

How Technology Can Change the Way We Talk About Abortion

We often see the conversation shut down as pro-choice and pro-life advocates dig their heels in. But is there a way forward?

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South Carolina lawmakers recently passed a bill that will restrict most abortions to 6 weeks instead of 20. But since fetuses cannot live on their own until closer to 24 weeks, such restrictions will deny women a right to decide what happens to their own bodies for months. The abortion debate can seem intractable. But sometimes a new framing can help bring things into view.

As a pro-choice advocate and a philosophy professor, I see the possibility of artificial wombs as an opportunity to engage in the kind of active listening and cross-party dialogue I once thought impossible. While they won't be a reality any time soon, it may be that the idea of them can help promote more productive dialogue across one of the deepest divides in America today.

When philosophers teach the morality of abortion, we typically assign Judith Jarvis Thomson's 1971 [paper](#), *A Defense of Abortion*. Thomson was an American philosopher known particularly for her work in ethics (if you've ever heard of the "[Trolley Problem](#)," that was her). In that 1971 paper, Thomson offers perhaps the most famous—and arguably the most powerful—argument for defending a woman's right to an abortion: A woman's moral right to her own body gives her a right to an abortion even if the fetus is a full-fledged person.

But does a woman's right to her body also give her a right to the death of the fetus? Interestingly, Thomson argues no. Recall her famous ailing-violinist thought experiment: Just because the violinist will die without being connected to your kidneys, his right to life doesn't give him a right to your kidneys. And by analogy, a fetus' right to life doesn't give it a right to the woman's body. Once you have disconnected, however, the life of the violinist is out of your hands.

Of course, this distinction between disconnecting and killing typically makes no real-world difference in abortion cases. If the fetus cannot live outside the mother's body, terminating the pregnancy will result in its death. But if the fetus can live independently, terminating the pregnancy would typically just be delivery ([extenuating circumstances notwithstanding](#)).

In the distant future, we may have [artificial wombs](#) where a six-week-old fetus (technically an [embryo](#)) could be placed for the remainder of development. The fetus could then live independently of the body [before many women even know they are pregnant](#). Telling a woman that "adoption is always an option" in this future need no longer convey a disregard for her welfare or bodily autonomy (as it frequently does today). In such a future, there needn't be any conflict between a right to one's body and fetal rights.

Artificial wombs are science fiction, of course. But suppose we treated them like a thought-experiment—a philosophical tool designed to help us get a clearer view of what we think and why we think it.

If the fetus needn't die in abortion, what would our obligations be to this fetus?

It will be productive to consider some of the most popular answers we pro-choice advocates typically give to this question.

To begin, since women have a right to what happens to their unfertilized eggs, some might view this right as extending to their fetuses too. But without further explanation, this reasoning leads to a deeply problematic account of fetal value. As the Canadian philosopher L. W. Sumner has [pointed out](#), treating the fetus as having no more moral worth than an unfertilized egg would unfortunately justify killing a fetus at any stage of pregnancy for any reason (e.g. at nine months, merely because the mother no longer wants a girl). Viability—the ability of the fetus to survive outside the mother's body—presumably helped shield us from having to defend such a view. But artificial wombs force the issue.

What gives infants, but not fetuses, moral value?

Perhaps the above answer could be re-enforced by citing the obvious developmental differences between an embryo and a 28-week fetus. As Thomson also argues in that paper: Acorns aren't oak trees just because they can become oak trees. But she also admits the inherent difficulty in finding a non-arbitrary line among these developmental stages. Moreover, she thinks that how close the fetus is to being able to survive on its own is relevant to how we ought to behave.

Think back to the violinist: If the violinist just needs one minute more of your kidneys until he can be transferred to a special filtering machine, isn't there something inappropriate about denying him that minute (all else being equal)? Thomson thought so.

To be sure, no one should be forced or coerced into any surgical procedure, no matter what the consequences will be. Even if it would be immoral to disconnect from the violinist when only a single minute more would save his life, we could insist that no one be forced to stay connected. Similarly, pro-choice advocates could argue that women should never [be forced to use artificial womb technology](#).

This is a crucial point: There's a clear difference between the morality of saving a life and forcing someone else to save a life. So, even if continuing a pregnancy or using an artificial womb were morally obligated, that by itself couldn't ground a law forcing women to do either of these things.

Some have cited the capacity for pain [as the meaningful difference we seek](#). But this gives the wrong verdict too, since fetuses likely don't feel pain until [after twenty-three weeks of pregnancy](#). There are presently 23-week-old infants living independently of their mother's body in Neonatal Intensive Care Units (NICUs) across America. Is it plausible to claim that these 23-week-old infants lack moral rights?

(A quick aside: While artificial wombs will likely be expensive, NICU stays aren't cheap either. My wife's twins were premature, and our daughter stayed in the NICU for months, totaling \$300,000!)

But what about reproductive rights more broadly?

Shouldn't women still have a right to not be biological mothers?

Here again, the issue seems to be why such a right doesn't also justify letting infants die. Viability gave us a clear difference between an unwanted fetus and an unwanted child. Artificial wombs considerably blur this difference.

While we don't yet have artificial wombs, the wide variation in viability itself should make us pause (viability can vary by as much as a month between hospitals). And thinking about these questions might lead us to clarify our view regarding abortion. In particular, the way we talk about fetuses in abortion cases might change, possibly in ways that make us sound like them.

At the very least, openly reflecting on these questions might let the other side know that we hear them. And maybe that could help settle the abortion debate too.



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