

“The Right to Life vs. the Right to Bodily Autonomy: Thomson’s ‘A Defense of Abortion’”

A SOPHIA One-Sheet by [Dr. Bertha Alvarez Manninen](#) (in PBB [Ep4](#)), ed. by Erik Jarvis & Eric Thomas Weber

In the book and movie *My Sister’s Keeper*, Anna, who was conceived as a “savior sibling” in order to provide her sick sister, Kate, with genetically compatible bone-marrow, seeks medical emancipation from her parents so that she does not have to donate a kidney to her sister. She argues that her right to control what happens to her body is just as important as Kate’s right to continue living.



In 1971, philosopher Judith Jarvis Thomson wrote a strange thought-experiment that is similar to Anna’s scenario in an attempt to argue in favor of the moral right to an abortion. Thomson asks the reader to imagine that you have been kidnapped by the Society of Music Lovers in order to “hook up” your circulatory system to an ailing violinist, in the hopes that your kidneys will successfully extract poisons from his blood. The doctor apologizes for your kidnapping, but tells you that if you disconnect yourself from the violinist now, he will surely die.

Thomson argues that you are not morally required to stay “hooked up.” While it would be exceedingly nice of you to do so, it is not something you are morally *obligated* to do, even if it costs the violinist’s life. It’s not that the violinist’s life is not valuable, or that he lacks a right to life, it’s that one person’s right to life does not entail that another person is obligated to use their body to sustain that life. Thomson uses this analogy to argue that even if we assume that fetuses are persons with a right to life (a common pro-life assertion), this alone is insufficient for concluding that a woman can be compelled to use her body to sustain its life. Just like Kate’s right to life does not obligate Anna to continue donating bone marrow or a kidney, and just like you are not obligated to stay “hooked up” to the violinist, women are not obligated to remain pregnant in order to sustain fetal life.

I. Bread Baking Questions

- 1) Can, or should, Anna’s parents compel her to continue donating her bone-marrow, and maybe even her kidney, on the grounds that a cessation of treatment will result in Kate’s death?
- 2) Would you be morally required to stay “hooked up” to the ailing violinist?
- 3) Thomson assumes, for the sake of argument, that human fetuses are persons with a right to life. a) What does it mean to be a person? b) What does it take to “count” as a person? c) Do fetuses possess these traits?
- 4) Thomson’s violinist analogy is akin to pregnancies resulting from rape. She also argues that a pro-life stance would imply that exceptions for abortion when it comes to rape are illegitimate, since the fetus’ right to life would not depend on its origin. Can one be pro-life yet make exceptions in cases of rape? Why (not)?
- 5) Thomson argues that it would be nice were you to agree to sustain the violinist, but that this would be going above and beyond your call of duty. Do you agree? Why or why not?
- 6) If you disagree with Thomson and believe that the right to life *does* entail an obligation on behalf of another to sustain another’s life, what societal obligations are entailed by others’ right to life, including nutrition, water, shelter, and medical care?
- 7) If you agree with Thomson’s conclusion concerning abortion, are there any limits to a woman’s right to terminate a pregnancy? Should she be able to “unhook” herself from the fetus at *any* point in pregnancy for *whatever* reason, even if the fetus is close to being born? Why or why not?

Judith Jarvis Thomson, “A Defense of Abortion,” *Philosophy and Public Affairs* 1, Issue 1 (1971): 47-66 (1971).

SOPHIA is grateful to the [Kentucky Humanities Council](#) for a grant that supported the creation of this SOPHIA One-Sheet document.



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II. Bread Breaking Questions



1) *Family and moral obligations*

Against Thomson, philosopher John Wilcox argues that while we may not be morally obligated to save the life of a stranger, we are obligated to save the life of a family member and a fetus counts as a family member to whom the woman has special obligations. He writes:

... a woman and her fetus are of one flesh and blood ... she is its mother; but the violinist is a total stranger... your own child is not just ... a “stranger” ... I really think I have obligations to my children, and to my natural brother, as I had obligations to my parents when they were alive. ~ “Nature as Demonic in Thomson’s Defense of Abortion” 260-1.

Questions: Do you have special moral obligations to your family? If so, do they include using your body to sustain a family member’s life? Is Anna morally obligated to sustain Kate’s life? And, what defines “family” in this context? Do (frozen) embryos and fetuses count as “family”? Does a rape origin change things?

2) *Abortion and Father’s Rights*

In 2007, [Matthew Dubay sued his ex-girlfriend Lauren Wells](#) so that he would not have to pay child support for his daughter. Dubay claimed that he had repeatedly told Wells he did not want to be a father, and she had assured him that she could not get pregnant. Dubay’s lawyers argued that laws forcing men to pay child support violated the Equal Protection Clause of the 14th Amendment because “the law afford[s] mothers a right to disclaim parenthood after engaging in consensual sex (i.e., through abortion) while denying that right to fathers.” In other words, women have a “second chance” to decide whether they want to become parents after consensual sex; men have no correlative right.

Questions: Is Dubay right that men lack equal protection of the law? If women are not forced to become mothers because they have recourse to abortion, is it wrong to “force” men to become fathers via making them responsible for child support? What if the inverse is the case – where a woman wants an abortion and a man wants to keep the baby – should men be given any veto power over a woman’s abortion decision? Why or why not?

3) *The Effectiveness of Abortion Laws*

... [A]bortions occur just as frequently in countries with the most legal restrictions as in those with the fewest restrictions. Nevertheless, a clear relationship exists between legality and safety. Abortion is least safe where it is most restricted.” [Gilda Sedgh: Restrictive Abortion Laws Hurt Women Worldwide, BMJ Opinion, 5/24/18](#)

From 2010-2014, around [6.5 million induced abortions occurred in countries in Latin America and the Caribbean despite strict anti-abortion laws](#). In contrast, [studies](#) have shown that “improved contraceptive use resulting in fewer unintended pregnancies likely played a larger role than new state abortion restrictions in the decline [of abortion] between 2011 and 2014” in the United States.

Questions: How should pro-life advocates respond to this information? Should they continue to pursue restrictive abortion laws? Could this be a possible point of convergence for pro-choice and pro-life advocates? What other possible points of conversation could begin a successful dialogue between both sides?

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