

Abortion

Background briefing¹

General overview

This briefing paper will argue, among other things, that the church should:

- call on society to value at all times the sanctity of human life;
- proclaim the Bible's Sixth Commandment against the taking of innocent life;
- oppose any changes to our laws that could threaten the safety of the innocent and the vulnerable in our human family, be it the unborn, the sick, the disabled or the elderly.

Opposing abortion, as the Presbyterian Church of Victoria does, is not an easy or popular position in today's society. But tolerating abortion – which results in the termination of one quarter of Australian pregnancies – is a great moral evil. Abortion destroys innocent human life on a vast scale and often causes women who have undergone abortions to suffer terrible psychological wounds thereafter.

The church realises that changing Australia's laws in order to stop abortions, desirable though that may be, can be only part of the solution. The church, inspired by Jesus Christ's compassion towards the lonely, the outcast and the lost, also seeks to reach out and help women embarrassed by unplanned pregnancies and to ensure that they are properly informed about alternatives to abortion.

Threatened removal of restrictions on abortion

The recently re-elected Victorian Labor Government of Steve Bracks is committed to decriminalising abortion, although Premier Bracks was careful to downplay this issue before last year's November 25 state election.

According to Victorian pro-life activist Babette Francis of Endeavour Forum: "If implemented, ALP policy would mean that abortion would be allowed for *any* reason at *any* time during the pregnancy, including late-term or partial-birth abortions. This is currently the situation in the ACT, where there are no restrictions on abortion."²

Present abortion laws in Victoria

Section 65 of the *Crimes Act* in Victoria declares that abortion is a crime.³ However, a ruling, *R. v. Davidson* (1969) by Justice Menhennitt, says that an abortion is 'lawfully justified if it were (a) 'necessary to preserve the woman from a serious danger to her life or her physical or mental health (not being merely the normal dangers of pregnancy and

¹ In preparing this paper, I am greatly indebted to the Coalition Against Decriminalisation Of Abortion (www.cadoa.org) for details of Victoria's current abortion laws and the media and website sources revealing the Labor Party and Greens' strategy to decriminalise abortion altogether.

² Babette Francis, "The ALP's abortion agenda", *News Weekly*, November 11, 2006: www.newsweekly.com.au

³ Crimes Act 1958. www.austlii.edu.au/au/legis/vic/consol_act/ca195882/

Section 65: www.austlii.edu.au/au/legis/vic/consol_act/ca195882/s65.html

childbirth)' and (b) 'in circumstances not out of proportion to the danger to be averted' (and) 'necessary to protect the life or health of the woman'.⁴

Section 10 of the Crimes Act says that the offence of child destruction applies if a mother or another person causes the death of a child of 28 weeks' gestation or more.⁵

Labor Party strategy to legislate for unrestricted abortions

In March 2006, state Labor MP Carolyn Hirsh announced that she planned to bring in a private member's bill to decriminalise abortion that year, but then backed down from that proposal. *The Age* suggested this was because of pressure from the Premier.⁶

That same month, Mr Bracks said: "We have no plans to have that on the legislative agenda this year. (But) the matter will be considered in future depending on, one: we have government, and two: what decisions are made as a government in implementing party policy."⁷

Two months later, the *Herald Sun* said that Carolyn Hirsh had "told a Women's Policy Committee meeting at ALP head office on April 12 that Premier Bracks' pledge to permit the decriminalisation of abortion would be 'at the top of his agenda' if he won a third term - provided she dropped her private member's bill".⁸

Official Labor policy

The Victorian Labor Party Conference (May 2006) re-confirmed the ALP policy on the decriminalisation of abortion: its platform declares: "Labor will amend section 65 of the Crimes Act to provide that no abortion be criminal when performed by a legally qualified medical practitioner at the request of the woman concerned."⁹ (The document adds a footnote which says: "Note: consistent with national ALP policy, this matter remains the subject of a conscience vote").

An amendment by former minister Christine Campbell and backbencher Noel Pullen called for the platform to be changed so that more consideration could be given to the negative effects of late-term abortions. This was defeated.¹⁰

Official Greens policy

On November 8, 2006, the Victorian Greens spokesperson Jennifer Alden made the following promise: "The Greens in State Parliament after November 25 will put forward a private member's bill to decriminalise abortion."¹¹

⁴ *Australian Dictionary of Biography*: www.adb.online.anu.edu.au/biogs/A150413b.htm

⁵ Crimes Act, Section 10: www.austlii.edu.au/au/legis/vic/consol_act/ca195882/s10.html

⁶ "Bracks steps in to quash abortion vote", *The Age*, March 4, 2006.

⁷ "Bracks makes abortion deal", *Herald Sun*, 5 May 2006.

⁸ "Bracks makes abortion deal", *Herald Sun*, 5 May 2006.

⁹ *Rising to the Challenges: 2006 Victorian ALP Platform*, section 3.38 on page 49 (page 50 of PDF): www.vic.alp.org.au/alp/pdf/policies/2006_vic_platform.pdf

¹⁰ "ALP adopts decriminalisation policy on abortion", *The Age*, May 8, 2006.

¹¹ "Abortion should not be a crime", Victorian Greens media release, November 8, 2006: www.vic.greens.org.au/media/media-releases-2006/the-greens-say-abortion-should-not-be-a-crime/

How should Christians respond to the abortion question?

a) Theological

Does the Bible specifically forbid abortion? The Sixth Commandment specifically condemns murder – that is, the taking of innocent human life. We can infer from this that the Bible also condemns as murder the killing of an innocent unborn child in his/her mother's womb.

