

Dr. James S. Spiegel, Christian Ethics, Session 10, Abortion (Part 1)

Resources from NotebookLM

1) Abstract, 2) Audio podcast, 3) Briefing Document, 4) Study Guide, and 5) FAQs

1. Abstract of Spiegel, Christian Ethics, Session 10, Abortion (Part 1), Biblicalelearning.org, BeL

This text presents **Dr. James S. Spiegel's lecture on Christian Ethics, specifically Session 10, Part 1, which addresses the complex issue of abortion.** The lecture begins by offering **biological background on gestation** and differentiating between **spontaneous and externally induced abortions.** It then explores **key philosophical questions regarding the ontological and moral status of the fetus,** followed by a summary of the **legal history of abortion in the United States, focusing on Supreme Court cases like Roe v. Wade.** Finally, the lecture examines **two influential pro-choice arguments by Judith Jarvis Thompson and Mary Ann Warren,** along with critical responses to their reasoning, setting the stage for a discussion of pro-life arguments in the subsequent session.

2. 20 - minute Audio Podcast Created on the basis of Dr. Spiegel, Christian Ethics, Session 10 – Double click icon to play in Windows media player or go to the Biblicalelearning.org [BeL] Site and click the audio podcast link there (Theology → Apologetics → Christian Ethics).



**Spiegel_XnEthics_S
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3. Briefing Document: Spiegel, Christian Ethics, Session 10, Abortion (Part 1)

Briefing Document: Dr. James S. Spiegel on Abortion (Part 1)

Overview:

This document summarizes the main themes and important ideas presented by Dr. James S. Spiegel in the first part of his session on abortion within a Christian Ethics course. The lecture begins by establishing biological background related to gestation and then moves into the central philosophical and legal issues surrounding abortion. The primary focus of this excerpt is the exploration of two prominent moral arguments in favor of the pro-choice position: those of Judith Jarvis Thomson and Mary Ann Warren. Spiegel presents these arguments and then offers critical responses to each.

Main Themes and Important Ideas:

1. Biological Background of Gestation:

- Spiegel provides a basic timeline of fetal development, defining key terms:
- **Zygote:** Formed after fertilization.
- **Blastocyst:** The stage as the zygote migrates to the uterus.
- **Embryo:** Roughly weeks 3 to 8 (heartbeat detectable around week 6, brain activity around week 7).
- **Fetus:** From approximately week 7 onwards.
- **Quickening:** Maternal perception of fetal movement around week 16.
- **Viability:** The point at which the baby can survive outside the womb (around week 24).
- He emphasizes the importance of understanding these terms for the abortion discussion.

1. Categories of Abortion:

- The fundamental distinction is between **spontaneous abortions (miscarriages)**, which are not morally debated, and **externally induced abortions**, which are the focus of controversy.

- Various methods of induced abortion are briefly listed (vacuum aspiration, dilation and curettage, etc.).
1. **Central Philosophical Issues:**
 - Spiegel identifies two main philosophical questions at the heart of the abortion debate:
 - **Ontological Status of the Fetus:** "What kind of entity is this when we're talking about a fetus, an embryo, or a blastocyst?" Potential answers range from a mere appendage to a fully human person.
 - **Moral Status of the Fetus:** "What rights, if any, does a fetus have? And what duties or obligations do we have towards fetuses?"
 - He stresses that the answer to the moral status question is contingent on the answer to the ontological status question.
 1. **Legal Background: Roe v. Wade and Subsequent Supreme Court Cases:**
 - Spiegel provides a brief overview of key legal precedents in the United States:
 - **Roe v. Wade (1973):** Divided gestation into trimesters, with varying levels of state regulation allowed (no regulation in the first, regulation for maternal health in the second, prohibition except for maternal health in the third).
 - **Doe v. Bolton (1973):** Expanded "mother's health" to include psychological and emotional concerns.
 - **Planned Parenthood v. Danforth (1977):** Ruled parental or spousal consent unnecessary, leaving the decision to the pregnant mother and her physician.
 - **Webster v. Reproductive Health Services (1989):** Upheld a Missouri law defining life as beginning at conception and prohibiting public funding of abortion.
 - **Planned Parenthood v. Casey (1992):** Upheld a 24-hour waiting period and parental consent requirement (with exceptions) but rejected spousal notification.
 1. **Distinction Between Moral and Legal Issues:**
 - Spiegel emphasizes the crucial difference between the legal right to choose abortion and the moral permissibility of abortion.

