

Activity 6: “My Body, My Choice!”

*Is abortion permissible even if the unborn **are** human beings?*

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ANALYZE

A Third Type of Pro-Choice Statement

If we’re not careful, we’ll assume that every pro-choice statement falls into one of two categories:

1. Some pro-choice statements assume that the unborn are not fully human. These statements can only succeed in justifying abortion if the unborn is *not* a human being with an equal right to life to other humans. Justifications for abortion based on poverty and overpopulation are often examples of this type of statement.
2. Other pro-choice statements argue that the unborn is not fully human. Statements about the biology of the unborn or a lack of valuable functional abilities often fall into this category.

There is, however, at least one more broad category:

3. Some pro-choice statements agree that the unborn is a human being with an equal right to life to the rest of us, but claim that even still the woman’s right to her body justifies abortion.

Our purpose in Activity 6 is to help you learn to identify this third category of “bodily rights arguments.”

Identifying Bodily Rights Arguments

Look at the following common pro-choice statements:

- “The unborn is a part of her body!”
- “It’s in her body!”
- “My body, my choice”
- “It’s totally dependent on the woman’s body!”
- “The woman has a right to her body!”

When people make the above statements that include the word “body,” you might be tempted to think they are always intending to make a bodily rights argument. We’ve found, however, that people can use the same or similar “body” language to make very different claims. Consider, for example, the phrase, “The unborn is a part of her body.” The person who makes this claim might be intending to argue that...

- (1) ...the unborn is not a living human organism biologically (because it’s not an organism at all)
- (2) ...the unborn is not a human with an equal right to life (because the unborn’s relationship to the woman’s body makes him less valuable), *or*
- (3) ...even though the unborn is a human being with an equal right to life, abortion is justified by some sort of appeal to the woman’s bodily rights.

(Indeed, the person also may not be very sure what he or she is intending to argue.)

Ask a Key Question

Discovering which type of argument the person is intending can be confusing at first, but it’s really just another exercise in learning to listen and ask the sorts of questions (think *Three Essential Skills*) that help the person clarify what they mean. (This is an especially helpful approach for the person who isn’t quite sure what she meant.) Specifically, we suggest asking the following question:

- Do you mean (1) that the unborn is *not* a valuable human being, because it's a part of her body, or do you mean (2) that *even though it is* a valuable human being, that's not the issue, because she just has the right to do what she wants with her body?

If the pro-choice advocate picks the first option, you'll need to then return to a discussion of biology or equal rights. But if she picks the second option, claiming that abortion is justified even though the unborn has an equal right to life to you and me, recognize that she is making a bodily rights argument.

Two Types of Bodily Rights Arguments

Once you determine that the person is really intending to make a bodily rights argument, you may have to explore further to determine the precise character of the person's argument. Otherwise, your response, though on the general topic of bodily rights, may fail to meet the challenge of the person's argument altogether. Trent Horn identified at least two broad types of bodily rights argument when he was an intern with Justice For All (for more information about Trent's current work, see www.trenthorn.com).

- **Sovereign Zone** arguments claim that the woman's body is a sort of "sovereign zone" such that she can do anything she wants with anything within her body.
- **Right to Refuse** arguments make a more modest claim, that the woman simply can't be forced to do something with her body (support the unborn) which she doesn't want to do.

Identifying when a bodily rights argument is being made is the focus of the dialogue examples in rest of the *Analyze* section (Bad) and in the *Imitate* section (Good). The *Imitate* dialogue also gives one suggestion for responding to the Sovereign Zone argument, but see *Chapter 3* for more help.

Bad Dialogue Example 1: Missing it

The pro-life advocate "misses the argument" by assuming the pro-choice advocate is making an argument against the unborn's value. This pro-choice advocate may very well be intending to make a bodily rights argument instead.

Pro-Life: It seems like the thing that makes us equal is that we're human. So doesn't that mean that it's wrong to kill the unborn?

Pro-Choice: But it's a part of her body!

L: It's not a part of her body because if it were a part of her body, it would have the same DNA as her, and it doesn't. And if it were a part of her body, then wouldn't she have two heads and twenty toes?

C: But it's in her body!

L: Well sure it's in her body, but that's not a good reason for it to not be a valuable human being. Why should our location determine our value?

C: But a woman can do what she wants with her body. It's her choice. When people say "My body, my choice" I think that really makes a lot of sense.

L: I don't think that makes any sense, because if you're saying "my body my choice" then you're assuming the unborn is not a human being because you wouldn't say you should have the choice to kill another human being.

C: It's totally dependent on the woman's body!

L: Sure, I agree that it's dependent on the woman's body, but that's not a good reason to think that the unborn is not a valuable human being. Infants are really dependent on their mothers. Are they not valuable human beings?

C: But the woman has a right to her body!

