shares the story of a woman by the name of Melissa Ann Rowland of Salt Lake city who was charged with murder in 2004 after refusing to have an emergency cesarean section to save the lives of her unborn twins:

According to the hospital staff, Rowland refused the C-section because of the scar it would leave on her body. She stated she preferred to "lose one of the babies than be cut like that." Emergency room doctors and nurses repeatedly tried to persuade Rowland to have the C-Section but she insisted on going outside for a smoke instead. She finally yielded to their demands, but by then it was too late. One baby died, and the other required intense medical intervention to survive. The surviving twin, like his mother, tested positive for cocaine. The medical examiner's report stated that had Rowland consented to surgery when doctors originally urged her to, "the baby would have survived."³⁴

Many of us may be frightened and deeply disturbed about such selfishness and negligence when we hear such a story. But if the consent-to-pregnancy thesis is true, then there is no reason to suppose that what Rowland had done was immoral. Rowland may have consented to sex, and she may have very well consented to the pregnancy too. Nevertheless, she did not

³⁴ Ibid., 195.

provide consent to give birth to her child by cesarean section. Furthermore, McDonagh and Boonin, along with many of us, would find it egregiously wrong if a man pressured a woman into having sex with him. But if pregnancy and birth require consent in exactly the same way that sex does, then all of the emergency room staff should be regarded by Boonin and McDonagh as having acted immorally by pressuring Rowland to move forward with the C-section. However, if you think that the hospital staff were right in persuading Rowland to have a C-section and that Rowland's twins should not have required Rowland's consent to have been born, then you should also accept that an individual's bodily autonomy is not absolute.

Withdrawing Consent

One final objection we will examine from Boonin regarding consent has to do with a person's ability to withdraw consent. Drawing on Thomson's violinist argument, Boonin asks us to consider what follows from the case if we tweak it so that you voluntarily decide to be hooked up to the violinist. Boonin argues that even if you voluntarily choose to be hooked up to the violinist and allow him to make use of your kidneys, this does not mean you have consented to allowing the violinist to make use of your kidneys for all of the nine months which he requires them. In other words, if I consent to someone making use of my kidneys, but I discover that the process is much more burdensome than I previously anticipated, I can withdraw my consent during the process. Boonin writes the following concerning critics of abortion: "they must conclude that even if the first claim made by the tacit consent objection is true, and a woman's voluntarily engaging in sexual intercourse really is taken to be evidence of consent to something...the second claim is nonetheless false: Her act cannot reasonably be taken as evidence of consent to keep the fetus in her care for as long as is necessary for the fetus to survive."³⁵ Therefore, just as I can withdraw my consent after I have started to let the violinist

³⁵ David Boonin, *A Defense of Abortion* (Cambridge: Cambridge Univ. Press, 2005), 166.

use my kidneys, a woman can withdraw her consent to let her child use her uterus after she has initially given it.

What are some possible ways for us to respond to the “withdrawing consent objection” Boonin brings up? First, we can deny that consent, properly speaking, can be given for pregnancy, using one of the arguments we have made above. Therefore, consent cannot be withdrawn from pregnancy since consent cannot be withdrawn from that which consent has not been required. Second, we can respond to Boonin’s argument, as we have done with some of his arguments earlier, by employing a form of argument known as a *reductio ad absurdum*. Let us suppose that Boonin is right about pregnancy requiring a woman’s consent. Does it now necessarily follow that because pregnancy requires a woman’s consent, a mother may decide to withdraw her consent to pregnancy at the expense of her child’s life? Certainly there are cases in which it is morally permissible for me to withdraw my consent to a certain act, even if it may come at the expense of another individual’s life. For example, if I initially consent to being hooked up to the violinist but determine three months later that the procedure is too difficult to continue, most of us (Boonin included), would agree that I can withdraw my consent, even if it is at the expense of the violinist’s life. But does this mean that every instance of someone dying due to the withdrawal of my consent is justified?

Suppose I am set to take off on a spaceship that I have spent my hard earned money, time, and research into designing and building. Moreover, I am the only one who has worked on this spaceship and I have total ownership over the spaceship. Before my nine month adventure to the final frontier I have stocked the spaceship up with nine months worth of food for myself and my two-year-old son. Given the fact that my spaceship and the supplies on it are entirely products of my own money and labor, I have full ownership over the spaceship and everything on it. My son,

on the other hand, has no rights to it, but I consent to having him on the spaceship regardless. I shall call this 'the spaceship case'. Let's further suppose that two months into my voyage in space, I determine that I cannot live as comfortably as I wanted to on the spaceship. I cannot take more than my share of the food; I have to wake up in the middle of the night (or whenever astronaut's sleep) because of my son's crying; and my son keeps nagging me to play with him. Can I withdraw my consent to allow my son to board my spaceship and kick him out, thereby killing him? I imagine that you would say I cannot. But if this is true, then that means providing consent for a certain situation in which someone is dependent upon me to live is not sufficient grounds for me being able to withdraw my consent. In other words, even if a woman's consent is necessary for pregnancy, it does not necessarily follow that she can choose to withdraw her consent at any time. Thus, Boonin simply asserting that you can withdraw your consent from allowing the violinist continued use of your kidneys does not establish the conclusion that a mother can "withdraw her consent" from letting her fetus use her uterus, unless he is willing to accept the further conclusion that I can withdraw my consent from letting my son on my spaceship. In other words, Boonin would need to appeal to some additional principle beyond the fact that person A provides consent to person B to become dependent upon person A to establish the conclusion that person A can kill person B if he wants to reject the conclusion of my spaceship example and keep the analogy between the violinist and pregnancy.

Part II: The Forced-Dependency Objection

Setting Up the Forced-Dependency Objection

The next objection we shall pose to Thomson's violinist analogy, which is closely related albeit different from the consent objection, is an observation of the fact that I did not cause the violinist to become dependent upon my kidneys, whereas a man and a woman who engage in consensual sex engage in an act which causes a person to become dependent upon the mother's uterus. Notice that although the consent and forced-dependency objections are concerning cases of consensual sex, the former is an attempt to show that Thomson's violinist analogy cannot apply to cases of consensual sex whereas the latter attempts emphasize the disanalogy in *how* the dependent persons become dependent upon someone's body. As Trent Horn writes, "If I'm the one who's been kidnapped in Thomson's violinist scenario, the reason the violinist is dying has nothing to do with me."³⁶ In other words, we recognize that there is an important difference in the responsibility we have to provide aid to someone who we rendered dependent upon our aid, compared to someone whose dependence on our aid we did not cause. This has been labeled by many, pro-life and pro-choice ethicists included, as the responsibility objection to Thomson's argument. While it is not inappropriate to label the objection this way, I believe it doesn't capture the fullness of this particular objection. As we will argue, it is true that we have a responsibility to aid people who we have rendered dependent upon our aid, but this is so precisely because we have *forced* their dependency upon our aid onto them. Although we may encounter several authors who refer to this argument as the responsibility objection, to emphasize the point of the objection, I will refer to it as the "forced-dependency" objection.

First, we will examine Thomson's argument against the objection, along with some

³⁶ Trent Horn, 163.

subsequent responses from Beckwith and Lee. We will then examine a few different responses offered by Boonin, and some replies that have been offered to his objection. Finally, I will conclude with a more apt violinist analogy to pregnancy offered by Anthony George and expanded upon by Horn.

Burglars and People-Seeds

In anticipation of this kind of responsibility objection, Thomson offers two examples of why she believes it fails to make the case that parents have a responsibility to protect their child for engaging in an act which would cause the child to become dependent on the mother. We shall name the first case Thomson provides the ‘burglar case’, and it reads as follows:

If the room is stuffy, and I therefore open a window to air it, and a burglar climbs in, it would be absurd to say, “Ah, now he can stay, she’s given him a right to the use of her house - for she is partially responsible for his presence there, having voluntarily done what enabled him to get in, in full knowledge that there are such things as burglars, and that burglars burgle.”³⁷

Thomson pushes the analogy further by saying it would be even more absurd to say that she is still responsible if she had bars installed in the windows (i.e., contraceptives) and the burglar still came in only because the bars were defective. However, there are a few issues with this analogy. First, in light of what we discussed in the consent objection, the act of sex is naturally ordered to the end of reproduction. On the contrary, nothing about the act of opening a window is ordered to let burglars into my home. The intelligible end of sex is pregnancy, but burglar intrusion is not the intelligible end of opening a window. Therefore, there is nothing contradictory in saying that a woman who voluntarily engages in sex is responsible for her pregnancy and that Thomson is not responsible for the burglar who enters her home simply because she left her window open. Second, and more importantly, as Patrick Lee notes:

³⁷ Judith Jarvis Thomson, 59-59.

The analogy does not hold, for the woman's action does not cause the burglar to be in the house but only removes an obstacle; the burglar himself is the primary agent responsible for his being in the house. In the voluntary pregnancy case, however, the baby does not cause his or her presence in the mother's womb; rather, the mother and father do."³⁸

In other words, Thomson's burglar case is disanalogous to pregnancy because the fetus is not responsible for its own existence in the mother's womb; whereas the burglar is responsible for his own presence in Thomson's house. Third, notice how this is yet another example of Beckwith's point we discussed earlier in the consent objection: that all of the analogies offered by Thomson, McDonagh, and Boonin, contrary to our moral intuitions, treat pregnancy as a *prima facie* evil instead of a *prima facie* good. Instead of pregnancy being treated as a *prima facie* good, Thomson compares a fetus to being a violent intruder that breaks into a private space, as opposed to a harmless child who develops where he naturally belongs. Let us now look at Thomson's second analogy which we shall call the people-seeds case:

Again, suppose it were like this: people-seeds drift about in the air like pollen, and if you open your windows, one may drift in and take root in your carpets or upholstery. You don't want children, so you fix up your windows with fine mesh screens, the very best you can buy. As can happen, however, and on very, very rare occasions does happen, one of the screens is defective; and a seed drifts in and takes root. Does the person-plant who now develops have a right to the use of your house?³⁹

Trent Horn offers us two reasons why this analogy does not hold. First, as we noted above with the burglar case, the act of opening up windows is not naturally ordered to letting people seeds enter your home; whereas, sex is naturally ordered to the creation of new human life. As Horn writes, "Opening a window does not begin the burgling or people-seed-drifting processes, but sexual intercourse does initiate the process of reproduction."⁴⁰ Second, Horn argues that he is "not confident one is justified in killing the people seeds any more than one is

³⁸ Patrick Lee, *Abortion & Unborn Human Life* (Washington, D.C.: Catholic University Of America Press, 2010), 121.

³⁹ Judith Jarvis Thomson, 59.

⁴⁰ Trent Horn, 165.

justified in killing a toddler who wandered through your unlocked front door.”⁴¹ We can emphasize this point by modifying our spaceship case. Suppose that I do not bring my two-year-old son on board with me, but before I take off, I leave my spaceship door open knowing full well that my son *may* wander on board. Let us say that I even take every possible precaution to ensure that my son cannot get on board my spaceship while the door is open, such as putting a baby gate in the doorway. Nevertheless, once I arrive in space, I discover my son is on my spaceship. I am in agreement with Horn that it does not seem self-evident to me that I should be allowed to kill the toddler by ripping him apart limb by limb or ejecting him from my spaceship. Similarly then, even in Thomson’s people-seeds case, it does not seem evident that one should be allowed to kill the people-seeds simply because they wandered into the house (and by no fault of their own). Let us now turn to Beckwith’s drunk-driving example in support of the forced-dependency objection, and Boonin’s arguments against Beckwith’s analogy.