- He notes the various combinations of moral and legal stances one can hold (morally pro-life/legally pro-life, morally pro-choice/legally pro-choice, morally pro-life/legally pro-choice).
- The lecture's primary focus is on the moral question.

1. **Judith Jarvis Thomson's Pro-Choice Arguments:**

- Spiegel introduces Thomson's unique approach, which "assumes for the sake of argument that the fetus is a fully human person."
- **The Violinist Thought Experiment:** Analogizes pregnancy (even if the fetus is a person) to being involuntarily connected to a famous violinist for life support. Thomson argues that one has the right to disconnect oneself, even if it leads to the violinist's death, because one did not consent to the situation.
- Quote: "So, you can't make me suffer through this discomfort and inconvenience for nine months even though, okay, the violinist is a valuable member of society and just as much a person as me. I'm going to unhook myself."
- Spiegel notes that this analogy seems most applicable to pregnancies resulting from rape.
- **The People Seeds Thought Experiment:** Imagines airborne seeds that can implant and grow into persons, even with precautions taken. Thomson argues that a woman has the right to uproot such a "person plant" from her home, analogous to the right to use birth control (like the pill) and abort if pregnancy occurs despite preventative measures.
- Quote: "Thompson believes that that is a perfectly rational approach, and in spite of the fact that that is an actual person who was growing up in the woman's apartment, she may still uproot it."
- **The Duty to Be a Minimally Decent Samaritan:** Thomson argues that we only have a duty to be minimally decent, not "good Samaritans" or "splendid Samaritans." She uses the Kitty Genovese case to illustrate the minimal duty to help when it involves little personal cost. She suggests that laws restricting abortion in cases of failed contraception impose an excessive burden beyond minimal decency.

1. **Critical Responses to Thomson's Arguments:**

- Regarding the duty of minimal decency, Spiegel poses the counter-argument that "allowing one's fetus to live is minimally decent," even if pregnancy was unintended. He questions whether it's truly "supererogatory" to continue a pregnancy if the fetus is considered a person.
- Regarding the people seeds analogy, critics argue that it "wrongly compare[s] sex, which is a highly intimate act, to casually breathing fresh air" and misrepresents procreation as a passive event (except in cases of rape).

1. **Mary Ann Warren's Pro-Choice Argument:**

- Warren takes a different approach by challenging the personhood of the fetus, arguing that "fetuses have no right to life."
- Her basic argument is:
- Premise 1: All and only persons have moral rights.
- Premise 2: Fetuses are not persons.
- Conclusion: Therefore, fetuses have no moral rights.
- She defines a person as a "member of the moral community."
- **The Space Traveler Thought Experiment:** Asks what criteria space travelers would use to determine if strange entities on another planet are persons.
- Warren proposes five criteria for personhood:
- Consciousness
- Reasoning
- Self-motivated activity
- The capacity to communicate
- The presence of self-concepts
- She maintains that at least consciousness and reasoning (and possibly self-motivated activity) are necessary for personhood.
- She concludes that fetuses meet none of these criteria and therefore are not persons with a right to life.

