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Of Violinists and Fetuses

Dylan Black

In debating abortion, the focus is typically on whether or not a fetus person. It is generally thought that if a fetus is a person, it has a right to life and killing it would be wrong. However, Judith Jarvis Thomson (1971) changed the focal point of the argument. She was willing to grant personhood to the fetus, yet still argued that the mother's right to decide how her body should be used outweighs a fetal right to life, since it is dependent on the mother's body. She brilliantly illustrates this with a scenario involving a kidnapped person (the sustainer) who has been unwillingly hooked up to a famous violinist to sustain the violinist's life. This results in the sustainer being bedridden for nine months.

Despite the plausibility of her analogy, Thomson has provoked a response from many critics. Beckwith (1992) provides several objections: appealing to non-volunteerism, family morality, and the reasons that a fetus may have a prima facie right to her mother's body. I believe the key flaw in Thomson's argument lies in the differences between the violinist scenario and pregnancy. In this paper, I will explore the differences between pregnancy and the violinist argument to show that one can reasonably believe that a pregnant woman is morally obligated to carry her fetus but that the sustainer is not morally obligated to the violinist.*

Modification: The Violinist as the Sustainer's Child

Perhaps one of the most glaring differences between the aforementioned violinist and a fetus is that the violinist is a stranger to his life's sustainer, while the fetus has a definitional relationship with her mother. To rectify this, Wennberg (1985) simply changes the stranger into

*I should mention a commonly cited difference (Beckwith, 1992), where pregnancy is "natural" life support while the violinist scenario is obviously artificial. For the purposes of this paper, I will overlook this difference. There does not seem to be a proper way to modify either the violinist or pregnancy without one becoming uselessly similar to the other. Therefore, I will devote the rest of this paper to other differences.

the violinist's parent. Perhaps this modification will increase the emotional appeal of the argument slightly, but not enough to make the parent obligated to sustain the adult child's life in this manner. This modification seems to only strengthen Thomson's argument, since very few people would find this change compelling and it erases a glaring distinction. Therefore, I will assume this modification for the rest of my paper.

Variation One: The Violinist as a Young Prodigy

It seems to me that the biggest difference now is between the age of the violinist and the fetus. Suppose the violinist a young prodigy. Suppose further that he is only six years old. Would we consider that the parent has the moral responsibility to sustain the violinist's life now that he is only a young boy? The difference is certainly a big one. At the very least, there is a great deal more emotional appeal attached to a young son than to an adult son, which may prove to be a helpful intuition.

Certainly parents do have some active responsibilities toward their young children, or else neglect would not be considered a form of child abuse. Indeed, withholding some forms of medical treatment to save a child's life would be considered a form of neglect (ex. Not giving antibiotics to treat an infection). However, certainly there is some amount of burden upon the parents that might nullify the child's right to their care (e.g., death or life-long impairment).

Where is the line, and does the nine month confinement in bed cross that line? Even though intuition seems compel a responsibility on the parents, this question does not have a definitive answer. This variation seems to weaken the violinist argument's potency, but it does not definitively show the sustainer's responsibility to be similar to a mother's responsibility to her fetus.

Variation Two: Introduction of Risky Behavior to the Sustainer

Another primary difference between the violinist scenario and pregnancy is that the sustainer in the violinist scenario is forced into the situation despite no willingness to bring it about, while pregnancy is typically the result of a pleasurable experience with the known risk of pregnancy.

Let's introduce a similar risky behavior element for the parent in the violinist scenario. Suppose that before the incident occurs, the president of the local Music Lover's Society approached the parent with the following offer: "Since you have the blood type that could sustain your son in a life threatening situation, I am willing to pay you \$10,000 right now if you are willing to physically support him up to a year if anything should go wrong with your son's body. It is very unlikely that this will happen, but consider this an insurance policy." The parent then accepts the offer, walking home with \$10,000 and thinking she is the luckiest woman in the world. Against the odds, her son's organs indeed begin to fail and we find ourselves in the original scenario.

This variation changes the implications greatly. The payment came with an understanding of risk. This seems more analogous to most pregnancies, since the mother clearly chooses to engage in an act that entails risk – that of pregnancy. Even though birth control may reduce the risk, the woman knows that there is still that chance.

Clearly this does not apply to cases where the mother was forced into sex or was ignorant of the possible results, but that is not the case in most pregnancies. This is also not true in most instances where an abortion is performed, nor is it the point of Thomson's argument.

By participating in the gamble, the parent brings upon herself a moral obligation to her son, should she lose her bet. In the same way, those who engage in sexual intimacy have a moral

obligation to the possible offspring that might result. This variation of the scenario is more like most cases of pregnancy and is a strong enough difference from the original scenario to imply moral responsibility to bear the burden of pregnancy.

Conclusion

Considering these possible variations, I believe we can demonstrate that the differences between pregnancy and Thomson's original argument are great enough to reasonably assert moral responsibility on a pregnant woman to carry her child, but excuse the stranger (or parent) of a famous violinist from the burden of saving the violinist's life. Furthermore, it would need to be demonstrated that either (a) the woman's risky behavior variation does not morally compel her to sustain the violinist's life or (b) the woman's risky behavior variation is not morally equivalent to pregnancy.

The difference of age may be great enough to convince a few people of the significant difference between a violinist and a fetus, but the difference of knowingly engaging in the risk should alone be great enough to distinguish the two scenarios. Choosing to engage in risky behavior can obligate someone to moral demands that she did not previously have. Just as the parent knew the risks of accepting the cash and was obligated to the violinist, most pregnant women knew the risk of having sex. They are therefore obligated to protect their fetuses.

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