Do Forced-Dependency Analogies Beg the Question?

In discussing child support laws in the context of the debate we have outlined above, Beckwith argues that the father’s responsibility to his child is not rooted solely in the fact that he maintains a biological relationship with his son, but that he voluntarily engaged in an act which would cause a new dependent person in need of his assistance. Defending the framework of his argument, Beckwith writes, “This is not an unusual way to frame moral obligations, for we hold drunk people whose driving results in manslaughter responsible for their actions, even if they did not *intend* to kill someone prior to becoming intoxicated.”⁴² Boonin finds Beckwith’s argument not only to be unsatisfying, but to be question begging. He argues this in the following way:

But in the case of drunk or negligent driving, we already agree that people have a right

⁴¹ Ibid.

⁴² Francis Beckwith, “Personal Bodily Rights, Abortion, and Unplugging the Violinist,” *International Philosophical Quarterly* 32, no. 1 (1992): 105–18, <https://doi.org/10.5840/ipq199232156>.

not to be run over by cars, and then determine that a person who risks running over someone with a car can be held culpable if he has an accident that results in a violation of this right. And the same is true in the other sorts of cases that proponents of the [responsibility] objection appeal to: It is uncontroversial that you have a right not to be deliberately shot by a hunter's bullet, or to have your food supply intentionally destroyed, and from this we derive a right that people not negligently act in ways that risk unintentionally causing these things to occur. In the case of an unintended pregnancy, on the other hand, the question of whether the fetus has a right not to be deliberately deprived of the needed support the pregnant woman is providing for it is precisely the question at issue. So it is difficult to see how an argument from an analogy with such cases can avoid begging the question.⁴³

Beckwith has considered this reply from Boonin and has offered two responses to Boonin's question begging charge. First, Beckwith argues that this reply from Boonin is strange and essentially "undercuts his own case." Beckwith writes, "For that is precisely why people, like Thomson, McDonagh, and Boonin, and I use analogies: to illuminate difficult cases by looking at uncontroversial ones and the principles employed in them."⁴⁴ As we have seen throughout this paper, time and time again, arguments from analogy are what have been employed by Boonin, Thomson, and McDonagh in order to extrapolate common principles from the uncontroversial case, and see how they can be applied to the controversial case of abortion. Boonin has offered the uncontroversial case of *McFall v Shimp* in an attempt to show why the principles underlying the case ought to be applied in abortion. Thomson's violinist analogy (which is largely responsible for the prominence of the whole set of bodily rights arguments) is an attempt to demonstrate how the controversial case of abortion is morally permissible due to the principles guiding the uncontroversial fictitious case of the violinist. Even McDonagh has analogized rape to unwanted pregnancy in an attempt to demonstrate how the uncontroversial evil that is committed during rape is somehow analogous to preventing a woman from receiving

⁴³ David Boonin, 168.

⁴⁴ Francis Beckwith, *Defending Life : A Moral and Legal Case against Abortion Choice* (New York: Cambridge University Press, 2007), 185.

an abortion. If Boonin is going to criticize Beckwith's argument from analogy which follows precisely the same set-up, the whole corpus of bodily rights arguments ought to be thrown out for the same reason, since they all depend upon analogizing pregnancy and abortion to an uncontroversial case in which basic premises are agreed upon.

Second, Beckwith argues that Boonin is "mistaken" in regards to what exactly the question at issue is. Although Boonin claims that the question at issue is "whether the fetus has a right not to be deliberately deprived of the needed support the pregnant woman is providing for it", Beckwith argues that, in relation to the forced-dependency objection, the true question at issue is the following:

Are persons, who are engaging in an act designed to bring into being dependent persons, justified in depriving a dependent person of life, whose existence results from that act and whose natural, though temporary, home is the womb of one of the persons who brought the dependent person into existence? In the cases of drunk driving or a hunter's bullet, the question is similar (though certainly not identical): Are persons, who are engaging in acts that are inherently dangerous to others, justified in not compensating a harmed person whose injury results from that act and who has a natural right to be compensated for the wrong?⁴⁵

As it relates to the forced-dependency objection, this seems to be a much more precise question than the one Boonin claims is attempting to be answered. Boonin may certainly believe that a fetus has no right not to be deliberately denied the use of his mother's uterus. But if he believes that an individual, rendered dependent by the actions of another individual, is justified in requiring compensation from him, then Boonin must accept that a fetus (rendered dependent by the actions of her parents) is justified in requiring compensation from her parents. Although Boonin thinks it is the former question that is now being asked, Beckwith argues that it is truly this latter question that is being considered. And if this is true, then Beckwith's drunk driving

⁴⁵ Ibid.

analogy is not truly begging the question.

Distinction Between Responsibility for a Person's Neediness and a Person in Need

Boonin offers a second objection which he believes to be “an even more fundamental problem” with the forced-dependency objection.⁴⁶ This objection is grounded in a seemingly compelling distinction he makes between two different types of responsibility which he labels Responsibility (1) and Responsibility (2). In Responsibility (1) you are responsible for someone’s dependency upon you because you performed an act that caused them to exist in such a condition that they require your assistance. Had you not performed the act, the person would not now exist, and would not stand in need of your assistance. Therefore, in Responsibility (1), you are responsible for *bringing into existence a needy person*. In Responsibility (2) you are responsible for someone’s dependency upon you because you performed an act which caused an already existing person to require your assistance. Had you not performed the act, the person would still exist without needing your assistance. Thus, in Responsibility (2), you are not responsible for bringing into existence a needy person, but for *causing the needy person’s neediness*, given that he now exists. How does this apply to sex and Beckwith’s drunk driving analogy? Well in the drunk driving analogy, if the drunk driver harms another driver on the road and causes him to become needy, the drunk driver is responsible for the victim’s neediness; so he is responsible in the sense of Responsibility (2). In sexual intercourse, however, a mother engages in an act which causes the existence of a needy person. Sexual intercourse does not cause an already existing person to become needy. Thus, the mother is responsible in the sense of Responsibility (1), not Responsibility (2). It is this distinction, claims Boonin, which renders Beckwith’s drunk driving analogy to be disanalogous to sexual intercourse and pregnancy in a morally significant way. Although Boonin does not claim this to be the striking blow to the

⁴⁶ David Boonin, 168.

responsibility objection, he argues that what must be demonstrated is that “responsibility in sense (1) alone is sufficient to generate an obligation to provide the needed assistance.”⁴⁷ In order to show why Responsibility (1) is insufficient for generating such an obligation, Boonin employs a modified argument from an analogy first introduced by Harry Silverstein. Boonin sets the stage as follows:

You are the violinist’s doctor. Seven years ago, you discovered that the violinist had contracted a rare disease that was on the verge of killing him. The only way to save his life that was available to you was to give him a drug that cures the disease but has one unfortunate side effect: Five to ten years after ingestion, it often causes the kidney ailment described in Thomson’s story. Knowing that you alone would have the appropriate blood type to save the violinist were his kidneys to fail, you prescribed the drug and cured the disease. The violinist has now been struck by the kidney ailment. If you do not allow him the use of your kidneys for nine months, he will die.⁴⁸

We shall refer to this thought experiment as the ‘doctor case’. Boonin argues that in this case, you are responsible in the sense of Responsibility (1) because you have performed an action that is responsible for the current existence of the needy violinist, not for the violinist’s neediness. If you had not given the violinist the drug, the violinist would not now exist. Therefore, you are not responsible in the sense of Responsibility (2) because you did not cause the violinist’s neediness. Boonin continues his argument by stating that since you are responsible for the violinist’s current existence and not for his neediness, you do not owe him the use of your kidneys. Similarly, since a mother is responsible for her fetus’ current existence and not for its neediness, she does not owe the fetus the use of her uterus.

There are now a few ways one could respond to this objection. First, Boonin admits that there is no other act which creates a new needy person and therefore, arguments from analogy employed to draw out the principles operating in the background will be imperfect. Nevertheless,

⁴⁷ Ibid., 172.

⁴⁸ Ibid., 172-173

Boonin believes that the act of *extending* a life is analogous enough to *creating* a life as they both result from performing an action that, if the action had not been performed, the person would not now exist. While I respect him for this noble attempt, I believe the difference between extending a life and creating life is insurmountable and is too great a difference for any argument from analogy of this kind to be successful. After all, for an argument from analogy to be successful, the differences in the analogy need only be superficial while the similarities in the analogy must be substantial. On the contrary, Boonin seems to get it backwards in this analogy, implying the “existing now” portion of his analogy to be the substantial part, and the extending and creating difference to be superficial. It appears to me, as it apparently does to Beckwith and Lee, to be precisely the other way around.

Patrick Lee argues that the doctor generously extends the patient’s life, with the result that the patient will develop another dependency later on. But this is a very different case for parents:

In the conception of a child the parents cause a child to come to be and *in the same act* cause him or her to come to be in an imperiled, or radically dependent, condition. The parents’ action directly places the child in an imperiled condition, for the coming to be of an immature human being, and his or her coming to be in an imperiled (or dependent) condition, are identical.⁴⁹

Further demonstrating the problem with the disanalogy between creating new life and extending a life, Beckwith argues that “Unlike the physician who is ministering to his violinist patient for the patient’s greater good, agents engaged in intercourse are not extending their child’s life for his greater good. For there is no child to whom they can minister.”⁵⁰ In other words, as Lee and Beckwith stress, the doctor operates on an already existing patient and extends his neediness. But the parents are not “extending” the life of their child since their child does not

⁴⁹ Patrick Lee, 122.

⁵⁰ Francis Beckwith, 187.

exist before they engage in intercourse. Rather, as a result of their intercourse, they *simultaneously* bring into existence a person and the person's neediness. However, as Beckwith points out, the parents will deprive the child of life precisely because the child is needy.

As bad as this is for the insurmountability of the disanalogy between extending and creating new life, Beckwith's insight leads us to a second problem with Boonin's argument. This problem pertains to Boonin's use of his distinction between Responsibility (1) and Responsibility (2) in support of his argument. Beckwith argues that the only reason Thomson and Boonin's bodily rights arguments exist is precisely because the fetus is needy and dependent upon the mother's uterus. If humans reproduced so that their offspring were fully independent adults, then there would be no justification for a mother to kill her offspring. Beckwith's point emphasizes exactly why this is a problem for Boonin's appeal to the distinction between the two kinds of responsibility:

So, *it is the neediness of the child* that justifies depriving it of life by those responsible for its neediness, one of whom is in a unique position to care and nurture that child. But according to Boonin, when one is responsible for causing someone's neediness, one is specially responsible for providing compensation and/or assistance to the one in need. Consequently, the parents of the unborn *are* responsible for assisting it because they are in fact responsible for bringing into existence a being who is needy by nature and thus are responsible for its neediness.⁵¹

In other words, Boonin claims that we can distinguish between Beckwith's drunk driving analogy and pregnancy in regards to the responsibility objection because there is a distinction between Responsibility (1) and Responsibility (2). But if a mother and father engage in an act which Boonin admits produces a child who is *needy by nature*, one cannot claim that the parents simply created the child but did not create the child's neediness. For the mere act of bringing a naturally needy child into existence is the same act, as stated above, which causes the child to be

⁵¹ Ibid., 187-188.

needy. Therefore, on Boonin's own distinction, the parents are responsible not just in the sense of Responsibility (1), but in Responsibility (2) as well.

