

Abortion: Refuting “Body-Rights” Arguments and the Violinist Analogy

With the improvements in science, medicine, and 4-D ultrasound, the humanity of the unborn is becoming an indisputable fact and abortion advocates can no longer defend abortion as simply the extraction of “tissue” or “protoplasm.” In order to answer this challenge, some abortion advocates argue that a woman has a right to “bodily integrity” and even if an unborn child is a human being, they don’t have a right to live in their mother’s wombs if their presence is “unwanted.” MIT philosopher Judith Jarvis Thomson explains this argument with a famous analogy:

“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?" (Quoted from Judith Jarvis Thomson’s “A Defense of Abortion”)

Now what if someone told you, “See, this is just like abortion. Even if the fetus is a human being, no woman should be forced to donate her body as a life support system for someone else. If you believed that the woman in the scenario shouldn’t be forced to have her body attached to the violinist, then you must also believe that women have the right to terminate their pregnancies anytime they want.”

Most of us feel that the woman in the situation does have a right to be unplugged from the violinist. The pro-choice slogan, “my body, my choice” has an irresistible appeal for this situation. Also, however bizarrely, Thomson’s analogy is similar to pregnancy. Therefore, in order to refute Thomson one must show that her analogy between the violinist and an unborn child is a *false analogy*. Below are five objections that show how the situations of pregnancy and the violinist are so different that what is moral to do with the violinist (unplugging) would not be moral to do in pregnancy (abortion):

1. The Consent Objection: Perhaps the most damaging critique of the argument comes from the fact that in Thomson’s analogy the woman is connected to the violinist against her will. However, 99% of pregnancies occur out of consensual sex. Adults engaging in sex, even with contraceptives, know pregnancy is a possible outcome and should be held accountable for their actions. Thomson’s “Society of Music Lovers” is certainly a far cry from reality and how pregnancy actually happens. (This is not to say that abortion is justified by rape, only that Thomson’s analogy does not represent the overwhelming majority of pregnancies.)

2. The Parental Obligation Objection: The analogy also fails to take into account the relationship of the mother and child in pregnancy and that parents have special obligations to their children that they normally would not have to strangers. For example, if a stranger comes to my door asking for a place to stay I am not obligated to help them, but if my five year-old comes to the door asking to sleep at home turning him away would be child abuse!

3. The Different Burdens Objection: The analogy is a rather perverted view of pregnancy and makes it out to be far more difficult than it really is (even though it certainly is difficult). Thomson’s view of pregnancy as spending nine months in a hospital bed hooked up to a strange violinist is disturbing and misleading. During the first weeks of pregnancy the fetus is not even noticeable. Later, when the woman displays the physical characteristics of pregnancy she is still capable of maintaining a routine of leisure, exercise, and having a social life. It would be an extreme rarity for a woman to need to be confined to a hospital bed for all nine months of her pregnancy.

4. The Killing Versus Letting Die Objection: Unplugging the violinist is a passive way of killing him, while abortion is a violent, active way of killing the unborn child. The act of unplugging a device from the woman, which results in the violinist’s death, is a morally neutral one. While the violinist’s death is foreseen, it is not intended. This is contrasted in an abortion where the abortionist intentionally and directly kills the child and the child does not die in a passive way like the violinist. Instead, the child dies from poison or dismemberment during the procedure.

5. The Rights of the Unborn Child Objection: Finally, the violinist does not have a natural right to the woman's kidneys. Her kidneys were designed to filter her own blood and maintain her own body, not anyone else's. Only through a science experiment gone wrong is the idea even pondered. Compare this to the natural right of the fetus to use the woman's uterus to sustain him or herself. Unlike the violinist, this is a natural part of life that we all went through at one point. Later in the article Thomson describes an unwanted unborn child as a "trespasser" without a right to stay there. It is absurd to think that the inside of a woman's uterus has a giant sign that says: WARNING: TRESPASSERS WILL BE ABORTED, SURVIVORS WILL BE PROSECUTED. While discussing abortion with a young lady at the University of California Santa Barbara she exclaimed that an unwanted fetus, "did not belong there (in the uterus)." I asked her, "Where does it belong then?" She was taken back knowing that anywhere else would result in certain death for the child. That is why the uterus was specially designed for the unborn and that is why they, "belong there."

Taking just a few of these objections together, we can examine a more appropriate analogy for pregnancy and then decide on a correct course of action:

Imagine you are a mother driving your eight-year-old daughter to school. Due to poor planning, you left the house late and your daughter runs the risk of being scolded by her teacher. To make up time you exceed the speed limit and drive somewhat more recklessly than usual. This decision causes you to miss seeing a stop sign and consequently plow into the side of a dump truck. The next morning you awake to find yourself in a hospital bed with doctors milling about the room. They inform you that your daughter survived the accident, but her organs were badly injured. Because she has the same extremely rare blood type that you do, she has been hooked up to a circulatory dialysis machine connected to your vital organs. The doctors inform you that it will take nine months for your daughter to heal, but she will awaken in the state of her original health before the accident. You ask if it is still possible to remove your daughter from the machine connected to you and the doctor answers no. Your daughter would have to first be killed by strangulation (a poison would effect you as well) and after her demise she could be "removed."

Given that your poor planning and irresponsible behavior put your daughter in this state, are you morally responsible, as a parent, to give up some of your liberty for her life? I think yes, you are.

Also, an example from American Tort Law (that isn't exact, but is a similar analogy) shows that from a legal standpoint, it would be completely inappropriate to place the unborn child into an environment or situation that is hostile or lethal for him or her.

On a cold January night in Minnesota, just after the turn of the twentieth century, Orland Dupue asked the Flateaus if he could stay with them for the night. Dupue had been invited as their guest and had dined with them earlier. He had also become sick and fainted earlier. Nevertheless, the Flateaus refused and, left in the cold, Dupue contracted frostbite and lost his fingers. A civil suit was brought and the court ruled that the Flateaus were indeed liable for Dupue's injuries. The judge in the case said, "*The law as well as humanity required that he not be exposed in his helpless condition to the merciless elements.*" (Source: Noonan, John T. How to Argue Abortion, pp.4-5)

The judge saw that while the Flateaus had no *contractual* obligation to Mr. Dupue, by being human beings, they had a *moral* obligation to protect him. Neither the Flateaus nor anyone, pregnant or not, has a right to place an innocent person in a situation where they face serious harm or death.

No amount of philosophical sleight-of-hand can justify the killing of innocent people. While it would be permissible and understandable for the woman in Thomson's analogy to unplug herself from the violinist, this precedent does not carry over to abortion. Thomson's analogy fails and it also demeans pregnancy and motherhood. She portrays one of the most natural and beautiful parts of life as bizarre, unnatural, and positively creepy. The analogy does not take into account that the unborn child is related to the mother, nearly always is a product of consensual sex, and is directly killed through abortion. Thomson's argument, and other similar "body-rights- arguments," fails to show that a woman's right to control her body supersedes the unborn child's right to live.



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