

Abortion

Roe v. Wade

- In Texas, abortion was illegal except to save the life of the mother
- Abortion was only legal in five states
- Plaintiff was Jane Roe, really Norma McCorvey
- Amendments cited were First, Fourth, Fifth, Ninth, and Fourteenth
- Why is abortion illegal?
 - To discourage illicit sexual behavior
 - To protect women from unsafe medical procedures
 - To protect prenatal life
- No mention of privacy laws in the constitution
- Unborn are not viewed as people

Marquis

- Pro-life
- Gives new take on argument
- Stages of pregnancy
 - Conception
 - 1st trimester
 - 2nd trimester (point of viability of the fetus at 28 weeks)
 - 3rd trimester

Pro-Life Arguments

- The fetus is a person
- The fetus LOOKS like a person
- Therefore, abortion is murder and therefore wrong
- Life begins at conception

Pro-Choice Arguments

- The fetus is NOT a person
- The fetus cannot think
- Therefore, abortion is not murder and not wrong
- Life begins at birth

Fallacy of prior definition (fallacy of loading the dice). Both sides define a person in advance to get the conclusion they want

The notion of personhood is very subjective.

Ambiguity

- Temporal ambiguity: many points where personhood can be argued during first 3 trimesters

- Conceptual ambiguity
 - Biological factors
 - Psychological factors
 - Rationality factors
 - Social factors
 - Legal factors
- Cultural ambiguity

Johnson

- Abortion is morally permissible if the woman's life is in danger
- Abortion is morally permissible even if her life isn't in danger
- Is abortion okay if it's in "self-defense?"

Thompson

- Self-ownership is very important
- Religious-based arguments might be ineffective if your audience does not prescribe to that religion
- Fetus and woman both have Right to Life
- Must the woman allow the fetus to use her body?
- Does the woman have the right to defend herself from the fetus, or is the fetus an innocent party in all this?
- If you're sick and the only way to be healed is touching Henry Fonda's hand, it's still not right to do it unless he says it's okay
- Same is true of a fetus using someone's body
- Right to life negative interpretation: your right to life only means that I can't place obstacles in your way
- Right to life positive interpretation: your right to life obliges me to do something for you

Don Marquis

- "The wrongness of killing"
- Why is it wrong to kill?
 - Because of the effect on the killer himself
 - Because of the effect on the victim's friends and family
 - Because of the elimination of the value of the future (therefore, abortion is wrong, because it eliminates the value of the future)
- The loss of self is one of the greatest losses one can suffer
- Abortion opens the door to permissible euthanasia
- It's wrong to kill children
- There is no non-arbitrary identifiable subject of the loss in the case of contraception, but this is not true for abortion