1. **Critical Responses to Warren's Argument:**

- **Infanticide:** Spiegel points out that Warren's criteria could logically lead to the permissibility of infanticide, as newborn infants also lack many of these characteristics. He notes that Warren "bites the bullet" on this, arguing that societal interest in the infant after birth mitigates this concern.
- **Confusion of Necessary and Sufficient Conditions:** Spiegel argues that Warren's space traveler analogy is misleading because the characteristics she lists might be sufficient for recognizing personhood but not necessarily necessary. The absence of these traits doesn't automatically disqualify an entity from being a person.
- Quote: "just because these criteria or these characteristics of consciousness, reasoning, self-concepts, self-motivated activity, and the ability to communicate, just because there are sufficient conditions for personhood...it doesn't follow from that that they are necessary conditions for personhood..."
- **Questionable Distinction Between Human and Person:** Spiegel challenges the assumption that "person" is a subcategory of "human." He suggests the reverse could be true, with humans being a subcategory of the broader concept of "person" (including God, angels, and potentially other intelligent life). If being human entails being a person, then fetuses, as human beings, would inherently be persons.

Conclusion of Part 1:

Dr. Spiegel concludes the first part of the session by summarizing the two major pro-choice arguments from Thomson and Warren and the key criticisms against them. He indicates that the next lecture will focus on pro-life arguments, both philosophical and theological.

4. Study Guide: Spiegel, Christian Ethics, Session 10, Abortion (Part 1)

Christian Ethics, Session 10: Abortion, Part 1 - Study Guide

Key Concepts

- **Zygote:** The initial cell formed when a sperm fertilizes an ovum.
- **Blastocyst:** The stage of development after the zygote, as it migrates to the uterus.
- **Embryo:** The stage of development roughly from the 3rd to the 8th week of gestation.
- **Fetus:** The stage of development beginning around the 7th week of gestation, marked by the start of brain activity.
- **Quickening:** The point around the 16th week of gestation when the mother can feel the fetus moving.
- **Viability:** The point around the 24th week of gestation when the fetus can potentially survive outside the womb.
- **Spontaneous Abortion (Miscarriage):** The natural termination of a pregnancy, which is not a source of moral debate.
- **Externally Induced Abortion:** The intentional termination of a pregnancy through various medical or chemical methods.
- **Ontological Status of the Fetus:** The question of what kind of entity a fetus (zygote, blastocyst, embryo) is. Possible answers include: a mere appendage, potentially human, biologically human but not a person, or a fully human person.
- **Moral Status of the Fetus:** The question of what rights, if any, a fetus has, and what duties or obligations we have towards fetuses. This is often considered dependent on the ontological status.
- **Roe v. Wade (1973):** The landmark Supreme Court decision that established a woman's legal right to an abortion, dividing gestation into trimesters with varying levels of state regulation allowed.
- **Doe v. Bolton (1973):** A Supreme Court case that expanded the definition of the mother's health to include psychological and emotional concerns.

- **Planned Parenthood v. Danforth (1977):** A Supreme Court ruling that determined parental or spousal consent is not necessary for an abortion decision, leaving it to the pregnant mother and her physician.
- **Webster v. Reproductive Health Services (1989):** A Supreme Court case that upheld a Missouri law defining life as beginning at conception and prohibiting public funding of abortion.
- **Planned Parenthood v. Casey (1992):** A Supreme Court case that upheld a 24-hour waiting period and parental consent (with judicial bypass) for abortion but rejected spousal notification.
- **Moral Pro-Choice:** The view that it is morally permissible for a woman to have an abortion.
- **Legal Pro-Choice:** The view that abortion should be legally permissible.
- **Moral Pro-Life:** The view that abortion is morally wrong.
- **Legal Pro-Life:** The view that abortion should be legally restricted or prohibited.
- **Judith Jarvis Thompson's Argument:** A pro-choice argument that assumes the fetus is a person but argues that the fetus's right to life does not automatically outweigh the woman's right to bodily autonomy, using thought experiments like the violinist and people seeds.
- **Violinist Analogy:** Thompson's thought experiment where one is involuntarily connected to a violinist for life support, arguing that one has the right to disconnect even if it leads to the violinist's death.
- **People Seeds Analogy:** Thompson's thought experiment where human beings grow from airborne seeds that might implant despite precautions, arguing for the right to remove them.
- **Minimally Decent Samaritan:** Thompson's concept of the basic level of moral obligation we have towards others, arguing that not all situations require us to be exceptionally helpful (splendid Samaritans).
- **Mary Ann Warren's Argument:** A pro-choice argument that claims fetuses are not persons because they lack key characteristics of personhood, such as consciousness, reasoning, self-motivated activity, capacity to communicate, and self-concepts, and therefore have no right to life.

