

HOM 559 / PHIL 543: The Ethics of Abortion  
Syllabus  
Spring 2002  
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## **I. Administrative Information**

Instructor: Professor Robert Streiffer  
Lectures: 6225 Medical Sciences Center, Tuesday 12:05 – 2:25  
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Credits: 3

## **II. Course Description, Objectives, Requirements, Paper Dates, and Materials**

This course is for upper-level undergraduates. It is an in-depth study of a selection of ethical and legal issues arising from the practice of abortion. We will look at four models for thinking about the ethics of abortion: (1) the personhood model, according to which the permissibility of abortion turns primarily on whether abortion constitutes the intentional killing of a person, (2) the valuable-future-like-ours model, according to which the permissibility of abortion turns primarily on whether abortion constitutes depriving an entity of a valuable future, and (3) the good samaritan model, according to which the permissibility of abortion turns primarily on whether the pregnant woman has a duty to aid the fetus by allowing it the use of her body, and (4) the intrinsic value model, according to which the permissibility of abortion turns primarily on whether abortion can, in some circumstances, best show respect for the intrinsic value of human life. We will look at two of the most important Supreme Court cases regarding abortion, *Roe v. Wade*, which found that woman have a constitutional right to abortion, and *Planned Parenthood v. Casey*, which found that it was permissible for the state to regulate abortion in various ways, and examine various criticisms and defenses of those decisions. Finally, we examine protests and violence against abortion providers, the use of various artificial reproductive technologies in which abortion frequently plays a role, and at the ethics of human embryonic stem cell research.

There are three overall objectives of the course:

1. To improve your familiarity with the facts, concepts, theories, and arguments from the relevant ethical and legal literature.
2. To improve your ability to think about and discuss the ethical and legal issues in this area, including your ability to critically examine your own views..
3. To be more appreciative of opposing viewpoints on controversial ethical and legal questions.

This final goal is worth stopping over. Abortion is one of the most divisive and explosive topics on the American political scene, but in this class, I expect everyone to treat everyone else respectfully and civilly. This does not preclude honest criticism of one another's views, which consists in giving reasons against the view

itself or the arguments which have been presented for the view, but it does preclude personal attacks against those who hold those views.

### Requirements

1. Read all of the assignments, and read them carefully and critically. The average amount of reading per week is about 58 pages, although in some cases it is as many as 99 pages. In a seminar, the contribution that each person makes to the discussions is important.
2. Attend all the lectures. You will be expected to show familiarity with the lecture material in your papers, and for people on the borderline between grades, I may take into account your participation and attendance to decide whether to bump you up or down.
3. Two papers, 600 words (2 pages) in length, each worth 10% of your grade. These papers are primarily to give you the opportunity to practice writing a philosophy paper and to learn what my expectations are for the papers. I will hand out a list of paper topics from which you will choose.
4. Two papers 1500 – 1800 words (5 – 6 pages) in length, each worth 40% of your grade. I will hand out a list of paper topics for you to choose from. You are encouraged, but not required, to hand in rough drafts. The first of the longer papers will be focused on the ethical issues, and the second will be focused on the legal issues. I will hand out a list of paper topics from which you will choose.

### Paper Dates

	Date Assigned	Date Due	Paper Length	Time
1	Tuesday, Feb. 5	Tuesday, Feb. 12	600 words (2 pages)	1 week
2	Tuesday, Feb. 19	Tuesday, Feb. 26	600 words (2 pages)	1 week
3	Tuesday, March 5	Tuesday, April 2	1500 – 1800 words (5 – 6 pages)	3 weeks
4	Tuesday, April 16	Tuesday, May 7	1500 – 1800 words (5 – 6 pages)	3 weeks

### Materials

We will be using the anthology, *The Abortion Controversy: 25 Years after Roe V. Wade*, 2<sup>nd</sup> edition, edited by Louis P. Pojman and Francis J. Beckwith, and Ronald Dworkin's *Life's Dominion*. Both are available in the UW Bookstore. Readings not in the anthology or from *Life's Dominion* are marked with an "\*" and will be available in a reader from Bob's Copy Shop in University Square.

## III. Course Schedule

1. January 22  
Course Overview, Factual Background on Abortions and Embryo Development
2. January 29  
The Personhood Model I (54 Pages)
  - John T. Noonan, Jr., "Abortion is Morally Wrong," Ch. 11, 203 – 208 (6 pages)
  - Michael Tooley, "In Defense of Abortion and Infanticide," Ch. 12, 209 – 233 (25 pages)