Lee further argues that Boonin's distinction between Responsibility (1) and Responsibility (2) are specious and, as a result, lead to unwelcomed circumstances. To demonstrate this point, Lee poses a thought experiment in which he speeds past a pier in a motorboat, knocking three children from the pier into the lake. On Boonin's own distinction, Lee could claim that he is responsible for the existence of the children in the water, but he is not responsible for their neediness in the water. If the children do not know how to swim, Lee could claim that although he is responsible for the fact that they are in the water, their inability to swim is what really causes their dependency. Therefore, Lee would be responsible in the sense of Responsibility (1) as he is responsible for the existence of the children in the water but not for the existence of their neediness. Lee claims, "likewise, it is specious to distinguish between a child's existence (for which I am responsible) and his existing in an imperiled condition (for which, the claim is, I am not responsible)."⁵²

Third, Beckwith gives us an additional reason why the distinction between the two senses of responsibility is problematic. The distinction, he argues, causes an asymmetry in the neediness that is increased and decreased. Beckwith writes,

The physician, by giving the violinist the drug to extend his life for at least another five years, *decreases* his patient's net neediness; after all, the violinist was given the drug at the edge of death. An already existing state of affairs was improved. On the other hand, in the case of pregnancy, net human neediness is increased, for a child-with-neediness, a joint condition, is actualized by an act that is ordered in such a way that its proper function...is to produce a child-with-neediness.⁵³

This seems to be an extremely important factor in the distinction Boonin makes between

⁵² Ibid., 123

⁵³ Francis Beckwith, 187.

Responsibility (1) and Responsibility (2). It seems that, besides being able to come up with an analogy that compares pregnancy to creating a needy person, Boonin's best option is to tweak his analogy in such a way that the only medicine available to the violinist renders the violinist immediately dependent upon the doctor's kidneys. In this way, the violinist's current state of affairs has not improved at all and as a result, his neediness has not decreased at all.

Nevertheless, this still would not salvage Boonin's analogy for two reasons. First, because one would then say that there is simply no reason to administer the drug as doing so would be futile. Similarly, if the drug should not be administered on the grounds that it would not decrease the violinist's dependency, one should not engage in any act that would not decrease somebody else's dependency. This leads us to the second problem, which is that there still remains a difference between *not decreasing* somebody's net neediness and *increasing* somebody's net neediness. For even if Boonin's thought experiment was such that you could only provide the violinist with a drug that did not alter his net neediness, this still is not as bad as increasing somebody's net neediness, which is what you find in pregnancy.

Due to the above objections to Boonin's analogy, one ought to reject the doctor case as a successful defense of the distinction between Responsibility (1) and Responsibility (2).

Nevertheless, will now examine a similar, although different argument Boonin has presented to defend the importance of his distinction between Responsibility (1) and Responsibility (2). In his most recent book on abortion, *Beyond Roe*, Boonin argues that the kinds of cases which characterize Responsibility (2) are ones "where one person does an act that causes a second person to go from a healthy condition to a needy condition", whereas the cases which characterize Responsibility (1) "aren't cases where the first person has harmed the second

person.”⁵⁴ Therefore, the drunk driver in Beckwith’s analogy is responsible in the sense of Responsibility (2) because the act of the drunk driver which caused the neediness of his victim was an act which directly caused some harm to the victim. On the other hand, a mother who becomes pregnant as a result of voluntary sex is responsible in the sense of Responsibility (1) because the act which caused her fetus to be needy was not one which directly harmed her fetus.

Unfortunately for Boonin, this change in strategy does not seem to get him out of the woods. In responding to those who defend Boonin’s distinction between Responsibility (1) and Responsibility (2), and who think that being responsible in the sense of Responsibility (1) is insufficient for generating an obligation to aid the person’s neediness, Horn offers the following thought experiment:

Imagine a replicator machine that can create any kind of object. If I activate the replicator, there is a high chance that the machine will dispense \$10,000. There is also a chance that along with the money the machine will dispense a healthy newborn infant. If you could find no one else to care for this child, you would become the guardian or “parent”. Why? Because you engaged in an act that you knew was ordered toward creating a helpless human being, and now that human being stands in need of your assistance. Abandoning this infant to die would simply never be tolerated.⁵⁵

One could argue that Horn’s analogy is insufficient because the baby that is created by the replicator is not dependent upon your body in the same way that the baby who is created by sexual reproduction is dependent upon his mother’s body. But this doesn’t seem to be the crux of the matter here. The question we are attempting to answer is “Are you obligated to aid the neediness of persons who exist because you engaged in an act which did not cause healthy persons to be needy, but in an act which is ordered to cause the existence of those needy persons?”. This is the question at issue, and it does not ask in what form that aid needs to be

⁵⁴ David Boonin, *Beyond Roe : Why Abortion Should Be Legal--Even If the Fetus Is a Person* (New York, Ny: Oxford University Press, 2019), 79-80.

⁵⁵ Trent Horn, 166.

provided. If you believe that you have a duty to aid the baby who is created from your use of the replicator, and that it would be objectionable for you to leave the baby to die, then the answer to the question is yes. And if the answer to the question is yes, then this means responsibility in the sense of Responsibility (1) is sufficient for generating an obligation to aid the needy person's neediness, which means a mother has an obligation to aid her fetus. Moreover, the reason why Boonin's harm principle insufficiently responds to the objection is because you are not harming a new person when you use the replicator, you are simply making a new needy person. Thus, the baby does not go from a healthy state to a needy state when the replicator produces a newborn infant. Yet we still acknowledge that if we engaged in such an act, we would have a responsibility to take care of the newborn infant. If this is so, then the reason why we are responsible for some people's neediness and not for the neediness of others cannot simply be the fact that we committed some harm against the former and not the latter. So even if Boonin's defense of the distinction between Responsibility (1) and Responsibility (2) can adequately account for the sense of responsibility that exists in Beckwith's drunk driver, it cannot account for the sense of responsibility we owe the newborn infant who is produced from Horn's replicator.

In conclusion, we can see that the distinction between Responsibility (1) and Responsibility (2) does not succeed in refuting the forced-dependency objection. Therefore, the objection remains to be an important disanalogy between the violinist case and pregnancy that neither Thomson nor Boonin has adequately responded to. If this is so, then Thomson's violinist case is too disanalogous to pregnancies that result from consensual sex to support the conclusion of her argument, namely that abortion is morally permissible even if we grant personhood to the fetus.

The Reverse Violinist

I would now like to briefly look at a modified version of Thomson's violinist case first posed by Anthony George and defended by Horn. Horn labels this thought experiment 'the reverse violinist'. I would like to take a look at this modification of Thomson's analogy, in light of the consent and forced-dependency objections defended above, for two reasons. The first is that the reverse violinist (especially as further expounded upon by Horn) appears to be a more proper analogy to pregnancies that result from consensual sex than Thomson's violinist case. The second reason is that the thought experiment shifts the reader's frame of reference from being in the position of the mother to being in the position of the fetus which may help to clarify the moral weight of having some sort of dependency be foisted upon you.

The reverse violinist begins in similar fashion to the classical violinist case we are by now familiar with. You wake up in a hospital bed and discover that your kidneys have been attached to an unconscious violinist. This was performed without your consent so you decide to unplug from the violinist and leave the room. The all too familiar story begins to take a turn when you begin feeling lightheaded and nauseous, forcing you to turn back around and reattach yourself to the violinist. Horn's version of the thought experiment reads as follows:

The hospital director explains to you that the violinist is a member of the Society of Musical Pranksters. The pranksters go around plugging their members' kidneys into sleeping or unconscious innocent people for the "thrill" of the experience. They take precautions to make sure no damage is done and that the members can be unplugged in a few minutes, but every now and then the bond sticks and the connection damages the innocent person's kidneys. This forces that person to rely on the use of the prankster's body for nine months until his own kidneys heal. After hearing this, the stress of the situation causes you to pass out just as the violinist wakes up. The violinist decides that you have no right to use his body without his consent, and he unplugs from you.⁵⁶

⁵⁶ Ibid., 163-164.

We would probably consider the action of the violinist unplugging himself from you and leaving you to die of kidney failure to be morally reprehensible and completely unjust. But why do we believe this to be the case? The first main difference between Thomson's violinist and reverse violinist is that in the latter, the person providing his kidneys to a dependent individual committed an action which he knew could lead a person to become dependent upon his kidneys. On the contrary, in Thomson's case, there was nothing that you did which caused the violinist to become dependent upon your kidneys. In other words, you did not cause the neediness of the violinist whereas in the reverse violinist, the violinist did cause your neediness upon him. Primarily for this reason, as Horn writes, "it seems outrageous to say he has the right to withhold the support you need to live, when he is responsible for placing you in need of his support in the first place."⁵⁷ An objector to the argument could appeal to Boonin's harm principle in his defense of the distinction between Responsibility (1) and Responsibility (2). The reason why the violinist owes you his kidneys now is because he committed some harm to your kidneys. Yet, for the reasons we have shown above with the replicator case, this distinction is inadequate to account for our responsibility to needy persons we give existence to but do not harm.

A second considerable difference between the reverse violinist and Thomson's violinist is that the reader is invited to view the situation from a different perspective. In Thomson's case, you are asked to be seated in the position of the pregnant mother who did not want to be pregnant. You did not consent to being hooked up to the violinist and you are asked to bear a considerable cost for a stranger who's dependency you did not cause. In the reverse violinist, you are asked to be seated in the position of the newly formed embryo who did not ask to be rendered dependent upon her mother's uterus and who had her dependency on her mother's uterus caused by her parents, just as you did not ask to be hooked up to the violinist who caused you to become

⁵⁷ Ibid., 164.

dependent on his kidneys. Anthony George emphasizes just this point exactly:

Certainly reframing the analogy in this way plays on our moral intuitions differently, and we are now focused on the plight of the dependent rather than the one being depended on. This exposes another problem with Thomson's violinist analogy. Because we are asked to participate in the analogy, it has a subjective element that can easily be manipulated to work in the opposite way Thomson intended.⁵⁸

It is true, as George goes on to argue, that Thomson's violinist analogy is dependent upon our moral intuitions siding in favor of disconnecting ourselves from the violinist. But if the thought experiment can be altered in such a way so as to not only make it more analogous to pregnancy, but to also force our moral intuitions to work in the opposite direction, it seems too difficult to conclude from Thomson's analogy that abortion is morally permissible.

⁵⁸ Anthony George, "Good Samaritan on Life Support," 2009, http://doc.jfaweb.org/Training/George_Anthony_GSonLifeSupport.pdf.

