

Handout on Boonin Part III: Why Abortion Should Be Less Restricted

PHIL 1200 honors
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Ch. 22: Insurance Restrictions

Example: it's illegal in the state of Missouri for someone to buy an insurance plan that covers abortion except for cases in which the woman's life is endangered.

Boonin's View: insurance restrictions are wrong.

Variant Case: *Poor Shimp* (p. 145)

Argument: wrong for state to steal \$1000 from Shimp → wrong for state to prevent someone else from giving Shimp \$1000 → wrong for the state to prevent someone from giving Shimp something else that Shimp could use to pay to disconnect (like an insurance policy).

Ch. 23: The Hyde Amendment

The Hyde Amendment says that federal funds cannot be used to pay for abortions nor for insurance that covers abortion, except in extreme cases like life-threatening pregnancies.

Boonin's View: the Hyde Amendment is wrong.

Variant Cases:

Medicaid Shimp, Medicaid Slippery Floor, Medicaid Slippery Socks (pp. 152-3)

Objections:

(i) religious objection

Reply: but we already use tax dollars to pay for many things that some religions object to

(ii) libertarian objection

Reply: but given the state of things, covering abortion will use less tax money as than not covering it

(iii) not-a-health-issue objection

Reply: but it *is* a health issue

Ch. 24: Mandatory Waiting Periods

Examples: Thirty-five states require women seeking an abortion to wait before they can get one (waiting periods range from 24 to 72+ hours).

Boonin's View: Mandatory waiting periods are wrong.

An Argument *in Favor* of Mandatory Waiting Periods for Abortion

P1. It's ok for the state to make its citizens wait some period of time before getting married, getting a divorce, or adopting a child.

[One reason this is ok is that these are big decisions with serious consequences.]

P2. The state making its citizens wait some period of time before getting married, getting a divorce, or adopting a child is morally analogous to the state making its citizens wait some period of time before getting an abortion.

[After all, abortion is also a big decision with serious consequences.]

C. Therefore, it's ok for the state to make its citizens wait some period of time before getting an abortion.

Boonin's reply: P2 is false; there is a morally relevant difference: when the state makes one of its citizens wait some period of time before getting an abortion, it is forcing her to spend that amount of time letting someone use her body who has no right to use it, but when the state makes one of its citizens wait some period of time before getting married, getting a divorce, or adopting a child, it is not doing that.

Technique of Variant Cases: In *Shimp Must Wait* (p. 162), it would be wrong for the state to make Shimp wait some period of time (e.g., 48 hours) before detaching himself from McFall.

Ch. 25: Mandatory Counseling

Examples: more than half of states require abortion counseling before a woman can have an abortion, and some of these require not just that information be *offered* to the woman but that the information be *given* to her (e.g., verbally).

Boonin's View: Mandatory counseling is actually ok — so long as it is clear, accurate, and balanced, and so long as it is merely *offered* rather than *given*.

Variant Case: *Info about McFall* (p. 177)

Ch. 26: Mandatory Ultrasounds

Examples: Louisiana, Texas, and Wisconsin require women seeking abortions first to have ultrasounds done, with the image displayed and described; Ohio, Indiana, North Carolina, and Florida require women seeking abortions to have ultrasounds done followed by an offer to see the image.

Boonin's View: Mandatory ultrasounds are wrong.

Variant Cases: *Photo of McFall* (p. 183), *Required to Offer* (p. 184), *Diana Shimp* (p. 185)

Ch. 27: Parental Consent and Notification

Examples: Over half of states have laws requiring minors to get consent from at least one parent before getting an abortion; some states that don't require parental consent still require parental notification.

Boonin's View: Parental consent laws are wrong, but parental notification laws may be ok.

Variant Cases: *17-Year-Old Shimp* (p. 188); *Tell Shimp's Mom After* (p. 193)

Argument:

P1. It would be wrong for the state to force young Shimp to let McFall use his bone marrow in *17-Year-Old Shimp*.

P2. The state's forcing young Shimp to let McFall use his bone marrow in *17-Year-Old Shimp* is morally analogous to the state's forcing Jane to let John use her uterus.

C. Therefore, it would be wrong for the state to force Jane to let John use her uterus.