Essays
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The Natural-Artificial Distinction and Conjoined Twins

A Response to Judith Thomson’s Argument for Abortion Rights

Brian D. Parks

Debates about abortion typically revolve around the question of fetal personhood. Is the fetus a person? Conventional wisdom says that if the answer is yes, then abortion is equivalent to murder. If the answer is no, then abortion is equivalent to contraception.

The question of fetal personhood tends to generate deeper questions about the meaning of personhood in general. What type of property is personhood? Is personhood an essential property that all human beings possess, or is it an accidental property that human beings acquire during their development? Is personhood absolute, or does it exist in degrees? What is the moral significance of personhood? What makes persons intrinsically valuable?

These questions tend to provoke even deeper questions, many of which are quite difficult to answer. What does it mean to be one type of being as opposed to some other type of being? Is there an objective, privileged way to group and categorize the multitude of beings in our universe? How does one determine whether a given property is essential or accidental? What exactly do we mean when we say that a being possesses moral worth or intrinsic value?

Recognizing that “metaphysical” questions of this sort might never be fully resolved, philosopher Judith Jarvis Thomson chooses to avoid them altogether. In

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her defense of abortion, she puts aside the entrenched debate about the ontological status of the fetus and instead focuses on the more practical matter of women’s rights. Abortion is justified, she argues, not because the fetus is an insignificant life form, but rather because women have rights over their bodies, specifically the right to reject the bodily intrusion associated with unwanted pregnancy. These rights remain in effect, she claims, even under the assumption that fetuses are persons. For the purposes of her argument, she goes so far as to concede this assumption.

Thomson begins her argument with a famous hypothetical example:

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 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 now is plugged into you. To unplug you would be to kill him. But never mind, it is 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?1

The answer, according to Thomson, is no. Even if the violinist were the most important person in the world, you would still have a right to unplug yourself from his body. The same holds true, she insists, for women who find themselves unexpectedly pregnant. They have a right to “unplug” their bodies from the bodies of their unborn children—and this is true even under the assumption that unborn children are persons.

Thomson’s argument is powerful because it provokes a potential inconsistency in the pro-life position. As opponents of abortion, we claim that women have an obligation to endure the sacrifices of unwanted pregnancy for the sake of their unborn children. And yet, if called upon to endure similar sacrifices for the sake of the violinist, we would probably refuse.

How can we explain this potential inconsistency? If it would be permissible for you to cause the death of the violinist by terminating his life support, why wouldn’t it also be permissible for a woman to cause the death of her unborn child by terminating a pregnancy? Why should unwanted pregnancy be treated any differently from the example of the violinist? In the response to Thomson that follows, I will attempt to answer these questions.

Common Responses

I will begin my analysis by discussing the problems associated with many of the common responses to Thomson’s argument.

The Response from Different Burdens

Obstetrician Bernard N. Nathanson responds to Thomson by comparing the burdens imposed on the kidney bearer in the violinist story with the burdens that pregnant women typically endure. He notes that these burdens are severely disproportionate. The kidney bearer, for example, is completely immobilized and has no ability to function as a normal person. A pregnant woman, in contrast, enjoys full mobility, even into the later months of pregnancy, and can perform almost all of the functions that a nonpregnant woman can perform. Additionally, he points out that the health risks associated with such an extravagant medical project would seem to be more extreme than the health risks associated with a normal pregnancy. For these reasons, he concludes that the analogy is inappropriate.2

Problems. The response from different burdens is problematic because some pregnancies—fortunately the vast minority—severely limit the pregnant woman’s mobility and can present a significant risk to her physical health. Unless we are willing to defend abortion in such cases, we will have to offer a more extensive response to the analogy.

The Response from Sexual Responsibility

This response, which focuses on the moral implications of the woman’s sexual activities, has many different advocates and comes in many different forms.3 I prefer to frame the response as follows. Part of the reason why we expect the typical pregnant woman to accept the sacrifices associated with the process of bearing a child is because she freely engaged in an activity that is naturally designed to initiate this process. Thomson’s kidney bearer has not engaged in any similar type of activity, and therefore similar expectations would not seem to be warranted.