Part III: The Initiation-of-a-Fatal-Sequence Objection

Setting Up the Initiation-of-a-Fatal-Sequence-Objection

Suppose I wake up and find myself forcibly connected to the violinist by the Society of Music Lovers. I find myself upset about the situation I am in and wanting to attend to other responsibilities I have at home. However, in my fit of rage, I decide not simply to unplug myself from the violinist, but to cut him up into pieces instead. While we would agree that I may be allowed to unplug myself from the violist, I doubt anyone would agree that I am permitted to cut the violinist up instead. If you agree that I am permitted to do the former and not the latter, you may agree that there is a distinction between killing someone and letting someone die. This is a topic that has been explored by many ethicists, and there are many who disagree with the distinction between killing and letting die. For example, in her essay, *Rights and Deaths*, Thomson downplays such a distinction in her response to Finnis, arguing that when it comes to a mother who aborts herself and kills her child and a man who does not decide to save someone from death, “from a moral point of view these cases should be assimilated.”⁵⁹ Nevertheless, much has been written in support and opposition regarding this distinction and I am in general agreement with Boonin that Thomson’s response is unpersuasive as it “leaves her position vulnerable to those who think that there are sound independent reasons to place great moral weight on the distinction between killing and letting die.”⁶⁰ Therefore, I will focus instead on Boonin’s continued attempt to “argue from premises that critics of abortion generally accept, [many of which] accept the claim that killing is worse than letting die.”⁶¹

Unlike what we have seen above in regards to pregnancy as the intelligible end of sex, Boonin actually grants the distinction between killing and letting die that many pro-life people

⁵⁹ Judith Jarvis Thomson, “Rights and Deaths,” *Philosophy & Public Affairs* 2, no. 2 (1973): 146–59, <https://www.jstor.org/stable/2265138>.

⁶⁰ David Boonin, *A Defense of Abortion* (Cambridge: Cambridge Univ. Press, 2005), 190.

⁶¹ *Ibid.*

hold. He does so in an attempt to advance Thomson's argument further by showing that even if this premise is also granted, some abortions remain morally permissible. Since I am focusing on Thomson's violinist analogy and its attempt to demonstrate the moral permissibility of abortion using premises pro-life people generally accept, I will concern myself with this line of argumentation instead. Important to reiterate is that I will not be defending the legitimacy of the distinction between killing and letting die. Rather, I will be defending that if one grants this distinction as a legitimate distinction, then naturally, there is a morally relevant disanalogy between Thomson's violinist case and pregnancy. Thus, contra Boonin, this distinction would pose a legitimate problem for Thomson arriving at the conclusion that abortion is morally permissible. Moreover, important to note is that this objection, unlike the consent and forced-dependency objections, would effect not only pregnancies that result from consensual sex, but also those that result from rape. The distinction between killing and letting die would apply to all fetuses, regardless of how the child was conceived.

Defining Killing and Letting Die

Before we continue, it will be important to put forth a solid definition for "killing" and "letting die". Admittedly, many ethicists (including those who accept the distinction) have disagreed with exactly how these terms should be defined, making this discussion a tricky one. Nevertheless, I will continue by using Phillipa Foot's definition of the terms. Foot describes "killing" as the initiation of a fatal sequence of events, and "letting die" as the allowing of a fatal sequence of events to run its course. Foot uses two thought experiments, which she labels Rescue I and Rescue II, in order to illustrate her point. In Rescue I, you are driving in a jeep to save five people at risk of dying from an ocean tide on the shore. Along the way, you discover one person who is at risk of dying from some other disaster. Saving the one person would mean the five on

the shore will die, so you leave the one person to die in order to save the five. In Rescue II, you must save the same five people from the imminent tide except the path to get there is narrow. Along the path you find a person who is trapped, and saving the five would mean running over the one person, killing him. On the other hand, if you stop on the road, the person will have time to escape; however, the five on the shore will die. After setting out the cases, Foot writes:

As in the first story our choice is between a course of action which will leave one man dead and five alive at the end of the day and a course of action which will have the opposite result. And yet we surely feel that in one case we can rescue the five men and in the other we cannot. We can allow someone to die of whatever threatens him if the cost of saving him is failing to save five; we cannot, however, drive over him in order to get to them. We cannot originate a fatal sequence, although we can allow one to run its course.⁶²

Foot draws out principles from these cases which help us to determine in which category abortion falls under, and in which category disconnecting oneself from the violinist falls under. She argues that Thomson's thought experiment is disanalogous to that of abortion because in Thomson's case, I am allowing a fatal sequence of events, which preexisted my attachment to the violinist, to run its course. On the contrary, a mother (or more precisely, the abortionist) is the agent who initiates the fatal sequence of events which kills her child who was safe in her womb. Thus, Thomson's case is more analogous to the case of Rescue I, and the abortion to that of running over the man to save the five in Rescue II.

Foot's distinction between initiating a fatal sequence of events and allowing a fatal sequence of events to run its course helps us to sort out some of the questions we've had in earlier sections. The reason I would be able to disconnect from the violinist, even if I initially consented to being hooked up to the violinist, is because I am allowing a fatal sequence of events to run its course. But I would not be allowed to throw my two-year-old son off my spaceship

⁶² Philippa Foot, *Moral Dilemmas: And Other Topics in Moral Philosophy*, *Moral Dilemmas* (Clarendon Press, 2002), 78–87, <https://doi.org/10.1093/019925284x.003.0006>.

because that would mean I have initiated the fatal sequence of events. Therefore, one more reason why Thomson's violinist does not get us to the conclusion that abortion is morally permissible is that "unplugging" oneself from the violinist is disanalogous to an abortion. Whereas the former is allowing a fatal sequence of events to run its course, the latter is the initiation of a fatal sequence of events. We shall now consider some arguments offered by Boonin on why this distinction does not pose a worrisome objection to Thomson's violinist case.

Are There Abortions Which Only Let the Fetus Die?

Some, like Boonin, have argued that even if we grant this distinction, some abortions would be morally permissible because they are acts of merely letting die, not killing. We shall see later that not all acts of letting die are ones that are morally permissible. For now, we shall focus on which camp abortion falls into. Concerning the consequence the distinction has for abortion, Boonin writes, "even if one accepts the moral relevance of the distinction between killing and letting die, there is at least one method of abortion, hysterotomy, that is more plausibly described as a case of letting die rather than a case of killing."⁶³ In a hysterotomy, a living fetus is surgically removed from the uterus, "allowing it to die." But is this truly a case of letting die, rather than killing, given Foot's distinction above? Let us recall the spaceship case. If I decide to eject my son from the spaceship, most of us would be quick to argue that this is not a case of merely letting die, but actively killing my son. To eject him from my spacecraft and place him into the hostile environment of space would be to cause the fatal sequence of events which leads to his death. Similarly, to remove a fetus from her mother's uterus is not to let the fetus die, but to place her in a hostile environment and initiate the fatal sequence of events which leads to her death. And this is distinct from unplugging yourself from the violinist in which there is an already pre-existing fatal sequence of events which causes his death. Although unplugging

⁶³ David Boonin, 193.

yourself from the violinist may be said to “kill” him in the colloquial use of the term, Foot writes that “this only shows, once more, that the use of ‘kill’ is not important: what matters is that the fatal sequence resulting in death is not initiated but is rather allowed to take its course.”⁶⁴ On the contrary, in the case of abortion, “The fetus is not in jeopardy because it is in its mother's womb; it is merely dependent on her in the way children are dependent on their parents for food. An abortion, therefore, originates the sequence which ends in the death of the fetus.”⁶⁵ And Boonin notes, this would apply even in cases of hysterotomy.

Nevertheless, Boonin persists in his attack on the distinction and its implications for abortion by suggesting that “to point out that the fetus while in the womb is not in jeopardy does not suffice to establish that the act of removing it from the womb is the act that originates the fatal sequence.”⁶⁶ Boonin analogizes this point with the violinist by stating that the violinist is not in jeopardy when plugged into you either, but it is not the act of unplugging yourself from him which originates the fatal sequence of events. The fatal sequence of events in the violinist originates from whatever caused his kidney failure. Therefore, how can we be sure that it is not a pre-existing condition which is what initiates the fatal sequence of events that kills the fetus when we remove it, rather than the act of removing the fetus itself that initiates the fatal sequence? Boonin writes, “Let us suppose that the fetus dies after it has been removed because its lungs are insufficiently developed to breathe on its own. Then whatever caused the fetus to have such poorly developed lungs at this point in time is what initiated the fatal sequence.”⁶⁷

Boonin raises two possible objections which could be made at this point: one concerning the fact

⁶⁴ Philippa Foot, 78–87. This is also why I have labeled the objection the “initiation-of-a-fatal-sequence objection” as opposed to using the standard “killing versus letting die” terminology used by most pro-life writers. This is not necessarily because the terminology is faulty, but it certainly helps to make the distinction and problem much more clear and precise as it avoids the colloquial connotations associated with the terms killing and letting die.

⁶⁵ *Ibid.*

⁶⁶ David Boonin, 196.

⁶⁷ *Ibid.*

that the fetus has been in the womb from the beginning of its existence, and the other concerning the belief that his argument “seems tantamount to saying that all of life is a process of dying, and this can seem to stretch the notion of dying beyond its normal meaning.”⁶⁸ It is this second objection that I am most concerned by and which I believe Boonin does not adequately address.

The concern here is that Boonin’s argument attempts to analogize the dying violinist with a living, healthy organism. Boonin believes that this is not a considerable problem for his analogy. He writes, “a person whose death does not arise from some external cause does eventually die, and it seems to me that the beginning of his dying cannot non-arbitrarily be located at any point other than the point when he began to exist.”⁶⁹ This seems to be a desperate attempt by Boonin to hold on to his argument for a few reasons. First, Boonin seems to conflate a living person whose death may not arise “from some external cause” with dying. In an attempt to analogize the violinist who has kidney failure (and who can rightly be said to be dying) with a normal pregnancy, he tries to show that the fetus is also, in some way, dying. He suggests that the only non-arbitrary place to locate when someone is dying when they are not inflicted by an external cause is when they begin to exist. But there seems to be no reason why Boonin ought to locate a point at which a healthy person is dying. The only reason Boonin feels it is necessary to find some non-arbitrary point to locate is to make his analogy hold. Yet we can retort that the analogy fails precisely because there is no way to properly analogize a healthy human being with one who is dying. After all, if the two were analogous, every time a child was born, we would immediately begin mourning the fact that it will die, but we do not do such a thing. Similarly, when we discover a loved one is diagnosed with terminal cancer, we are mournful precisely because we now know that our loved one, who was previously healthy, is now dying due to an

⁶⁸ Ibid., 198.

⁶⁹ Ibid.

external cause. If the violinist and the fetus were properly analogous in this way, we would be in a perpetual state of mourning for all people. Moreover, when it comes to end of life decisions, any proponent of physician assisted suicide or euthanasia would have to accept that any person at any stage of life, regardless of medical health, should be allowed to kill themselves or be killed by a doctor, since every person could be said to be dying on Boonin's account.