- **Necessary Condition:** A condition that must be present for something else to exist or be true.
- **Sufficient Condition:** A condition that, if present, guarantees the existence or truth of something else.
- **Distinction Between Human and Person:** The idea that being biologically human does not automatically equate to being a "person" with moral rights.

Short Answer Quiz

1. Describe the biological progression from fertilization to viability as outlined in the lecture. Include the terms zygote, blastocyst, embryo, fetus, quickening, and viability, and the approximate timeframes associated with some of these stages.
2. What is the fundamental distinction between spontaneous and externally induced abortions, and which type is the focus of moral debate? Briefly explain why one is not typically considered morally controversial.
3. According to the lecture, what are the two central philosophical questions at the heart of the abortion debate? Explain why the order in which these questions are addressed is considered important.
4. Summarize the key rulings of Roe v. Wade regarding the different trimesters of pregnancy. What significant expansion of this ruling was established in the Doe v. Bolton case?
5. Explain the distinction between being "pro-life morally" and "pro-choice legally," and provide a hypothetical example of someone holding this combination of views.
6. Briefly describe the central point of Judith Jarvis Thompson's violinist thought experiment in relation to the abortion debate. What right does she argue a woman possesses, even if the fetus is considered a person?
7. Explain Thompson's people seeds analogy and how she uses it to argue for the moral permissibility of abortion in cases of unintended pregnancy, even when precautions were taken.
8. According to Thompson, what level of Samaritanism are we morally obligated to exhibit? How does she use the case of Kitty Genovese to illustrate this concept?

9. What are the key characteristics that Mary Ann Warren argues are necessary for personhood and the possession of moral rights? How does she apply these criteria to the status of a fetus?
10. What is one significant criticism discussed in the lecture regarding Mary Ann Warren's argument, particularly concerning the potential implications for infanticide?

Quiz Answer Key

1. Following fertilization, a **zygote** forms and travels to the uterus, becoming a **blastocyst**. From roughly weeks 3 to 8, it is an **embryo**, with the heart beginning to beat around 3 1/2 weeks and detectable by the 6th week. Around the 7th week, brain activity starts, and it is then called a **fetus**. **Quickening**, when the mother feels movement, occurs around the 16th week, and **viability**, the ability to survive outside the womb, is reached around the 24th week.
2. The fundamental distinction is that a **spontaneous abortion** (miscarriage) is a naturally occurring termination of pregnancy, whereas an **externally induced abortion** is the intentional termination. Spontaneous abortions are not typically a source of moral debate because they are not the result of a deliberate moral agent's choice.
3. The two central philosophical questions are the **ontological status of the fetus** (what kind of entity it is) and the **moral status of the fetus** (what rights and our duties towards it are). Addressing the ontological question first is important because our understanding of what the fetus *is* will likely inform our views on its moral standing and rights.
4. Roe v. Wade ruled that states could not regulate abortion in the **first trimester**, could regulate in the **second trimester** only for the sake of the mother's health, and could prohibit most abortions in the **third trimester** except those necessary for the mother's health. Doe v. Bolton expanded the definition of the mother's health to include psychological and emotional concerns.
5. Someone who is **pro-life morally** believes that abortion is morally wrong, while someone who is **pro-choice legally** believes that abortion should be legally permitted. For example, a person might personally believe abortion is morally wrong in most cases but still think that the government should not have the legal authority to prohibit a woman from making that decision for herself.

