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Literatur zu Judith Jarvis Thomsons Verteidigung der Abtreibung

Bibliography on Judith Jarvis Thomson's Defense of Abortion

Alphabetische Ordnung / alphabetical order:

<http://www.ethikseite.de/bib/bthomson.pdf>

Chronologische Ordnung / reverse chronological order:

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¹ “Philosophical debate about the ethics of abortion has reached stalemate on two key issues. First, the claim that fetuses have moral standing that entitles them to protections for their lives has been neither convincingly established nor refuted. Second, the question of a pregnant woman’s obligation to allow the gestating foetus the use of her body has not been resolved. Both issues are deadlocked because philosophers addressing them invariably rely on intuitions and analogies, and such arguments have weaknesses that make them unfit for resolving the abortion issue. Analogical arguments work by building a kind of consensus, and such a consensus is virtually unimaginable because (1) intuitions are revisable, and in the abortion debate there is great motive to revise them, (2) one’s position on abortion influences judgments about other issues, making it difficult to leverage intuitions about other ethical questions into changing peoples’ minds about abortion, and (3) the extent of shared values in the abortion debate is overstated. Arguments by analogy rely on an assumption of the commensurability of moral worldviews. But the abortion debate is currently unfolding in a context of genuinely incommensurable moral worldviews. The article ends by arguing that the default position must be to permit abortion as a consequence of the freedom of conscience protected in liberal societies”.

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² “This article considers the objection to abortion that a woman who voluntarily engages in sexual activity is responsible for her fetus and so cannot have an abortion. The conclusion argued for is that the conceptions of responsibility that can ground the objection that are considered do not necessitate a requirement on the part of a pregnant woman to carry her pregnancy to term. Thus, the iterations of the responsibility objection presented cannot be used to curtail reproductive choice.”

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³ "Ultimately, my argument is an equal protection argument. I shall suggest that abortion should be viewed as presenting a problem in what we might call "the law of samaritanism", that is, the law concerning obligations imposed on certain individuals to give aid to others. It is a deeply rooted principle of American law that an individual is ordinarily not required to volunteer aid to another individual who is in danger or in need of assistance. In brief, our law does not require people to be Good Samaritans. I shall argue that if we require a pregnant woman to carry the fetus to term and deliver it – if we forbid abortion, in other words – we are compelling her to be a Good Samaritan. I shall argue further that if we consider the generally very limited scope of obligations of samaritanism under our law, and if we consider the special nature of the burdens imposed on pregnant women by laws forbidding abortion, we must eventually conclude that the equal protection clause forbids imposition of these burdens on pregnant women. Some other potential samaritans whom there is better reason to burden with duties to aid are burdened less or in less objectionable ways, and still other potential samaritans whose situations are closely analogous to that of the pregnant woman are burdened only trivially or not at all."

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⁴ “Judith Jarvis Thomson concludes “A Defense of Abortion” with a discussion of samaritanism. Whereas her rights-based arguments demonstrate the moral permissibility of virtually all abortions, this new consideration of samaritanism provides grounds for morally objecting to certain abortions that are otherwise morally permissible given strictly rights-based considerations. I argue, first, that this samaritanism constraint on the moral permissibility of abortion involves an appeal to virtue-theoretical considerations. I then show why this hybridization of rights-based considerations and virtue-theoretical considerations has advantages over responses to the moral status of abortion that are either exclusively rights-based, or else exclusively virtue-theoretical. I conclude by offering some thoughts on how to utilize this hybrid strategy outside of Thomson’s particular context, as well as why we might generally favor such a strategy in our moral reasoning.”

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