Second, Boonin argues that the sense in which he uses the terms *fatal*, *lethal*, and *threatening* refer to “whatever ultimately causes it to be the case that a death is going to occur which would otherwise not have occurred...and in this sense the fetus in the woman's womb is just as threatened as is the violinist plugged into you.”⁷⁰ But this seems to be absurd. If I unplugged myself from the violinist and an autopsy were to be conducted on the violinist after he died, the medical examiner would find that the violinist was unhealthy and died as a result of kidney failure. However, if the medical examiner were to conduct an autopsy on a preivable fetus, she would not immediately find the cause of death of the fetus, for the fetus was healthy for the stage of development it was at when it was removed from his mother's uterus. It would only be when the medical examiner finds out that the fetus was placed into a hostile environment where it is unable to breathe that the medical examiner can fully understand the cause of death of the fetus. Moreover, many preborn human beings who are diagnosed with Trisomy 18, “a chromosomal condition associated with abnormalities in many parts of the body”, die before they are even born.⁷¹ These persons can properly be said to be threatened and dying because of their medical condition which is threatening their health, even while in the womb. And if the fetus dies while in the womb, we would be able to understand the reason for the baby's death.

This brings us to our last point concerning Boonin's response, it uses a healthy adult

⁷⁰ Ibid.

⁷¹ “Trisomy 18: MedlinePlus Genetics,” medlineplus.gov, 2021, <https://medlineplus.gov/genetics/condition/trisomy-18/#:~:text=Due%20to%20the%20presence%20of>.

human being as the standard for whether or not an individual at a different stage of life is healthy. Boonin's analogy only works if the violinist is unhealthy in the same way a fetus is unhealthy. We can see this when Boonin says "whatever caused the fetus to have such poorly developed lungs" can be said to be what actually caused the fatal sequence of events. But the fetus' lungs are not poorly developed; they are developed exactly as they should be for the stage of life the fetus is in. And we know this because we are only concerned about the health of a fetus when it has a condition like Trisomy 18 that causes its organs to be poorly developed or underdeveloped for the stage that it is in. If we are to say that a *healthy* fetus' lungs are "poorly developed", the natural question to ask is 'poorly developed in relation to what?'. If the fetus is healthy, its lungs are clearly not poorly developed in relation to what the development of his lungs should be for his stage of development. So to claim that the fetus' lungs are poorly developed could only be in relation to a more mature and developed human being. In which case, to use the adjective 'poorly developed' to describe the lungs would be nonsense. We do not say that a three month old baby's legs are poorly developed because he cannot walk. We would say that the three month old baby's legs (assuming the baby is healthy) are perfectly developed for the stage of life he is at. This is also why we are able to say that the violinist is unhealthy even while he is plugged into us. His kidneys are unable to properly function on their own for the violinist's current stage of human development. Therefore, we ought to reject the idea that the fetus in the uterus is threatened in the same way that the violinist who is plugged into us is threatened.

In summary, if one grants Foot's distinction between initiating a fatal sequence of events' and 'allowing a fatal sequence of events to run its course', then all abortions (including hysterotomies) fall in the former category and not the latter. Attempts by Boonin to demonstrate that reasons for placing all abortions in the former category as opposed to the latter category

inevitably commit one to the conclusion that unplugging yourself from the violinist is also a part of the former category prove to be unsuccessful. In other words, committing to the thesis that all cases of abortion are initiations of a fatal sequence of events does not lead to the further conclusion that the unplugging from the violinist is also an initiation of a fatal sequence of events. Thus, on Foot's distinction, unplugging yourself from Thomson's violinist is disanalogous to all abortions, meaning that your ability to unplug yourself from the violinist does not establish the conclusion that abortion is morally permissible.

The Hospital Intruder

We have argued above that all abortions, including those done by hysterotomy, are killings in the sense that they initiate a fatal sequence of events as opposed to letting a fatal sequence of events run its course, and this argument has been made under the assumption that initiating a fatal sequence of events is much worse than allowing a fatal sequence of events to run its course. As mentioned earlier, this is granted by Boonin for the sake of argument in order to undermine the pro-life position on its own grounds. What is important to make clear, however, is that while it may be granted that initiating a fatal sequence of events is generally worse than allowing a fatal sequence of events to run its course, some instances in which you permit a fatal sequence to run its course are just as morally impermissible as initiating a fatal sequence of events. In attempting to refute the killing versus letting die distinction, Boonin compares the distinction to the case of Shimp and McFall,

If an intruder breaks into a hospital and unplugs a kidney patient from his dialysis machine, we could say the intruder simply lets the patient die of his kidney ailment, but it would probably seem more natural to say the intruder kills him... If you're inclined to think a hysterotomy abortion would kill Al [Alice's fetus] for this reason, I won't argue with you. But if that's what you think, you'll have to say disconnecting Shimp from the bone marrow transferring machine would kill McFall and would not simply let McFall

die.⁷²

There are two points we will have to address about this hospital intruder case before we continue. First, as Foot mentions regarding the violinist case, although someone who unplugs themselves from the violinist may be said to “kill” the violinist, what is morally relevant is determining the cause of the fatal sequence of events. So one might point out that while the use of the word kill may be said to apply to Al (who is analogous to the violinist) and McFall, there are different important factors contributing to each of their cases. This, as we shall see, will lead Boonin into some trouble in his attempt to equivocate all three cases. Second, given what we have already said about Foot’s distinction, we would argue that a hysterotomy abortion would initiate the fatal sequence of events that cause Al’s death, but that both the kidney patient and McFall’s death resulted from the fact that a pre-existing fatal sequence of events was permitted to continue. Now this is when some might begin worrying, believing the kidney patient’s death and McFall’s death to be morally on par given such a distinction. But one who defends such a distinction need not be concerned that they are committed to such a consequence.

As alluded to in the first point, Boonin attempts to equivocate all three cases when we can argue that they need not be. As mentioned in our second point, we shall argue that Al’s death is categorically different from the kidney patient’s or McFall’s death because the abortionist initiated the fatal sequence of events which killed Al. However, this is not to say that the intruder who unplugs the kidney patient in the hospital and Shimp are morally equivalent. While they both permit a fatal sequence of events to run their course, we may argue that not all scenarios of permitting a fatal sequence of events to run its course are morally permissible. For in these two examples, the intruder who unplugs the kidney patient allows a fatal sequence to continue but is

⁷² David Boonin, *Beyond Roe : Why Abortion Should Be Legal--Even If the Fetus Is a Person* (New York, Ny: Oxford University Press, 2019), 110.

not himself responsible for extending the life of the individual. On the contrary, Shimp is the one directly responsible for extending McFall's life, and he may therefore choose to allow the fatal sequence of events to run its course. Some may argue that this undermines the distinction between initiating a fatal sequence and allowing a fatal sequence to run its course. But there does not appear any reason to me why this is so. For it does not logically follow from the fact that it is wrong in all circumstances to initiate a fatal sequence of events that it is right in all circumstances to allow a fatal sequence of events to run its course. Therefore, we are not committed to saying that the state must force you to remain connected to the violinist, or Shimp to McFall, just because the state can prevent AI from being aborted or prevent an intruder from unplugging a kidney patient. Once again, Boonin's hospital intruder case provides no reason for us to worry that defending Foot's distinction commits us to such problematic conclusions. Since this is the case, the initiation-of-a-fatal-sequence objection remains a large stumbling block for Thomson to establish the moral permissibility of a mother initiating the fatal sequence of events that kills her fetus, viz. have an abortion, from the moral permissibility of allowing a fatal sequence of events to run its course, viz. unplugging yourself from the violinist.

Part IV: The Teleological Objection

Setting Up the Teleological Objection

In responding to bodily rights arguments similar to Thomson's, Stephanie Gray provides a unique objection which I label the teleological objection. Gray writes that bodily rights arguments sound compelling until you ask the question, "What is the telos of the uterus compared to the kidney?". Gray's answer is that:

The blood and kidneys exist in a person's body *for* that person's body. The uterus, however, is fundamentally different... The uterus exists in one person's body, every month getting ready for *someone else's body*. Can a woman live without her uterus? Yes. Can an early pre-born child live without a woman's uterus? No. Those questions, and answers, tell us something: they tell us that the uterus exists *more* for one's offspring than for oneself.⁷³ [Emphasis in original.]

When we examine the nature and function of the uterus, we see that the uterus is ordered to the protection and gestation of the fetus that occupies it. But kidneys are ordered to filter blood. Gray's point is that Thompson's argument is disanalogous to pregnancy in one morally significant way; unlike all other human organs, including the kidneys the violinist is using, the uterus is the only organ which exists in one person's body *for another* person's body. Thus, the violinist does not have a right to your kidneys in the same way an unborn child has a right to her mother's uterus.

Two important pieces of information should be kept in mind as we continue with this objection. First, this objection would only apply to those who accept a teleological metaphysical view.⁷⁴ If Thomson or Boonin aim to convince people who hold the fetus to be a person that

⁷³ Gray, Stephanie. *Love Unleashes Life: Abortion and the Art of Communicating Truth*. Life Cycle Books, 2016, 58.

⁷⁴ In this section, I will primarily be defending and drawing upon sources that defend a specifically Aristotelian approach to teleology. By teleology, I am referring to the idea that natural bodies serve some sort of specific function, or act for some specific end, in virtue of the kind of thing that it is. For example, wings are for flying and eyes are for seeing. This should not be confused with the modern day 'teleological argument' for the existence of God as defended by William Paley. While Paley is focused on demonstrating the existence of a designer from the existence of a complex universe, Aristotle is

abortion is morally permissible, then it would better serve their arguments were they to grant an Aristotelian teleology for the purposes of the discussion. However, such a notion of teleology is deadly to the bodily rights argument. Second, this objection will apply to both pregnancies that result from consensual sex and from rape.

Reply to the Teleological Objection

Jim Stone utilizes a version of the teleological argument with his own thought experiment in which he hypothesizes an alien race which reproduces in such a way that once X reaches the age of 70, each X divides into two distinct individuals, Y and Z. Neither Y, nor Z, are identical to X, and they both are rational beings with a right to life. However, as part of the natural fissioning process of this species, Stone writes:

Suppose that the process of fissioning is always incomplete; the offshoots are joined at the side by a band of flesh and have a common bloodstream. Further, while the organs of one offshoot are always fully formed, some of the organs of his partner, e.g., his liver and kidneys, are dormant and only partly formed; they develop gradually until they are functional, at which time the band joining the two individuals dissolves and they go their separate ways. Until that separation, however, one of the organisms survives only because their common bloodstream enables him to use the organs of his partner.⁷⁵

Putting himself in the place of the alien species, Stone then asks us to consider the following. Suppose Stone is in the position of the fully formed offshoot of X and desires to be freed from the burden of George, the underdeveloped offshoot who requires the use of Stone's organs for nine months to live until his organs are fully developed. Given that Stone's vital

concerned with no such thing in his notion of teleology. Aristotle does not posit an extrinsic cause like God to explain why things move toward the end that they do. Rather, natural bodies have an intrinsic principle, namely their substantial form, that is the explanation for the function they serve. Subsequent approaches to teleology that maintain that natural bodies have some function are also compatible with this argument such as that of Saint Thomas Aquinas and Richard Hooker. Teleology remains influential in contemporary discussions on ethics, particularly virtue ethics as it relates to Aristotle. Some contemporary proponents of virtue ethics include Philippa Foot and Alasdair MacIntyre. Nevertheless, not all teleological approaches may be compatible with this argument such as Darwinian teleology. Therefore, as we continue with this objection, the sense in which I will be using teleology will be in the Aristotelian sense.