Problems. The problem with the response from sexual responsibility is that it fails to address cases of pregnancy that result from rape. A pregnant rape victim did not choose to engage in the sexual activity that made her pregnant. Does she therefore have a right to an abortion? If we were to base our response to Thomson solely on the notion of sexual responsibility, we would have to answer yes. This would force us into the unpleasant conclusion that killing an unborn child is justified if the father happens to be a rapist, but not otherwise.

The Response from Familial Relationships

Philosopher Stephen D. Schwarz attacks Thomson’s analogy by appealing to the significance of familial relationships.4 He argues that the mother shares a special

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parental relationship with her unborn child, a relationship that generates special parental responsibilities on her part. The kidney bearer in Thomson’s story shares no such relationship with the violinist, and therefore similar responsibilities do not apply.

Problems. To more clearly see the problem with this response, we can modify Thomson’s example to include a familial relationship. Suppose a woman becomes unexpectedly pregnant and places the child for adoption. Many years later, she wakes up in a hospital room, where doctors have surgically connected her renal system to the body of the same child who now happens to suffer from a fatal kidney disease. As the child’s biological mother, would the woman have a moral obligation to remain in the connection? Would her bodily rights differ from those of the random kidney-bearer in Thomson’s story? Probably not. Although significant, the revelation that the woman shares a familial relationship with the child would probably not be enough to change our intuitions with respect to the situation, and therefore we cannot use this sort of relationship as a basis for refuting Thomson’s analogy.

The Response from “Unplugging”

Thomson argues that it is permissible for the mother to unplug the fetus, just as it is permissible for the kidney bearer to unplug the violinist. But as philosophers Stephen D. Schwarz and Ronald K. Tacelli point out, abortion is much more than a mere “unplugging.” It involves the “active killing of a human person—by burning him, by crushing him, by dismembering him.” We would hardly consider it permissible to kill the violinist by methods such as these, and therefore we should reject Thomson’s comparison.

Problems. The problem with this response is that some abortion methods do resemble an “unplugging.” During a hysterotomy, for example, the person performing the abortion makes a direct incision into the woman’s uterus and removes the previable fetus intact. It dies not because its body has been burned, crushed, or dismembered, but rather because it cannot yet survive outside of the womb. Are we going to condone this method of abortion? Surely not, and therefore we will need a more complete response to Thomson’s argument.

We can see, then, that these responses have a limited application. While they each bring to light important disparities between unwanted pregnancy and the case of the violinist, they fail to fully explain our inclination to treat the cases differently.

The Natural-Artificial Distinction

The violinist analogy is fundamentally inadequate, I will argue, because it ignores the distinction between the natural and the artificial. The meaning of the terms “natural” and “artificial” may be somewhat unclear, so I will elaborate on the distinction.

When we say that pregnancy is natural, we mean to emphasize three points. First, pregnancy emerges from the design of the human body. It represents a work of nature, not a work of human engineering. Second, pregnancy is an involuntary bodily

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process. It proceeds unconsciously, on its own, through bodily forces that are internal to the mother and the fetus. Third, pregnancy constitutes a normal part of the process of human development. It entails a biological dependency that is universally found in the human community and that underlies the birth of every human being. Every woman faced with the difficulties of a pregnancy was once a fetus in the womb, dependent on her mother in the exact same way that her unborn child is dependent on her.

When we say that the violinist experiment is artificial, we mean to emphasize three conversely related points. First, to establish the initial connection, the surgeons must impose a number of elaborate technologies onto the bodily systems of the violinist and the donor. These technologies force the body to function in ways that are grossly contrary to its design. Second, the process of fluid exchange that occurs in the experiment cannot proceed on its own. It requires continuous external support, even after the initial connection has been established. For this reason, it does not represent an involuntary bodily process. Third, the need for an organ transplant, as exhibited by the violinist, does not constitute a normal human need. It constitutes a disease, a failure of the body to function properly. In the example, this need is satisfied in a highly unusual manner; no one has ever drawn life from the body of another person in the way that the violinist draws life from the donor.

Why is the distinction between the natural and the artificial morally significant? A complete answer to this question would require reference to the concept of natural law. Thomson and her followers would surely reject the philosophical premises associated with such a concept, and so I will not develop the explanation here. Instead, I will defend the distinction in a way that is fully accessible to those of opposing philosophical traditions—through the use of a hypothetical example.