- Philip Devine, "The Scope of the Prohibition Against Killing," Ch. 13, 234 – 256 (23 pages)
3. February 5  
 First Paper Topics Handed Out  
 The Personhood Model II (54 Pages)
    - Stephen Schwarz, "Personhood Begins at Conception," Ch. 14, 257 – 274 (18 pages)
    - Louis P. Pojman, "Abortion: A Defense of the Personhood Argument," Ch. 15, 275 – 290 (16 pages)
    - Norman C. Gillespie, "Abortion and Human Rights," Ch. 16, 291 – 298 (8 pages)
    - L. W. Sumner, "A Defense of the Moderate Position," Ch. 17, 299 – 310 (12 pages)
  4. February 12 (Guest Lecture by Dan Wikler)  
 First Papers Due at the Beginning of Class  
 The Valuable-Future-Like-Ours Model (48 Pages)
    - Don Marquis, "Why Abortion is Immoral," Ch. 20, 339 – 356 (18 pages)
    - Peter McInerney, "Does a Fetus Already Have a Future-Like-Ours?" Ch. 21, 357 – 360 (4 pages)
    - Gerald H. Paske, "Abortion and the Neo-Natal Right to Life," Ch. 22, 361 – 371 (11 pages)
    - Don Marquis, "A Future Like Ours and the Concept of Person," Ch. 23, 372 – 386 (15 pages)
  5. February 19  
 Second Paper Topics Handed Out  
 The Good-Samaritan Model I (34 Pages)
    - Judith Jarvis Thomson, "A Defense of Abortion," Ch. 7, 117 – 131 (15 pages)
    - Francis J. Beckwith, "Arguments from Bodily Rights," Ch. 8, 132 – 150 (19 pages)
  6. February 26  
 Second Papers Due at the Beginning of Class  
 The Good-Samaritan Model II (48 Pages)
    - David Boonin-Vail, "A Defense of "A Defense of Abortion": On the Responsibility Objection to Thomson's Argument," Ch. 9, 151 – 175 (25 pages)
    - Keith Pavlischek, "Abortion Logic and Paternal Responsibilities: One More Look at Judith Thomson's Argument and a Critique of David Boonin-Vail's Defense of It," Ch. 10, 176 – 198 (23 pages)
  7. March 5  
 Third Paper Topics Handed Out  
 The Court Cases (50 Pages)
    - The U. S. Supreme Court, *Roe v. Wade* (1973), Ch. 2, 19 – 35 (17 pages)
    - The U. S. Supreme Court, *Planned Parenthood v. Casey* (1992), Ch. 3, 36 – 68 (33 pages)
  8. March 12  
 Evaluations of *Roe v. Wade* (65 Pages)
    - Dennis J. Horan and Thomas J. Black, "Roe v. Wade: No Basis in Law, Logic, or History," Ch. 4, 73 – 94 (22 pages)

- Catherine MacKinnon, "Roe v. Wade: A Study in Male Ideology," Ch. 5, 95 – 104 (10 pages)
  - Ruth Bader Ginsburg, "Some Thoughts on Autonomy and Equality in Relation to Roe v. Wade," Ch. 6, 105 – 113 (9 pages)
  - \*Daniel Wikler, "Abortion, Privacy, and Personhood: From Roe v. Wade to the Human Life Statute," in *Abortion: Moral and Legal Perspectives*, edited by Jay L. Garfield and Patricia Hennessey (Amherst: The University of Massachusetts Press, 1984) 238 – 261 (24 pages)
9. March 19  
An Equal Protection Argument (78 Pages)
- \*Donald H. Regan, "Rewriting Roe v. Wade," in *Michigan Law Review* 77: 1569 – 1646 (78 pages)
- March 26 (No Class due to Spring Break)
10. April 2  
Third Papers Due at the Beginning of Class  
The Intrinsic Value Model I (99 Pages)
- Ronald Dworkin, *Life's Dominion*, Chs. 1 – 3, 3 – 101 (99 pages)
11. April 9  
The Intrinsic Value Model II (77 Pages)
- Ronald Dworkin, *Life's Dominion*, Chs. 4 – 6, 102 – 178 (77 pages)
12. April 16  
Fourth Paper Topics Handed Out  
Responses to the Intrinsic Value Model (51 Pages)
- \*Sarah Stroud, "Dworkin and Casey on Abortion" in *Philosophy and Public Affairs* 25: 140 – 170 (31 pages)
  - \*Judith Jarvis Thomson, "Abortion" and Responses in *Boston Review*, Summer 1995, (13 pages)
  - Francis J. Beckwith, "Pluralism, Tolerance, and Abortion Rights," Ch. 28, 455 – 461 (7 pages)
13. April 23  
Protests and Violence against Abortion Providers (-- Pages)
- Christopher Tollefsen, "Donagan, Abortion, and Civil Rebellion" in *Public Affairs Quarterly* 11: 303-312 (10 pages)
  - NARAL Legal Department, "Memorandum concerning the U. S. S. C.'s upholding of Colorado's Clinic Protection Statute in Hill v. Colorado (4 pages)
  - John Cavanaugh-O'Keefe, "Rescues: In and Out of Dialogue with the Law" in *Notre Dame Journal of Law, Ethics, and Public Policy* 5: 979-985 (7 pages)
  - Bernard Nathanson, "Operation Rescue: Domestic Terrorism or Legitimate Civil Rights Protest?" in *Hastings Center Report* November/December 1989: 28-33 (6 pages)
  - Nicholas Dixon, "The Morality of Anti-Abortion Civil Disobedience" in *Public Affairs Quarterly* 11: 21-38 (18 pages)

14. April 30 (Guest Lecture by Dan Wikler)  
Artificial Reproductive Technologies (-- pages)
  - Daniel Wikler and Norma J. Wikler, "Turkey-baster Babies: The Demedicalization of Artificial Insemination" in *The Milbank Quarterly* 69: 5-40 (36 pages)
  
15. May 7  
Fourth Papers Due at the Beginning of Class  
Human Embryonic Stem Cell Research (42 Pages)
  - \*John Robertson, "Ethics and Policy in Embryonic Stem Cell Research," in *Kennedy Institute of Ethics Journal* 9: 109-136 (28 pages)
  - \*Richard Doerflinger, "The Ethics of Funding Embryonic Stem Cell Research: A Catholic Viewpoint," in *Kennedy Institute of Ethics Journal* 9: 137-150 (14 pages)