⁷⁵ Jim Stone, "Abortion and the Control of Human Bodies," *The Journal of Value Inquiry* 17, no. 1 (1983): 77–85, <https://doi.org/10.1007/bf00159685>.

organs are a part of his body, anatomically speaking, and that he did not consent to George using his vital organs, is Stone morally permitted to sever the connection between himself and George?

Stone responds by saying,

Surely not. For in this case it seems plain that George has a claim on the continued use of my liver... The principle which justifies such a claim seems to be this: An organism with a strong right to life has a right to the continued use of the biological equipment, the use of which it acquires through the normal process of biological creation typical to its species, upon which its life depends.⁷⁶

Stone agrees with Thomson (as do I), that simply defending the view that a fetus is a person with a right to life is insufficient for guaranteeing that the fetus has a right to use his mother's uterus. But, as he argues, if the fetus is a human person then "it has a right to the continued use of the biological equipment the use of which it acquires through the species-typical process of its biological creation, here conception and gestation, upon which its life depends."⁷⁷ David Boonin has replied to Stone's argument, charging Stone with a *petitio principii* fallacy, otherwise known as, begging the question. Boonin's criticism is that Stone's thought experiment hinges on the fact that the biological process by which George becomes dependent on Stone's organs is a process which "functions" to make Stone's organs to be used by both George and Stone. Thus, if taken in a strictly teleological sense, Boonin agrees that Stone could not detach from George but that I could unplug myself from the violinist. However, according to Boonin, if the teleological argument "ultimately rests on the assumption that the woman's body is by nature there for the fetus to make use of, then it simply begs the question it is attempting to settle, since the question at issue here is precisely whether or not the fetus is entitled to make use of the woman's body."⁷⁸ However, we shall soon see that we can formulate

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ David Boonin, *A Defense of Abortion* (Cambridge: Cambridge Univ. Press, 2005), 245.

the teleological argument in such a way that it cannot be charged with begging the question.

Boonin further argues that Stone's alien reproduction thought experiment fails as an analogy to pregnancy because in the case of Stone's example, both he and George come to make use of his organs simultaneously. On the other hand, a pregnant woman has maintained ownership of her womb long before the fetus came to occupy it. Therefore, while there is no prior ownership to Stone's organs before both George and Stone began using them, there is prior ownership of the womb before the fetus began making use of it. Let us now respond to these two objections.

Responding to the Prior Ownership Objection

First, let us respond to Boonin's prior ownership objection. If prior ownership of an organ is enough to argue that George can claim an entitlement to Stone's organs but a fetus cannot claim an entitlement to his mother's uterus, there would be some unsavory consequences. If Boonin is correct that prior ownership over an organ is a morally relevant distinction between Stone's alien case and the case of pregnancy, he would have to accept that those who have received organs from living organ donors do not possess an absolute right to use those organs. Thus we could imagine organ donors wanting to reclaim their organs after they have been transplanted into other people.

Suppose, for example, Mary undergoes kidney failure and needs a kidney transplant in order to remain alive. Her brother John happens to be the only match and can donate one of his two perfectly healthy kidneys to Mary. John decides that he wants to help his sister and give her one of his good kidneys so that she can live. The kidney transplant is successfully performed and Mary and John both remain in good health. However, a year later, John decides that he wants his kidney back for personal reasons. John tell Marys, "I had prior ownership of the kidney inside

you; therefore, I have a right to that kidney that you don't and I can take it back." I imagine that you would say that even though John has previously owned the kidney that Mary is using, he does not have a right to remove it from Mary, which would kill her, so that he may now live.

Nevertheless, on Boonin's account, we would have to accept that these organ donors can reclaim their organs, even if it kills those who have made use of the donated organs. But if we agree that those who have received donated organs become the owners of them once the transplant has taken place, we would have to admit that Boonin's appeal to prior ownership of an organ is irrelevant in regards to who is entitled to that organ. Therefore, we should reject his appeal to prior ownership of an organ as being a morally relevant distinction between Stone's case and pregnancy.

Reformulating the Teleological Objection

The question we must now ask is whether or not the mother forfeits an absolute right to her uterus once she allows her fetus to make use of it. We will be in a better position to answer this question by first exploring Boonin's objection that Stone's example is question begging. To address this point I will formulate what I think is an accurate representation of Stone's argument into a valid argument:

- (1) A person is entitled to use any organ whose natural function is to keep him alive.
- (2) A fetus is a person. (Assumption granted by Boonin and Thomson for the sake of argument.)
- (3) A fetus is entitled to use any organ whose natural function is to keep him alive. (Follows from 1 and 2)
- (4) The uterus of a fetus's mother is an organ whose natural function is to keep him alive.

Therefore,

(5) A fetus is entitled to use the uterus of his mother. (Follows from 3 and 4).

As we can see above, when laid out like this, the teleological argument does not commit the *petitio principii* fallacy as the truth of the premises do not depend on the truth of the conclusion. At no point does the conclusion appear in the premises in any fashion. Now, Boonin could concede that the argument is valid but claim that the argument is unsound because one of the premises is untrue. It should be stated, however, that Boonin could not deny premise (2), the fetus is a person, and still maintain the soundness of Thomson's violinist argument. If Boonin were to deny premise (2) the abortion debate would be kicked right back to the debate about personhood. However, the whole point of Thomson's bodily rights argument was to show why abortion would be permissible even if we *assumed* the personhood and right to life of the fetus.

Could Boonin deny either premises (1) or (4)? If Boonin were to deny premise (1) he would be denying the claim that a person is entitled to the use of any organ whose natural function is to keep him alive. Yet, this would seem to have dangerous implications as denying premise (1) would mean denying that born persons are entitled to the use of any organs whose natural function is to keep him alive. Put differently, if I am not entitled to organs whose natural functions are to keep me alive, then anyone, including the state, could claim the use of my vital organs if they so choose since I do not have a right to them. Boonin could respond by saying that a person only has rights to the organs whose natural functions are to keep him alive so long as those organs exist *inside* him. Therefore, the fetus could have a right to any organs it develops but it does not have a right to the use of his mother's uterus. However, this would seem to be ad hoc and an arbitrary line as to what organs the fetus can use since both kinds of organs still naturally exist to keep the fetus alive. Moreover, Boonin would have to deny that George has any right to the use of Stone's organs or the fleshy band that connects them, since they both exist

outside of George's body anatomically speaking.

Boonin could deny premise (4) in one of two different ways. He could argue either that (a) the uterus of a fetus's mother is not an organ whose natural function is to keep him alive; or (b) that no organ has anything called a "natural function". He may grant that *if* any organ had a natural function to keep a certain person alive, then that person would have an entitlement to that organ. However, on this view no organs have teleologies. Thus, premise (4) is denied on the grounds that no organ has anything called a "natural function".

It may be easier to answer denial (a) if we respond to denial (b) first. Thus, we shall look closely at denial (b) which could be considered a denial of the principle of finality. The principle of finality has been succinctly formulated by Saint Thomas Aquinas in the following way: "every agent tends to some definite effect, which is called its end."⁷⁹ Fr. Reginald Garrigou-Lagrance, O.P., accepts this principle and argues that the best formulation of it is the classic one: "*Omne agens agit propter finem*; every agent acts for an end."⁸⁰ While the principle of finality applies to agents endowed with reason, animals lacking in reason, and natural agents (albeit in different ways), we will focus on how it applies to natural agents, such as a woman's uterus, that lack any reason. Proponents of the principle of finality would argue, for example, that the eye is *for* seeing. Opponents, on the contrary, as Fr. Reginald describes, might say that "the eye is not made for seeing, but, instead, man sees because he has two eyes."⁸¹ In other words, no organ is ordered *to* any specific end, but we are able to achieve certain things because of the usefulness of specific organs. Thus, Boonin may argue that no organs, including the womb, act toward an end, but that these organs exist merely because we can make use out of them.

⁷⁹ Thomas Aquinas, "Summa Contra Gentiles Book III Chapter 2," <https://aquinas.cc/> (Emmaus Academic, 2020), <https://aquinas.cc/la/en/~SCG3.C2>.

⁸⁰ Réginald Garrigou-Lagrance and Matthew K Miner, *The Order of Things : The Realism of the Principle of Finality* (Steubenville, Ohio: Emmaus Academic, 2020), 100.

⁸¹ *Ibid.*, 93.

Fr. Reginald points out the problem with Boonin's way of understanding the natural world by demonstrating that if a natural object was not inclined toward a certain end, there would be no reason for it to achieve one end any more than it would achieve any other end. Through a *reductio ad absurdum* and an appeal to the principle of sufficient reason (the philosophical principle which holds that everything that exists must have an explanation for its existence either within itself, intrinsically, or outside of itself, extrinsically), Fr. Reginald argues:

By its very nature, every action *tends* toward a goal, whether consciously or unconsciously. Were this not so, *it would not emerge from the state of indetermination*; it would have no direction and no meaning. It would no more be an assimilation than a disassimilation, no more vision than hearing, etc.⁸² [emphasis in original.]

Thus, if my eyes were not intended to produce the effect of seeing, there would be no reason as to why my eyes provide me with the capability to see anymore than the ability to hear or speak. My eyes would remain in a "state of indetermination", as Fr. Reginald puts it, never being able to produce the effect of sight anymore than any other effect. Yet, my eyes are not in a state of indetermination; they seemingly tend toward the end of producing vision. And if this is the case, it must be because my eyes have a natural function to produce the effect of sight. If they did not have this natural function, we would just have to accept that they tend toward vision more so than toward hearing without any reason, which would be a blatant rejection of the principle of sufficient reason. And it must be emphasized that if Boonin were to bite the bullet and deny the principle of sufficient reason in order that he may be able to deny the principle of finality, he would be forced into denying any appeal to reason he utilizes in defending the morality and legality of abortion.

Instead of conceding that things intrinsically have natural functions which have them tend toward some end, Boonin could offer one more rebuttal and argue that things happen to tend

⁸² *Ibid.*, 114.

toward a specific end due to chance alone. After all, Saint Thomas Aquinas writes “every agent acts for an end: otherwise one thing would not follow more than another from the action of the agent, unless it were by chance.”⁸³ However, Thomistic philosopher Edward Feser argues that it would be wrong to interpret chance as an alternative explanation to teleology in the thought of Saint Thomas: “In Aquinas’s view chance *presupposes* finality, and so provides no genuine alternative at all. Chance is nothing, more than the accidental convergence of non-accidental lines of causation.”⁸⁴ Feser relies upon an example from Boethius in which a farmer accidentally discovers buried treasure while plowing his field. Neither the farmer, nor the person who buried the treasure, intended for the buried treasure to be uncovered. Boethius writes,

This is believed to have happened fortuitously, but it does not happen as a result of nothing; it has its own causes, the unforeseen and unexpected conjunction of which have clearly effected the chance event. If the cultivator had not been digging, and if the depositor had not buried his money at that point, the gold would not have been found... We may therefore define chance as an unexpected event due to the conjunction of its causes with action which is done for some purpose.⁸⁵

In other words, what we commonly refer to as chance is not some event that comes about uncaused with no end for which it is ordered to. Chance, as Feser writes, is the “convergence” of two events with their own intentional causes. Therefore, Feser concludes, “In Aquinas’s view, it would therefore be incoherent to suggest that causal regularity can be accounted for by chance *rather* than finality, since to make sense of chance itself we need to *appeal* to finality.”⁸⁶ Arguing that the eyes tend to produce the effect of sight due to chance cannot be accepted as an alternative to the principle of finality since chance requires finality. Therefore, due to the necessity of the principle of finality to make sense of the world and our other biological organs,

⁸³ Saint Thomas Aquinas, *Summa Theologiae Prima Pars*, 1-49 (Lander, Wyoming: The Aquinas Institute, 2012).

