

# A new objection to Thompson's violinist argument

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## 1 Thompson's violinist

In a famous article on abortion, Judith Jarvis Thompson presents the following thought experiment:

"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." Is it morally incumbent on you to accede to this situation? No doubt it would be very nice of you if you did, a great kindness. But do you have to accede to it?"<sup>1</sup>

Thompson takes it that one would **not** be morally obliged to keep the violinist plugged in for nine months, and then uses comparisons to this case to argue that - even if a fetus had the full moral status of an adult human - certain kinds of abortion would still be permissible. But is she right about this initial case? Is it permissible to unplug the violinist? I will argue that it is not.

## 2 The yacht

Consider the following case: You are making a solo trip across the Atlantic in your yacht, and halfway there you hear the muffled sounds of a person coming

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<sup>1</sup>Judith Jarvis Thompson, "A Defense of Abortion," *Journal of Philosophy and Public Affairs*, 1 (1971), p. 47.

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 access to your possessions? Firstly, 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.

Secondly, even if 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 if this isn't sufficient to make it permissible to refuse aid. For example, if you are naturally buoyant person <sup>2</sup> in a shipwreck and a small 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. <sup>3</sup>

If this is the right verdict about the yacht case, and there is no morally relevant difference between this case and that of the violinist we must conclude that Thompson is wrong, and it is **not** permissible to unplug the violinist. This is not, of course, to say that abortion is impermissible. But it does suggest that,

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<sup>2</sup>so you can easily stay afloat with the child attached at no risk and very little discomfort to yourself

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

if abortion is permissible, the reasons why it's permissible have something to do with differences between fetuses and adult human beings.

### 3 A weaker conclusion

Now, I haven't given any arguments for the claim that it's impermissible to refuse to share your food in the yacht case - or that there's no morally relevant distinction. I have just made a brute appeal to moral intuitions about what's permissible and what differences between the cases could be morally relevant. Perhaps it's a bit rash to take these moral intuitions at face value. This suggests a weaker conclusion - but one that is equally problematic for Thompson's argument. For note that Thompson 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 Thompson 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.

Thus, we wind up with the conclusion that either a) Thompson 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, her later appeals to the argument that certain kinds of abortion must be morally permissible because they are similar in all (intuitively) morally relevant respects to the violinist case will be much weakened. For it would seem that the violinist case is itself similar in all (intuitively) morally relevant respects to the yacht case - where refusal to give aid is (intuitively) impermissible.

Thus, I think, the challenge for Thompson and those who would like to accept her argument is to say how the case of the violinist differs from the yacht case, or argue that the intuitive verdict that one is obliged to provide aid in the yacht case is wrong.