The Conjoined Twins Example

There is only one phenomenon other than pregnancy that entails a natural bodily union between two human beings. That phenomenon is known as conjoined twinning. The interconnected bodily condition that conjoined twins exhibit makes for the best analogy to pregnancy available.

Consider, then, the hypothetical example of Amy and Janey, two teenage twins who are conjoined at the chest and abdomen. Except for the impaired lifestyle brought about by their unusual physical condition, Amy and Janey are both normal human beings, fully capable of rational thought. They each possess a functioning brain and a full complement of organs and appendages.

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As conjoined twins, Amy and Janey share a number of important blood vessels in the conjoined regions of their bodies. Their circulatory systems are interconnected through these blood vessels. Unfortunately, this feature of their condition has made the problem of safely separating them from each other unusually difficult to solve.

The twins have remained conjoined until this point because their parents have not had access to the innovative technology that would be necessary to separate them. Fortunately, a charitable group of highly skilled surgeons who have successfully separated similar cases of conjoined twins have become aware of their condition and have extended an offer to help.

The problem, however, is that Janey cannot currently survive on her own. She recently acquired an illness that has caused serious damage to her renal system. Her kidneys have deteriorated so severely as a result of this illness that they no longer have any ability to remove impurities from her bloodstream. She has managed to survive the illness only because of the interconnection that exists between her circulatory system and Amy’s circulatory system. Through this interconnection, Amy’s kidneys have assumed the purification load of Janey’s body, indirectly filtering her bloodstream of the impurities that her own kidneys can no longer filter.

Thanks to the medical treatment that Janey has been receiving of late, her kidneys seem to be gradually healing and getting stronger. The doctors who are evaluating her condition unanimously agree that she will eventually become capable of independent survival. According to their best estimates, she will need nine months. After nine months of treatment, her kidneys will have healed and strengthened to a point where they will once again be able to maintain her body free of impurities. When that point is reached, it will be possible to separate her without causing her to die.7

Understandably, Amy is extremely unhappy with her life as a conjoined twin. She recognizes that she can survive on her own and she wants to be separated immediately—or at least as soon as possible. But if the twins are separated immediately, Janey will die.

Would it be permissible for the surgeons to perform an immediate separation on the twins at Amy’s request, knowing full well that in doing so they will cause

7 To my knowledge, the first philosopher to use a conjoined twins analogy in the context of the abortion debate was Sissela Bok, in “Ethical Problems of Abortion,” Hastings Center Studies, 2 (1974): 33–52. Ironically, she used the analogy to defend abortion. In addition to Bok, Kenneth Himma used a conjoined twins analogy to attack Thomson in “Thomson’s Violinist and Conjoined Twins,” Cambridge Quarterly of Healthcare Ethics 8.4 (Fall 1999): 428–435. Eric Wiland used a similar analogy in “Unconscious Violinists and the Use of Analogies in Moral Argument,” Journal of Medical Ethics 26 (2000): 466–468. The bodily union associated with pregnancy is temporary; at most, it lasts nine months. But the bodily union associated with the examples of conjoined twinning that these authors present is permanent—a horrible life sentence for both twins. This fact makes the proposed analogy between pregnancy and conjoined twinning rather unfavorable to the pro-life position. To eliminate the disparity, I have constructed the example in a way that more closely models pregnancy. Just as there is a way to safely separate a mother from her unborn child after nine months of pregnancy, there is also a way to safely separate Amy from her sister Janey.
Janey’s death? The obvious answer here is no. Consistency, however, would force Thomson to answer yes. After all, Janey’s situation is remarkably similar to that of the typical unwanted fetus. Her body is physically joined to the body of a person who considers her to be a significant burden, and her continued survival requires that this person endure the burden for a significant period of time.

Admittedly, there are a number of differences between conjoined twinning and pregnancy that might cause one to question our comparison. First, conjoined twinning is far more debilitating than pregnancy. The typical pregnant woman can perform almost all of the functions of a normal person; Amy and Janey, in contrast, can perform almost none of these functions. Second, conjoined twinning is highly abnormal to the human species. It results from a defective developmental process that occurs only once in every two hundred thousand births. Third, unlike the typical pregnant woman, the conjoined twins do not bear any responsibility for their situation. They did not make any choices or engage in any actions to bring about their unfortunate condition. Notice, however, that these differences strengthen the argument against abortion. If ending a life would be unjust in the case of the conjoined twins, where there are so many extenuating circumstances in effect, ending a life would seem to be even more unjust in the usual case of pregnancy, where similarly extenuating circumstances do not exist.