⁸⁴ Edward Feser, *Scholastic Metaphysics : A Contemporary Introduction* (Frankfurt: Ontos, 2014).

⁸⁵ Boethius, *The Consolation of Philosophy*, trans. V. E. Watts (Harmondsworth, Middlesex, England: Penguin Books, 1984).

⁸⁶ *Ibid.*

it seems as though we have good grounds to reject denial (b), that no organs have anything called “natural functions”.

Suppose then that Boonin may opt to deny the premise that the fetus is entitled to use its mother’s uterus on the grounds that the natural function of a mother’s uterus is not to gestate her offspring and keep it alive. What becomes manifestly evident in light of what we have discussed about denial (b) is that we would need to explain why the uterus appears to do such a good job at gestating a mother’s offspring if that were not its natural function. Moreover, if the natural function of the uterus was not to keep the mother’s offspring alive, why does it not produce other effects such as filtering the mother’s blood or producing the sense of taste? Additionally, a woman can live and exist without her uterus (as evidenced by hysterectomies). But if we were to remove an embryo from her mother’s uterus after she has successfully implanted in the uterus and has begun taking in nutrients, the embryo would quickly die as she would not be in an environment suitable to her survival. Thus, we can see that whereas the uterus is unnecessary for the survival of a woman, it is absolutely necessary for the survival of her offspring. Recalling Stephanie Gray’s words, these facts help us to see that “the uterus exists more for one’s offspring than for oneself.”⁸⁷

Surrogate Mothers

Boonin poses one additional objection to the claim that the natural function of the uterus to gestate offspring gives to that offspring a special entitlement to the uterus. Instead of directly challenging the fact that the uterus’s natural function is to serve a mother’s offspring, Boonin argues that the natural function argument leads to a problematic conclusion. Boonin asks us to consider the case of a girl by the name of Alison. In Boonin’s example, Alison is drugged by a

⁸⁷ Stephanie Gray, *Love Unleashes Life : Abortion and the Art of Communicating Truth* (Toronto, Ontario; Fort Collins, Colorado: Life Cycle Books, 2016), 58.

stranger and knocked out. While unconscious, the stranger implants an embryo in her uterus which was created by using the sperm and egg of a different couple. The parents have selected a male embryo they have named Alvin and, “As a result, Alison is now pregnant with Alvin and Alvin is not Alison’s biological son.”⁸⁸ I believe Boonin is surely right in claiming that, “Alvin doesn’t have a right to use Alison’s uterus... because Alison didn’t conceive Alvin and so her uterus isn’t for gestating him.”⁸⁹ Nevertheless, I disagree with Boonin’s conclusion that we would “have to agree that it should be legal for a woman to have an abortion as long as she didn’t conceive the fetus she is carrying”.⁹⁰ By way of analogy, we can demonstrate why it does not logically follow that Alison should be allowed to terminate Alvin simply because he does not have a right to Alison’s uterus. Let us return to our spaceship case. Recall in this example, I have a spaceship stocked with enough food for two people on this nine month voyage and I fully own the rights to the spaceship and everything on it. After taking off for my nine month voyage, I discover that my two-year-old son has snuck on board. Let us now ask a similar question that we asked in the original version: do I have the right to kick my son off the spaceship, thereby killing him, since he does not have any right to the spaceship?

Most people, I presume, would answer that I do not have a right to kill my son simply because he does not have a right to my spaceship and food. But if that is the case, Alison does not have a right to kill Alvin simply because he does not have a right to her uterus. In other words, not having a right to make use of Alison’s uterus is not a *sufficient* condition for killing Alvin, just as not having a right to be aboard my spaceship is not a sufficient condition for killing my two-year-old son. But suppose Alison decided to simply remove Alvin from her uterus,

⁸⁸ David Boonin, *Beyond Roe : Why Abortion Should Be Legal--Even If the Fetus Is a Person* (New York, Ny: Oxford University Press, 2019), 92.

⁸⁹ *Ibid.*, 104.

⁹⁰ *Ibid.*

foreseeing that he will die? Would this be morally licit? Once again, if it is morally licit, Boonin must accept that I should be allowed to eject my son from my spaceship into the hostile environment of outer space. But I doubt he thinks that this would be morally permissible. Now if I happened to have an escape pod that would send him safely back to Earth where he will be taken care of by his mother (or anyone else for that matter), I am well within my right to do that. Similarly, if Alison could remove Alvin and place him in an artificial uterus, she would be well within her right to do so since Alvin does not have a right to her uterus. However, as stated above, simply positing that a fetus has no right to the uterus he occupies does nothing to affirm the conclusion that placing him in a hostile environment or initiate the fatal sequence of events which will result in his death (to use our terminology from the previous section) is morally permissible. Therefore, we do not have to accept Boonin's conclusion that the teleological argument forces us to accept that abortion is morally permissible for a woman whose carrying a fetus that is not her offspring.

Benefits of Teleology & Consequences of Denying Teleology

As we have seen thus far, the teleological objection, as I have outlined it, goes much further than the previous three objections. If we hold to an Aristotelian teleological view of nature (whether it be naturalistic or non-naturalistic), we can see that Thomson's violinist case is disanalogous to pregnancy in such a way that undermines her conclusion that abortion is morally permissible. This is what all four of my objections have aimed to show. However, the teleological argument that I formulated above goes further in that it also establishes the conclusion that "a fetus is entitled to the uterus of his mother", meaning that abortion is morally impermissible. If the argument is both valid and sound then this would also mean, a fortiori, that Thomson's argument is invalid. Nevertheless, it could be argued (as it has been by others) that

even if abortion is morally impermissible, a democratic society ought to allow for some morally evil acts as not allowing for them to happen would be a greater evil. My teleological argument does not demonstrate, nor does it attempt to demonstrate, that abortion ought to be illegal. I do not wish to entertain such a debate here. But the argument's soundness would demonstrate that abortion is morally impermissible, and in this way it goes further than the prior three objections which do no such thing. What I would like to briefly address in this section is some of the benefits of a broadly teleological worldview and some of the potential consequences of denying it. We did look at some of these considerations previously but it seems appropriate to dedicate a small space to examine it on its own. However, this is by no means meant to be a full on defense of teleology. Rather, I would like to just look at some of the benefits of affirming teleology and consequences of denying it, specifically as it pertains to the abortion debate.

To begin with the benefits of such a worldview, as Stone writes, the kind of claim which George has on Stone in his alien case (and which a fetus has on its mother), possesses explanatory power, "for it provides an explanation of the right that human beings enjoy to the continued use of their bodies and, indirectly, of the right of human beings to control their own bodies. The latter right is founded on the former, for its main purpose is to enable us to ensure the continued use of our bodies, the right to which can be derived from our principle."⁹¹

Typically, as Stone argues, the biological organs we acquire the use of through natural processes, and which sustain our own life, are a part of *our* bodies. This is partly why Thomson's argument has so much force. When we think about the "biological equipment" that is necessary for our survival, the biological equipment *is* our body. Thus, nobody has a claim on my body because my body exclusively belongs to me unless I consent to someone else making use of it. But as Stone's thought experiment demonstrates, it seems perfectly reasonable that an individual could

⁹¹ Jim Stone, 77-85.

make a claim to the continued use of another individual's body if his life depends on it *and* the dependency came about through natural processes typical to that species. If this is true, then Thomson's argument that X has a right to use Y's body only if Y consents to X making use of Y's body "is not necessarily true."⁹² Given that we agree that George can make use of Stone's liver, Stone modifies Thomson's claim to read "X has the right to use Y's body only if Y has given X that right by a voluntary act, or X has acquired the use of Y's body through the species typical process of his own creation, and X's life depends upon that continued use."⁹³ This modification accounts for three things: (1) why the violinist does not have a claim to your kidneys, (2) why George has a moral claim to Stone's liver, and for the same reason, (3) why a fetus has a moral claim to his mother's uterus.

Lastly, one consequence of denying at least a broad picture of an Aristotelian teleology is that it undermines the notion of reproductive rights. Boonin or Thomson *could* completely deny teleology. However, even if they did, the three previous objections I raised would still stand, and although they would not show abortion to be morally impermissible, they would show that Thomson's violinist analogy cannot defend the conclusion that abortion is morally permissible. But more importantly, if they deny teleology they would be denying that there are organs that function naturally for the purpose of reproduction. In other words, there would be no such thing as reproductive organs. However, if there are no such things as 'reproductive organs', as mentioned previously, then any talk of 'reproductive rights' seems to be patently absurd and unintelligible. Thus, a full on denial of a teleological conception of the world cannot account for any defense of reproductive rights. On the contrary, it is only an acceptance of the fact that reproductive organs exist that guarantees and undergirds any notion of reproductive rights.

⁹² Ibid.

⁹³ Ibid.

Part V: Concluding Thoughts on the Nature of Bodily Rights Arguments

Through the use of these four objections (the consent, forced-dependency, initiation-of-a-fatal-sequence, and teleological objections), one may come to see how they form a powerful case against Thomson's violinist argument both individually and cumulatively. Thomson's violinist analogy, like all bodily rights arguments, attempt to defend the moral permissibility of abortion while granting the premise that the unborn are human persons with a right to life. Her analogy attempt to do this primarily on the grounds that a mother did not consent to her body being used to sustain her child's life. Nevertheless, the above arguments show that even if we agree with Thomson's assessment that you are morally permitted to unplug yourself from the violinist, it does not logically follow from this that abortion is morally permissible. Of course, the arguments above do not prove the opposite conclusion, that abortion is morally impermissible (with the exception of the teleological objection). All they show is that Thomson's violinist case, and subsequent defenses of it, are too weak to prove the conclusion that abortion is morally permissible if the fetus is a person.

For those who wish to continue to defend the moral permissibility of abortion, two options are available. First, it is conceivably possible that an alternative argument from bodily rights is stronger and more successful than Thomson's. Thus, one could defend a bodily rights argument of some sort so long as it is not Thomson's specific version of the argument as it proves to be too weak to arrive at the desired conclusion. Personally, I believe Thomson's violinist case, and Boonin's defenses of it, to be some of the strongest bodily rights arguments available, so I imagine many of the objections posed above (as well as a number of other objections that have been raised against Thomson's argument that I could not address here) will apply to a great deal of other bodily rights arguments. Nevertheless, this does not mean that all

bodily rights arguments are completely out of the question. Second, the obvious issue that has not been addressed in this whole paper is the personhood of the fetus. The primary force behind bodily rights arguments is that they claim to assume core premises that pro-life advocates hold (especially the personhood of the fetus) and demonstrate why even on those grounds abortion is morally justified. Of course, even if all bodily rights arguments fail to show that abortion is morally impermissible, the pro-choice advocate could fall back on arguing against the personhood of the fetus. While this debate is interesting and has many of its own biological and metaphysical complexities, it goes beyond the scope of my paper. An alternative way for pro-choice advocates to defend abortion is to grant that abortion is morally impermissible, but that it does not logically follow from abortion being morally impermissible that it should be illegal. Clearly this kind of argumentation would reject the conclusion Thomson herself sets out to prove. Yet it is just one additional layer to the incredibly complex discussion which unfolds around the abortion debate that could be had.

