

Research Assessment #10

Date: November 6, 2020

Subject: Abortion

MLA Citation:

New, Michael J. "How the Legal Status of Abortion Impacts Abortion Rates." Charlotte Lozier Institute, 23 May 2018, lozierinstitute.org/how-the-legal-status-of-abortion-impacts-abortion-rates/.

Assessment:

It is important for a lawyer to ignore his own opinions and beliefs to argue a case that is contrary to his ideals. I decided to argue the opposite side of a case which I disagree with to make myself a more dynamic lawyer. I decided to develop a line of reasoning where I fight against abortion which is contrary to my beliefs. Abortion is morally justified according to the political philosophy of J.S Mill because he believed that people can do whatever they please as long as they do not violate the rights of other beings. Since unborn children are not considered conscious beings they are not given rights in the eyes of J.S Mill. Knowing it is my objective to successfully argue against my own ideas, which will help me develop abstract trial skills.

One of the major arguments for abortion would be the supreme court case Roe v. Wade, which established abortion as a constitutional right and is not illegal. In order to overturn a supreme court case it is vital that I develop a strong argument for the anti-abortion side. In Roe v. Wade it was argued that legalizing abortion would not increase abortion rates but only improve the technologies and resources required for a successful abortion. Through studies from Phillip Levine and Douglas Staiger it was found that legalizing abortion just increased the number of pregnant women getting abortions. This was later proven when the pregnant women's abortion rates went from "13.2 children from a thousand to 19.3" children per thousand(New 5). This would be one of the main compelling arguments to bring up to the judges because It deems their previous conclusion that the legalization of abortion would not increase the abortion rates. Since their observation was wrong the repeal of the law would be customary.

Debating this argument philosophically is also equally important. In the past weeks of ISM I learned about J.S Mill who I mentioned earlier. His work says abortion is legal because the baby is not yet a being because it is not a conscious thinker. If this is the case, then a one-year-old is also not a conscious being so can we murder the born child. Laws restrict murdering the young child, which would also consider unborn children because they also are not conscious thinkers. I would have to be careful in the court of Law discussing the failures of J.S Mills' political philosophy because it could open the doors to other philosophers and their ideas, which are contrary to abortion. I would argue this to the supreme court justices by specifically defining a human being and how a one-year-old child is similar to an unborn child because they are both unconscious of their decisions. The most rebuttal I could get from that statement would be the prior precedent of the case Roe v. Wade but the ideology of that case would not match my argument making the other case invalid.

As a lawyer, it is challenging to ignore your own moral beliefs but in the world of law and philosophy, all emotion should be ignored and replaced with rational thought. This is the main problem with society today because they argue their claims with emotion which means nothing in the eyes of the supreme court.

Link To Source Annotations:

https://docs.google.com/document/d/1Kn_19gobPdCGgp619TI8QnVc6xvDbDc1nrAKM4vcdGo/edit?usp=sharing