I doubt that many people would consider it justified for the surgeons to kill Janey by prematurely separating her from her sister. The proper course of action here seems quite clear: they should wait until she is capable of independent survival and then separate her. But why are our intuitions in this case different from our intuitions in the case of the violinist? The answer, I would argue, lies in the natural-artificial distinction. The conjoined bodily relationship that the twins exhibit represents a natural, life-directed process. We are inclined to oppose the separation precisely because we believe that it would be wrong to cause unnecessary death by destructively interfering with such a process. This intuition does not carry over to the violinist example, where the connection is surgically coerced onto the donor’s body by outside agents.

There are two ways that Thomson can respond to our analysis. First, she can “bite the bullet” and argue that it would be justified for the surgeons to prematurely separate the twins. This approach would be painfully counter-intuitive, and so I will not spend time addressing it. A second and more viable approach would be for Thomson to deny that the natural-artificial distinction underlies our opposition to the separation. In other words, she could argue that some other feature of the example explains our conclusions. In the paragraphs that follow, I will evaluate a few of the possible explanations.

The Explanation from Bodily Ownership

One way that Thomson might explain our conclusions in the conjoined twins example is by challenging the assumption that Amy enjoys exclusive ownership over her body. That is, instead of accepting the implication that the twins possess two different bodies, Thomson could argue that the twins mutually share a single body (at least below the neck). If the twins mutually shared a single body, then Amy’s kidneys would belong just as much to Janey as they do to Amy, and both twins
would have an equally valid claim to their continued use. The separation would therefore constitute a violation of Janey’s bodily rights.

We can identify three problems with this explanation. First, it is extremely counter-intuitive to suggest that the twins share a single body. If they did, then half of Janey’s organs and appendages would lie outside the boundaries of her skeletal structure and peripheral nervous system. If she were to strike Amy in the lower back, for example, she would be causing trauma to her own kidneys. But she would feel nothing; her sister would be the one who feels the pain. Indeed, her condition would be completely unintelligible. It makes no sense to employ an unintelligible interpretation of her condition when a much more intuitively plausible one is available: Janey has a distinct body, as does Amy, and their bodies happen to be conjoined at the chest and waist.

Second, the possibility of shared bodily ownership is not unique to the conjoined twins example. An abortion opponent can just as easily argue that the mother and the fetus share a single body.8 We should remember that abortion supporters often claim that the mother and the fetus are one body and not two. The irony is that this claim, if true, would lead to the conclusion that the bodily resources at stake in the abortion debate belong just as much to the fetus as they do to the mother.

Third, if Thomson were to account for our intuitions with an appeal to the notion of shared bodily ownership, she would undermine the principles behind her own position. To clearly see the problem, we can consider a slight modification to the example. Suppose that Janey’s situation deteriorates even further and the interaction between her circulatory system and Amy’s circulatory system becomes inadequate to keep her alive. The doctors determine that she needs a full-on kidney transplant to survive. Given that Amy has two healthy kidneys, and given that she needs only one of them to live, would it be permissible for the doctors to force her to make the necessary donation? Those who make the argument from shared bodily ownership would have to answer yes. After all, according to their argument, the two kidneys inside Amy’s body belong, in part, to Janey, and therefore Janey has an equally legitimate claim to use them for her survival. Notice the problem: Thomson makes her case by arguing against the concept of forced bodily donations, and yet this line of reasoning ultimately compels her to support it.