6. Thompson's violinist thought experiment posits that even if a fetus is granted the status of a person with a right to life, that right does not necessarily obligate another person (the pregnant woman) to sustain that life by using their body, especially if it was without their consent. She argues that the woman has a right to "unhook" herself, asserting her right to bodily autonomy.
7. The people seeds analogy imagines airborne seeds that can implant and grow into persons, even if window meshes are used as a precaution. Thompson argues that just as a woman in this scenario has the right to uproot an unintentionally grown "person plant" from her carpet, a pregnant woman should have the right to abort an unintended pregnancy, even if she used contraception.
8. According to Thompson, we have a duty to be **minimally decent Samaritans**, meaning we are obligated to provide basic levels of assistance that do not impose significant burdens or risks on ourselves. She uses the Kitty Genovese case to illustrate a failure of minimal decency, where bystanders failed to make a simple phone call to help someone in mortal danger.
9. Warren argues that key characteristics of personhood include **consciousness, reasoning, self-motivated activity, the capacity to communicate, and self-concepts**. She maintains that fetuses lack all of these characteristics and therefore do not qualify as persons with moral rights or a right to life.
10. One significant criticism of Warren's argument is that if these criteria are strictly applied, they could also exclude newborn infants from personhood, as infants lack the full development of these capacities. While Warren attempts to address this by suggesting that others' desires to care for the infant prevent infanticide from being a practical concern, the logical implication of her criteria remains a point of contention.

Essay Format Questions

1. Analyze and compare the approaches taken by Judith Jarvis Thompson and Mary Ann Warren in their arguments regarding the morality of abortion. How do their fundamental assumptions about the status of the fetus differ, and how do these differences shape their conclusions?
2. Evaluate the effectiveness of Judith Jarvis Thompson's violinist analogy as an argument for the moral permissibility of abortion. Consider potential strengths and weaknesses of this analogy, particularly in its applicability to different circumstances of pregnancy.
3. Critically examine Mary Ann Warren's criteria for personhood. Are these criteria sufficient and necessary for determining moral status? Discuss potential counterarguments or challenges to her definition of personhood and its implications for the moral status of beings beyond fetuses.
4. Discuss the significance of the distinction between the ontological status and the moral status of the fetus in the abortion debate. Why is the question of "what is it?" considered foundational to the question of "what rights does it have?"
5. Explore the relationship between the legal and moral dimensions of the abortion debate as presented in the lecture. Can one consistently hold a particular moral view on abortion while advocating for a different legal stance? Provide examples to illustrate your reasoning.

Glossary of Key Terms

- **Abortion:** The termination of a pregnancy.
- **Bodily Autonomy:** The right of individuals to control their own bodies and make decisions about their healthcare.
- **Consciousness:** The state of being aware of and responsive to one's surroundings.
- **Fertilization:** The process by which a sperm fuses with an ovum to form a zygote.
- **Gestation:** The period of development inside the womb from conception to birth.
- **Infanticide:** The act of killing an infant.
- **Moral Community:** The group of beings that are considered to have moral significance and are owed moral consideration or rights.
- **Moral Rights:** Fundamental rights that are based on moral principles and are often considered inherent to certain beings.
- **Personhood:** The status of being a "person," often associated with certain capacities or characteristics that confer moral rights.
- **Potentiality Argument:** The argument that a fetus has a right to life because it has the potential to develop into a fully formed human being.
- **Pro-Choice:** The stance that individuals should have the legal right to choose whether or not to have an abortion.
- **Pro-Life:** The stance that abortion is morally wrong and should be legally restricted or prohibited.
- **Reasoning:** The capacity for logical thought and the ability to draw inferences.
- **Self-Concept:** An understanding of oneself as a distinct entity with its own identity.
- **Self-Motivated Activity:** Behavior that is initiated and directed by one's own desires, intentions, or goals.
- **Speciesism:** Discrimination based on species membership, often used in the context of arguments about animal rights versus human rights.
- **Supererogatory Act:** An action that is morally good but not required; it goes beyond the call of duty.

