

Moral and Conceptual Debates about Abortion

PHIL 102
Ethics, Politics, & Law

Hard-line Conservative Argument



- Human fetus is a full-fledged moral, legal and constitutional person
- Fetus has a full-fledged right to life
- Abortion is murder
- The slippery-slope argument
- The unborn in American law
- The unborn in our culture
- What do we really think?

Hard-line Liberal Argument

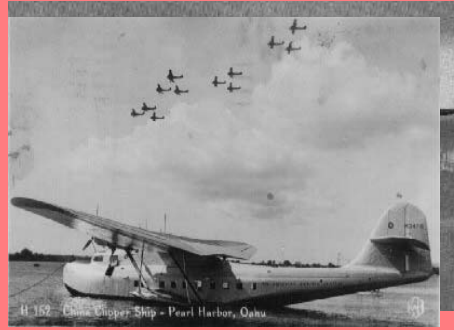


- Human fetus is living
- Human fetus is of the species Homo Sapiens
- Human fetus is not a moral person
- Fetus is a potential moral person
- Rights do not apply potentially
- Fetus has no right to life

Philosophical Literature

- Fetal personhood
 - Is the fetus a person?
- Judy Thomson's argument
- Mary Ann Warren's argument
- John Noonan's arbitrary dividing-line argument
- Joel Feinberg's analysis

The "Flying Boat"



Borderline Cases



- The Pan Am case
- Hard-line position by the island
- Hard-line position by Pan Am
- Border-line case hypothesis
- Is this an "X"?
 - Yes
 - No
 - You just can't say
- Resolving semantic disputes
- Resolving substantive disputes

Fetal Personhood?



- Is the human fetus a person?
- Hard-line conservative - Absolutely yes!
- Hard-line liberal - Absolutely no!
- Borderline case of a person?
 - Very person-like in certain respects - genetics, morphology, etc.
 - Very unperson-like in certain respects - consciousness, self-consciousness, etc.
- Resolving semantic disputes
- Substantive resolution???????

Dworkin's Argument, so far

- We must distinguish derived objections (concerns) to abortion from detached
- In spite of the rhetoric, the most plausible reading is that most people's reservations are based on detached concerns
 - Polls