[etc]

Bad Dialogue Example 2: Missing it Again

The pro-life advocate “misses the argument” by assuming the pro-choice advocate is making a bodily rights argument. This pro-choice advocate may very well be intending to make an argument against the unborn’s value.

Pro-Life: It seems like the thing that makes us equal is that we’re human. So doesn’t that mean it’s wrong to kill the unborn?

Pro-Choice: But it’s a part of her body!

L: Oh, it’s part of her body. So you think the unborn is a valuable human being, but that abortion is justified because a woman has a right to do what she wants with her body.

C: Um...I don’t think that’s what I said.

L: Well, you said that it’s a part of the woman’s body, but that’s a bodily rights argument and that’s the argument that says that the unborn is totally valuable and equal to us but it doesn’t matter that it’s a human being because she has a right to do what she wants with her body.

C: You’re saying that I think that it’s a human being, and that it’s okay to kill human beings. I don’t think that’s what I believe.

L: But of course that’s what you believe. You said it’s a part of the woman’s body, and that’s a bodily rights argument.

[etc]

IMITATE

Good Dialogue Example: Recognizing Bodily Rights Arguments

The pro-life advocate uses the Three Essential Skills, and especially the question in bold, to accurately understand the pro-choice advocate’s argument as a bodily rights argument (the Sovereign Zone version). Then the pro-life advocate begins a response to that argument.

Pro-Life: It seems like the thing that makes us equal is that we’re human. So doesn’t that mean it’s wrong to kill the unborn?

Pro-Choice: But it’s a part of her body!

L: When you say that “it’s part of her body,” it seems you might mean one of a couple of different things. Help me figure out what you mean. **Do you mean that the unborn is *not* a valuable human being, because it’s a part of her body? Or do you mean that *even though it is* a valuable human being, that’s not the issue, because she just has the right to do what she wants with her body?**

C: I’m not sure. Let me think about that for a second...I think the right to her body is so important...I guess it doesn’t really matter to me whether the unborn is valuable. She has the right to do what she wants with her body no matter what’s true about the unborn.

L: So, are you saying that the unborn is a human being with an equal right to life but that she should be able to kill that human because of bodily rights? Or are you saying that you’re not sure if the unborn is an equal human, and so her bodily rights trump any rights the unborn might have?

C: I guess I think the unborn is a human being with an equal right to life. That seems pretty clear. But her bodily rights seem to trump the right to life of the unborn.

L: With that view of the unborn in mind, that he is a human being with an equal right to life, let’s focus then on this issue of bodily rights and see how far bodily rights go.

C: This may sound extreme to you, but I think the woman can do anything she wants with anything in her body. [Bodily Rights: Sovereign Zone]

L: That does sound a little extreme, but let's investigate that a bit. We certainly agree on one thing at least: I think bodily rights are really important, and generally speaking, we have lots of rights over our bodies. [Common Ground] I don't think I agree with you, though, about how far they extend.

C: Okay.

L: Let me ask you this question. Have you heard of a drug called thalidomide?

C: No.

L: Thalidomide is a drug that was given to pregnant women – mostly in Europe – in the 1950's and 60's to help reduce morning sickness. It was soon found to be the cause of very severe birth defects. As a result of women taking thalidomide while pregnant, many children were born with deformities. Sometimes they were born without arms or legs.

C: Wow, that's really sad.

L: Yes, it is. So, can we agree that it would be wrong for a pregnant woman to take thalidomide, knowing that it would likely cause her child to be deformed?

C: I think that would be wrong, but... as awful as it would be, I still believe she has the legal right to do so if she and her doctor decide that's the best thing for her.

L: I see. Let's take it a step further, then. Let's say that the pregnant woman has a two-year-old son with severe physical handicaps, and she has a desire for him to be able to grow up with a sibling who can really understand and relate to him. Should it be legal for this woman to take thalidomide during her pregnancy in order to *intentionally* cause birth defects in her child?

C: No way. That would be *so* wrong. I don't think that it should be legal.

L: So, it sounds like you *do* believe there should be some limits on what a woman is allowed to do with her body. Am I understanding what you believe?

C: I suppose my position isn't really that she can do *anything* she wants with *anything* that's in her body. But I still don't think she should be forced to use *her* body as life support for another human being...[Bodily Rights: Right to Refuse]

(See the resources below for more help in responding to both versions of Bodily Rights Argument: Sovereign Zone and Right to Refuse.)

IMPROVISE

Pro-Choice: The unborn is part of the woman's body!

Pro-Life: ???

RESOURCES ON BODILY RIGHTS ARGUMENTS

- *De Facto Guardian and Abortion: A Response to the Strongest Violinist* – Steve Wagner, writing for the JFA Philosophy Team (www.jfaweb.org/DFG)
- *Autumn in the Sovereign Zone* – Timothy Brahm (See www.jfaweb.org/AutumnSZ)
- *Interactive Guide, Chapter 3*

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