**The “Conjoined History” Explanation**

Amy and Janey have been conjoined for as long as they have existed. They have never lived in physical separation from each other. Prior to the pregnancy, however, the mother lived her entire life in physical separation from the fetus. Thomson could argue that this difference, a difference in the history behind each connection, explains why the two cases should be treated differently.9

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9 In addressing a related issue, philosopher Frances M. Kamm hints at this response; see *Creation and Abortion* (New York: Oxford University Press, 1992), 101.
There are two ways that Thomson could develop the explanation. The first way would be to focus on the fact that conjoined twinning and unwanted pregnancy entail different psychological costs. Consider, for example, the situation that Amy faces. She has never been physically autonomous. In remaining conjoined, she is giving up a way of life that she has never really experienced, losing something that she has never really had. Her situation in this respect is quite different from the situation of the typical pregnant woman. The typical pregnant woman has always been physically autonomous. In assuming the burdens of an unwanted pregnancy, she is giving up a way of life that she has always enjoyed, losing something that she has always had. The adjustment that she must accept is much more substantial, and therefore the psychological cost much more significant.

We can identify two problems with this way of framing the explanation. First, the condition of a conjoined twin is far more debilitating than the condition of a pregnant woman. Even if Amy were more accustomed to her condition than the typical woman seeking an abortion, her suffering in remaining a conjoined twin would still be more intense. Second, the longer a person suffers unjustly, the stronger her claim is to be relieved of her suffering. In that sense, the painful history behind Amy’s condition strengthens her demand for a separation. She has had to endure the misery of her physical situation for many years, whereas the typical pregnant woman seeking an abortion has only had to endure the pregnancy for a few weeks.

A second way to frame the explanation would be to once again focus on the issue of bodily rights. Thomson could argue, for example, that Janey shares ownership over Amy’s kidneys because she has relied on them for the same amount of time that Amy has relied on them. But this is not true. Janey has not always relied on Amy’s kidneys. In our scenario, they became vital to her survival only after her own kidneys began to deteriorate. The explanation is therefore a nonstarter.

To be biologically accurate, we would probably have to assume that the interconnection between Janey’s circulatory system and Amy’s circulatory system first emerged when they were embryos developing in the womb. But let us assume, for the sake of argument, that the interconnection emerged later in their development, when they were fetuses or infants. Under this assumption, it would be impossible for Janey to have used Amy’s kidneys for as long as Amy has used them. Our intuitive reaction to the example, however, would not change. We would still consider it immoral for the surgeons to cause Janey’s death by prematurely separating her. We can conclude, then, that whether or not Janey has used Amy’s kidneys for as long as Amy has used them is not a morally relevant factor in the scenario.

The Modified Violinist Scenario

To conclusively rebut the “conjoined history” objection, we can turn our attention to a modified version of Thomson’s scenario. Instead of supposing that the members of the Society of Music Lovers connected you to the ailing violinist as an

10 Philosopher David Boonin briefly defends a version of this argument in A Defense of Abortion (Cambridge, U.K.: Cambridge University Press), 245.
adult, suppose that they somehow connected you to him at birth, when you were both newborn infants, or even earlier, when you were both unborn. Suppose additionally that from your first memories as a child, you were trapped in a bed, with your bloodstream hooked up to the violinist’s bloodstream through an elaborate group of tubes surgically inserted into your body. As a teenager, you finally get an opportunity to unplug yourself from the tubes and escape. Surely, you have as much of a right to unplug yourself in this modified scenario as you do in Thomson’s original scenario. The fact that you have never lived an autonomous life, and that you have nothing with which to compare your present suffering, does not undermine your right to disconnect yourself. Likewise, the fact that the violinist has used your kidneys for as long as you have used them, or for as long as you have been conscious, does not mean that he now owns them, or that he now has a right to use them for his survival.

Notice that there is only one difference between the scenario of the conjoined twins and our modified violinist scenario. In the scenario of the conjoined twins, the connection is natural and internal to the body. In our modified violinist scenario, the connection is externally forced onto the body through the use of an extreme technology. If Thomson were to take the intuitive route—which is to oppose the separation in the conjoined twins scenario and support it in our modified violinist scenario—then she would leave herself no choice but to acknowledge the moral significance of the natural-artificial distinction.

A Final Note on the Naturalness of Conjoined Twinning

When evaluating the conjoined twins example, we have to remember that conjoined twinning is not natural in the same way that pregnancy is natural. It may occur naturally, but it does not constitute a biologically normal condition. It constitutes a developmental malfunction; in many ways, it is a disease unto itself. If we could find an example of a bodily union that is natural in the fullest sense—a bodily union that, like pregnancy, is consistent with the design of the human body and universally found in the human species—then the force of our distinction would become even more obvious. Unfortunately, no such example exists.