5. FAQs on Spiegel, Christian Ethics, Session 10, Abortion (Part 1), Biblicalelearning.org (BeL)

Frequently Asked Questions on the Abortion Debate

1. What is the fundamental biological progression of a fertilized ovum, and what terms are used to describe it at different stages? Following fertilization, the ovum becomes a zygote, which then develops into a blastocyst as it travels to the uterus. From approximately weeks 3 to 8, it is called an embryo. Around 3 1/2 weeks, the heart begins to beat, detectable by week 6. By week 7, brain activity starts, and it is then referred to as a fetus. Quickening, when the mother can feel movement, typically occurs around week 16. Viability, the point at which the baby can survive outside the womb, is reached at approximately 24 weeks.

2. What is the primary distinction regarding types of abortion, and which type is the focus of ethical debate? The most fundamental distinction is between spontaneous abortions (miscarriages) and externally induced abortions. Spontaneous abortions are not typically a source of moral debate. The ethical and moral controversy centers on externally induced abortions, which are performed through various methods to terminate a pregnancy.

3. According to the source, what are the two central philosophical questions at the heart of the abortion debate? The two main philosophical questions are: (1) the ontological status of the fetus – what kind of entity is it (e.g., mere tissue, potentially human, biologically human but not a person, or a fully human person) at different stages of gestation? and (2) the moral status of the fetus – what rights, if any, does it possess, and what duties or obligations do we have towards it?

4. Briefly outline Judith Jarvis Thomson's argument using the "violinist" thought experiment and what key point she aims to illustrate. Thomson asks us to imagine being involuntarily connected to a famous violinist with a life-threatening illness, needing your bodily support for nine months. Even if the violinist is considered a person with a right to life, Thomson argues that you still have the right to disconnect yourself to regain your freedom, even if it results in the violinist's death. Her point is that even if a fetus is granted the status of a person, this does not automatically obligate a woman to continue an unwanted pregnancy; her right to bodily autonomy may override the fetus's right to life.

5. How does Thomson's "people-seeds" thought experiment attempt to justify abortion in cases of unintended pregnancy despite the use of contraception? Thomson asks us to imagine airborne "people-seeds" that can implant and grow into persons if they land on soft surfaces. People use meshes on their windows to prevent this, but a seed gets through and implants despite their precautions. Thomson argues that the homeowner has the right to uproot the "person-plant" because they took reasonable measures to prevent it from growing. This analogy suggests that even if a pregnancy results from a contraceptive failure (despite due diligence), the woman has the right to terminate it, as she did not intentionally allow it to happen.

6. Summarize Mary Ann Warren's argument regarding the personhood of a fetus and its implications for the moral permissibility of abortion. Warren argues that only persons have moral rights, and fetuses are not persons because they lack key characteristics she associates with personhood, such as consciousness, reasoning, self-motivated activity, the capacity to communicate, and self-concepts. Since fetuses do not meet these criteria, Warren concludes that they have no right to life, and therefore, women have a moral right to choose abortion at any stage of pregnancy.

7. What is one significant criticism raised against Warren's definition of personhood and its potential broader implications? One significant criticism is that Warren's criteria for personhood (consciousness, reasoning, etc.) might also exclude newborn infants, who also lack these developed capacities. This leads to the problematic implication that infanticide could be morally permissible under her framework, a conclusion Warren attempts to address by suggesting that others' desires to care for the infant provide reasons against it.

8. How does the source differentiate between the legal and moral aspects of the abortion debate, and what are some examples of legal precedents mentioned? The source emphasizes that the legal question concerns whether abortion should be a legally protected right, while the moral question addresses the ethical permissibility of abortion, regardless of its legal status. It mentions landmark Supreme Court cases such as *Roe v. Wade* (establishing a woman's right to abortion based on trimesters), *Doe v. Bolton* (expanding the definition of maternal health), *Planned Parenthood v. Danforth* (ruling against spousal or parental consent), *Webster v. Reproductive Health Services* (upholding the definition of life beginning at conception and prohibiting public funding), and *Planned Parenthood v. Casey* (upholding a 24-hour waiting period and parental consent but rejecting spousal notification).