In regards to the nature of bodily rights arguments, especially as it pertains to what we have discussed about Thomson, McDonagh, and Boonin, I would like to address one of my main concerns about these arguments. As I have mentioned quite a few times, the appeal of bodily rights arguments is that they attempt to defend the moral permissibility of abortion using premises pro-life people generally accept. However, as we have alluded to in some of the above sections, it seems that many bodily rights arguments very rarely do what they claim to do, that is, to grant these premises. While they may *claim* that they assume that the unborn are persons with a right to life, they do not accept all the “philosophical baggage”, one might say, that comes with accepting such a premise. In other words, as we have seen above, they fail to accept the philosophical anthropology of the person that many pro-life advocates hold.

One way in which we have seen bodily rights proponents reject the philosophical anthropology inherent in the pro-life conception of personhood is by rejecting the whole notion of Aristotelian teleology. Another way in which we have seen them do such a thing is by rejecting (implicitly or explicitly) the notion that pregnancy is a *prima facie good*. We have also seen that bodily rights arguments assume, for their own purposes, that the right to bodily autonomy is absolute. Yet all these rejections and assumptions have devastating consequences for the bodily rights arguments made in defense of abortion. One last thing I would like to address is one more observation in which arguments from bodily rights fail to accept some premises of the pro-life position. As Lee writes, we must reject the implicit premise found in arguments from bodily rights “that we have a primordial right to construct a life simply as we please, and that others have claims on us very minimally or through our consent (either directly or indirectly through our consent to a relationship). On the contrary, we are by nature members of communities.”⁹⁴ I find this personally to be one of the most problematic issues regarding the nature of arguments from bodily rights. Not only do the arguments fail to prove their conclusions when granting certain premises common to pro-life advocates, some who make these bodily rights arguments make their own implicit assumptions that are not self-evidently true. The biggest assumption that some of these arguments make, as Lee makes perfectly clear, is that we are individuals who live life separated from all other individuals. We are free of any and all special attachments or obligations which we have not voluntarily assumed, and as a result, we may construct life in our own image and likeness.

While this individualistic mindset is deeply rooted in the liberal enlightenment philosophies of the likes of John Locke and Jean-Jacques Rousseau, the foundations of these philosophies are beyond the scope of this paper. Nevertheless, these principles clearly guide the

⁹⁴ Patrick Lee, 124.

foundations of bodily rights arguments and I find it necessary and appropriate to briefly comment on such principles. As Lee notes, we are not born into society as individuals, contrary to the beliefs of the liberal enlightenment philosophers. We are born (and conceived) into communities and relationships with other individuals. In his famous rebuttal against the notion that a society is merely a contract between all the individuals who live within it, a contract which can be created and destroyed at will, Edmund Burke writes,

[The society] is a partnership in all science; a partnership in all art; a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, *and those who are to be born.*⁹⁵ [Emphasis added]

Rather than being a contract then, society is more akin to a trusteeship. It is a trusteeship in which we are the direct beneficiaries of goods and services given to us by our ancestors. And since we are merely the beneficiaries of such gifts, we do not have the right to squander such gifts on ourselves, so as to shut the door to future generations hoping to receive the gifts we were so graciously given. In commenting on a similar point raised by Alasdair MacIntyre⁹⁶, Lee observes the following:

In sum, we are the beneficiaries of being members of a network of giving and receiving, and this network of giving and receiving involves duties toward those from whom we have received nothing [including the unborn] and with whom we have not entered any voluntary association [including the unwanted unborn]. Thus, I *ought* to help my child, and so I have special responsibilities to my child, because to help him or her is a duty I incur as part of entering that network of giving and receiving, which is constitutive of flourishing as a virtuous person.⁹⁷

Therefore, if one is unable to reject arguments from bodily rights on any of the grounds

⁹⁵ Edmund Burke and Leslie George Mitchell, *Reflections on the Revolution in France* (Oxford ; New York: Oxford University Press, 2009), 368.

⁹⁶ Mac Intyre, *Dependent Rational Animals : Why Human Beings Need the Virtues* (Chicago, Ill.: Open Court, 2008).

⁹⁷ Patrick Lee, 127-128.

listed in the above sections, one must reject them on the basis of the implicit assumption made by the arguments that we are not tethered to any members of our community unless we choose to be tethered to them. While the conception of society many pro-life advocates hold certainly raises the sense of duty we have to one another as members of a shared “network” of beneficiaries, it is the only conception of society which allows the whole notion of individual rights to be made possible. For if there are no responsibilities we have to each other in virtue of the kinds of relationships we possess, then there are no rights we can claim upon one another. And if this is true, the whole notion of bodily rights themselves must be eschewed. For how can there be bodily rights or reproductive rights, which the defenders of abortion claim to defend, if rights only exist *after* responsibilities to our fellow man are voluntarily assumed? And it is this premise that many of the arguments from bodily rights accept that undermine their whole project.

In conclusion, Thomson’s fascinating violinist thought experiment has an attractive appeal. If one can demonstrate that abortion remains to be morally permissible given premises which pro-life people hold, then the biggest issue commonly brought up in the abortion debate (is the fetus a person) is irrelevant. Thomson attempts to show that if it is morally permissible for someone to unplug themselves from her world famous violinist, then a strong right to life does not entail the right to use another person’s body to continue living. This, I believe, she succeeds in doing. It seems evident that an individual’s right to life is not sufficient for him or her to claim a right to the use of another person’s body to continue living. Thus, it would behoove pro-life advocates to strengthen their positive arguments for why abortion is morally impermissible, since defending the notion that a fetus is a person with a right to life in and of itself does not justify that conclusion. Nevertheless, Thomson and her defenders’ mistake is in thinking that the moral permissibility of unplugging yourself from the violinist entails that it is morally

permissible for a mother to abort her child. This is because there are morally relevant disanalogies between the situation you find yourself in when you wake up connected to the violinist, and the situation a mother finds herself in when she has an unwanted pregnancy.

As the consent and forced-dependency objections demonstrate, Thomson's analogy suffers extraordinarily in establishing the moral permissibility of abortion in cases of pregnancy that result from consensual sex. In light of the initiation-of-a-fatal-sequence objection, Thomson's analogy suffers not only in establishing the moral permissibility of abortion in pregnancies that result from consensual sex, but in rape cases as well. Lastly, the teleological objection, although requiring a deeper metaphysical analysis, provides support for the conclusion that abortion is morally impermissible when a fetus occupies his mother's uterus. Of course this last objection will only be found persuasive by those who agree with some broad view of teleology, but I hope some of the considerations for teleology I have provided in that section underscores its importance for those who do not hold such a view. Yet for those who do hold some sort of teleological perspective, if the teleological objection establishes the conclusion that abortion is morally impermissible, a fortiori, Thomson's analogy does not prove that abortion is morally permissible. Therefore, it is evident that Thomson's violinist analogy is severely limping and is in dire need of improvement if it wishes to establish the conclusion that abortion is morally permissible, lest it be completely abandoned for a better argument to support its conclusion.

Bibliography

- Aquinas, Saint Thomas. "Summa Contra Gentiles Book III Chapter 2." <https://aquinas.cc/>.
 Emmaus Academic, 2020. <https://aquinas.cc/la/en/~SCG3.C2>.
- . *Summa Theologiae Prima Pars, 1-49*. Lander, Wyoming: The Aquinas Institute, 2012.
- Beckwith, Francis. *Defending Life : A Moral and Legal Case against Abortion Choice*. New York: Cambridge University Press, 2007.
- . "Personal Bodily Rights, Abortion, and Unplugging the Violinist." *International Philosophical Quarterly* 32, no. 1 (1992): 105–18. <https://doi.org/10.5840/ipq199232156>.
- Boethius. *The Consolation of Philosophy*. Translated by V. E. Watts. Harmondsworth, Middlesex, England: Penguin Books, 1984.
- Boonin, David. *A Defense of Abortion*. Cambridge: Cambridge Univ. Press, 2005.
- . *Beyond Roe : Why Abortion Should Be Legal--Even If the Fetus Is a Person*. New York, Ny: Oxford University Press, 2019.
- Burke, Edmund, and Leslie George Mitchell. *Reflections on the Revolution in France*. Oxford ; New York: Oxford University Press, 2009.
- Crawford, Rachel. "Refuting 'Abortion as Self-Defense.'" Equal Rights Institute Blog, July 15, 2020. <https://blog.equalrightsinstitute.com/refuting-abortion-as-self-defense/>.
- Feser, Edward. *Scholastic Metaphysics : A Contemporary Introduction*. Frankfurt: Ontos, 2014.
- Foot, Philippa. *Moral Dilemmas: And Other Topics in Moral Philosophy. Moral Dilemmas*. Clarendon Press, 2002. <https://doi.org/10.1093/019925284x.003.0006>.
- George, Anthony. "Good Samaritan on Life Support," 2009.
http://doc.jfaweb.org/Training/George_Anthony_GSonLifeSupport.pdf.
- Gray, Stephanie. *Love Unleashes Life : Abortion and the Art of Communicating Truth*. Toronto, Ontario ; Fort Collins, Colorado: Life Cycle Books, 2016.
- Horn, Trent. *Persuasive Pro-Life : How to Talk about Our Culture's Toughest Issue*. El Cajon, California: Catholic Answers Press, 2014.
- Intyre, Mac. *Dependent Rational Animals : Why Human Beings Need the Virtues*. Chicago, Ill.: Open Court, 2008.
- Klusendorf, Scott. *The Case for Life : Equipping Christians to Engage the Culture*. Wheaton, Illinois: Crossway Books, 2009.
- Lee, Patrick. *Abortion & Unborn Human Life*. Washington, D.C.: Catholic University Of

- America Press, 2010.
- Mcdonagh, Eileen L. *Breaking the Abortion Deadlock : From Choice to Consent*. New York: Oxford University Press, 1996.
- Pruss, Alexander R. *One Body : An Essay in Christian Sexual Ethics*. Notre Dame, Indiana: University Of Notre Dame Press, 2013.
- Réginald Garrigou-Lagrange, and Matthew K Miner. *The Order of Things : The Realism of the Principle of Finality*. Steubenville, Ohio: Emmaus Academic, 2020.
- Stone, Jim. "Abortion and the Control of Human Bodies." *The Journal of Value Inquiry* 17, no. 1 (1983): 77–85. <https://doi.org/10.1007/bf00159685>.
- Thomson, Judith Jarvis. "A Defense of Abortion." *Philosophy & Public Affairs* 1, no. 1 (1971): 47–66. <https://www.jstor.org/stable/2265091>.
- . "Rights and Deaths." *Philosophy & Public Affairs* 2, no. 2 (1973): 146–59. <https://www.jstor.org/stable/2265138>.
- medlineplus.gov. "Trisomy 18: MedlinePlus Genetics," 2021. <https://medlineplus.gov/genetics/condition/trisomy-18/#:~:text=Due%20to%20the%20presence%20of>.