

A New Objection to Thomson's Violinist Argument

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You might think that the key questions at issue in evaluating the morality of abortion are questions about the fetus. There's a philosophical question about what properties of adult humans makes it wrong to kill them, and then a (roughly) scientific question about whether a fetus at a particular stage of development shares these features.

However, in a famous article, Judith Jarvis Thomson argues that this presumption is all wrong. We can see that abortion is permissible without considering any kind of hard questions about the capacities of the fetus or what's a requirement for having some kind of moral status as a person that entitles you not to be killed without very strong reasons. For, she claims, the relationship of support that a person bears to the fetus they are carrying turns out to be one that it would be permissible to terminate, even with regard to an adult human. In this note I will present a novel objection to Thomson's argument.

1 Thomson's violinist

Thomson's argument that abortion is permissible for reasons quite independent of the status of the fetus begins with the following intuition pump:

VIOLINIST: "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 is now 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.”¹

Thomson takes it that one would **not** be morally obliged to keep the violinist plugged in for nine months. She then argues that if the fetus has full moral status as a person, this case is similar to that of abortion in all morally relevant respects. Since it is permissible to unplug the violinist, it is similarly permissible to terminate a pregnancy. Hence, even if a fetus had the full moral status of an adult human, abortion is permissible.

But is Thomson right about this initial case? Is it permissible to unplug the violinist? I will present a second intuition pump: a case where most people have the intuition that one is morally obliged to continue support, and one which appears to be analogous to the violinist in all morally relevant respects (and thereby to the case of abortion if there is no morally relevant intrinsic difference between a fetus and an adult).

2 The yacht

YACHT: You are making a solo trip across the Atlantic in your yacht, and halfway there you hear the muffled sounds of a person coming out of a coma. It turns out that this person was conked on the head and tossed into your boat by gangsters, the day you left port. Now your engine breaks so it will take 9 months for you to get back. You have enough food stored to either feed yourself in comfort for 9 months or to barely keep both you and the involuntary-stow-away alive. Are you morally obliged to share your food with the involuntary stow away?

Intuitively (and perhaps legally) you are. It would not be morally permissible to let the person accidentally trapped on your yacht starve to death rather than share your food with them. But how does this case differ from the violinist example? The amount of sacrifice required, the fact that you are blameless in creating the situation of dependence, the fact that the space and resources which the person requires belong to you (you bought the food, and the yacht) are all the same.

Perhaps something of importance turns on the fact that the violinist needs ‘access to’ your body whereas the involuntary-stow-away merely needs

¹Judith Jarvis Thomson, “A Defense of Abortion,” *Journal of Philosophy and Public Affairs*, 1 (1971), p. 47.

access to your possessions? First, giving this answer requires us to draw a distinction between needing *use* your body to save someone (if we suppose the stow away is weak enough that you need to use your body to e.g. carry your food over to them or get it down from a tall shelf this does not change most people's moral intuitions) as opposed to a suffering person needing 'access to' your body in some richer sense which applies to the violinist. It's not clear that this can be done in a principled way.

Second, even if you can suitably specify the kind of relationship the violinist needs to be in to your body, this doesn't seem sufficient to drive the intuition that it's permissible to refuse aid. For example, the violinist needs to cling onto your body for a certain period of time, but intuitively this fact along isn't sufficient to make it permissible to refuse aid. For example, if you are naturally buoyant person ² in a shipwreck and a smaller person will drown if they don't cling onto your shoulder for an hour, you obliged to let them.

Well, perhaps there's some morally significant distinction between the inside and the outside of one's body - so that what prevents you from being obliged is that the violinist would need to use your blood (i.e. have access to the *inside* of your body)? But, if we suppose that you had to stay in bed back-to-back with a stranger for 9 months anyway for reasons of your own health, it doesn't seem like it would be permissible to refuse to let the violinist take this role and plug into your circulatory system as well. ³

3 Conclusion

Thus, it appears that a) it is impermissible to refuse to aid in YACHT and b) there is no morally relevant difference between YACHT case and VIOLINIST.

Now, if we accept the results of the moral intuitions about cases and what's morally relevant, then we must conclude that Thomson is wrong and it is **not** permissible to unplug the violinist. So Thomson's argument fails because its premise about the violinist is false. This is not, of course, to say that abortion is impermissible. But it does suggest that if abortion is permissible the reasons why it's permissible have something to do with differences between fetuses and adult human beings.

²That is: suppose you can easily stay afloat with someone else attached at no risk and very little discomfort to yourself.

³Thanks to James Shaw for suggesting use of bodies might be a relevant factor, and this modified violinist example.

But, on the other hand, if we do not accept the accuracy of these moral intuitions about cases the result is equally problematic for Thomson's argument. For note that Thomson herself doesn't argue for her conclusion about violinist, beyond appealing to the intuition that it would be permissible to refuse to spend your whole life hooked up to same violinist, or one needy musician after another. So, if you conclude that the kind of appeal to intuitions about examples above is insufficient to show that Thomson is wrong about the violinist, you should also admit that the comparable (or weaker) intuitions which she invokes are insufficient to show that she is right.

From this, I conclude that either a) Thomson is wrong about the violinist, or b) the intuitions about apparently similar cases which she appeals to are (when considered as a whole) inadequate to support *any* conclusion about the violinist. In either case the argument fails.