

Thomson on abortion

Reconstruction of Thomson's argument

1. The fetus is a person and has a right to life. (Assumed for sake of argument)
2. The right to life is the right not to be killed unjustly.
3. To be treated unjustly is to deny someone that to which they have a right.
4. No one has a right to the use of another's life or body (or property) unless that person grants them such a right.
5. Denying someone the use of your life or body, even if her life is at stake, is not unjust killing.
6. Abortion denies the fetus the use of the mother's body.
7. Therefore, Abortion (at least in cases in which the mother did not "grant" the fetus a right to use her body) is not unjust killing.
8. So abortion does not violate the right to life of the fetus.

Violinist example:

Support for (2) (3) (4) and (5)--you kill violinist by unplugging yourself, but you don't violate his right to life. Why? He had no right to use your body.

Henry Fonda example:

Support for (2) (3) (4) and (5)--The right to life does not entail a right to whatever is needed for existence. You have no right to the cool touch of Henry Fonda's hand on your fevered brow.

Box of chocolates:

Support for (3)--When the chocolates are given to both and one doesn't share, he treats the other unjustly. Not the case when they're given to only one. He may act meanly, or indecently, but not unjustly.

When, if ever, does the mother "grant" the fetus a right to her body?

Not in cases of rape--most clearly analogous to violinist. (note that even this undermines the extreme view--that the right to life of the fetus outweighs the mother's right to do what she wants with her own body.)

What about voluntarily engaging in sexual activity?

Burglar example: Engaging in an activity that carries the risk of resulting in A doing X does not show that A has a right to X if the risk is realized.

People Seeds: Same as above.

What counts as taking reasonable precautions?

People seeds again.
Types of birth control.
Abstinence
Hysterectomy

Conclusion:

Abortion is permissible, even if the fetus is a person with a right to life, in cases of rape, incest, life of the mother, and unwanted pregnancies in which pregnancy was not

intended and reasonable precautions were taken to prevent it.

Some abortions may be morally indecent, but they are not unjust killings, and so not a violation of the right to life.