The right to abortion, however, is often presented as purely a matter of choice for a woman to do what she pleases with her own body. Proponents of abortion deny that life begins at conception. Hence they argue that a termination of pregnancy is not necessarily murder.

But when invited to define when human life is supposed to begin, proponents of abortion offer no satisfactory answers. Instead, they are reduced to offering a wholly arbitrary definition of human life – basically they say, "Life begins when we say it begins".

Thus we witness in today's medical profession a very inconsistent attitude towards human life in its earliest stages. In one part of a hospital, you can have medical staff working heroically to save the lives of prematurely-born infants; in another part, abortionists will be terminating the lives of unborn babies of identical age, merely because their arrival in the world would be deemed to be "inconvenient".

This arbitrary treatment of human life, however, undermines society's duty of protective care towards its weakest and most innocent members.

A human embryo is not merely an expendable part of a woman's body with no human rights. Biologically, the unborn child in the womb, although he/she is dependant for survival on her body, is not part of her body in the way that her hair, nails or organs are.

At a purely scientific level, the personhood of the embryo begins at conception when it comes to possess its own unique DNA. At a more profound level, Christians see the embryo, at whatever stage of development, as being nothing less than the handiwork of God Himself.

God told the young Jeremiah, when He appointed him to be a prophet to the nations: "Before I formed you in the womb I knew you for my own; before you were born I consecrated you." (Jeremiah 1:4-5).¹² Elsewhere in the Bible, the psalmist proclaimed: "Lord, thou hast examined me and knowest me... Thou it was who didst fashion my inward parts; thou didst knit me together in my mother's womb... Thou knowest me through and through: my body is no mystery to thee, how I was secretly kneaded into shape... Thou didst see my limbs unformed in the womb, and in thy book they are all recorded; day by day they were fashioned..." (Psalm 139: 1, 13, 14c, 15, & 16).

b) Political

Just as William Wilberforce, John Wesley and other Evangelicals spoke out against the slave trade more than two centuries ago, so Christians today should not remain silent when the killing of the unborn is so widespread and sanctioned by the law.

In a paper presented to the Victorian Right to Life Conference in 2005, Augusto Zimmermann pointed out that the legal status of the unborn child in today's world is analogous to that of African-American slaves before their emancipation in the late 1800s.

¹² The Bible used in this paper is the New English Bible.

Zimmermann says:¹³

“In a famous case decided in 1857, the U.S. Supreme Court declared that black people had no human rights and, therefore, were entirely subject to the rights of slave-owners. A century later, in 1973, this very court also decided that unborn children had no human rights and, therefore, were entirely subject to the rights of women. Similarities between both sentences are too obvious to be just ignored. One of the justices who gave his dissenting vote on the abortion case declared quite prophetically: ‘From now on, women are free to abort for any reason and for no reason at all.’

“In 1857, the U.S. Supreme Court, in its famous Dred Scott case, defended slavery in these terms: 1) black slaves belong to their masters; 2) black slaves are not human persons before the law; 3) black slaves can only acquire human rights if they become free individuals; 4) those who think slavery is morally wrong do not need to have slaves, but shall not impose their ‘personal’ opinion upon others; 5) masters have the right to do whatever they want with their property, including black slaves; 6) slavery is better for the black people. Otherwise, they would have to face complex moral choices which their so-called ‘inferior’ condition not allow them to resolve satisfactorily.

“In 1973, the U.S. Supreme Court, in *Roe vs. Wade*, employed these arguments to decriminalise abortion: 1) unborn children belong to their mothers; 2) unborn children are not human persons before the law; 3) unborn children can only have human rights if they are born alive; 4) those who think abortion is morally wrong do not need to have an abortion, but shall not impose their ‘personal’ opinion upon others; 5) women have the right to do whatever they want with their property (bodies), which includes unborn children; 6) abortion is better for unwanted and/or disabled children. Otherwise, they would suffer on account of maternal rejection and/or mental and/or physical condition.”

Christians through their churches should be informed about where society’s laws fall short of, and/or are actually opposed to, God’s commandments, and should be encouraged to use peaceful and lawful methods to bring about desirable change.

In doing so, it is especially important for Christians to be equipped, not only with a Biblical knowledge of God’s abhorrence of the taking of innocent life, but with the ability to argue against the familiar secular arguments raised in defence of abortion.

c) *Medical – the spectre of the backyard abortionist*

In order to intimidate people into believing that restrictions on abortions pose a major health risk to women, pro-choice activists often raise the spectre of backyard deaths.

However, Queensland’s David van Gend (a family doctor, university lecturer and Queensland secretary for the World Federation of Doctors Who Respect Human Life) has argued that it is time to correct the historical and clinical misconceptions surrounding the “myth” of the backyard butcher. He writes:¹⁴

“The whole backyard butcher scare campaign can be discredited by a few historical facts. Women will not die as a result of laws limiting abortion.

“**Fact one:** making abortion legal or illegal has never, historically, made the slightest detectable difference to the safety of women. This is because of **fact two:** that medicine alone, not the law, has achieved all the magnificent gains in maternal safety.

“These dramatic gains were made by medical breakthroughs such as antibiotics in the 1940s, blood transfusion, improved surgical techniques and emergency services - and the medical gains were achieved before there was a single liberal law or ‘safe legal clinic’.

¹³ Augusto Zimmermann, “Abortion: a crime against humanity”, a paper presented at the 2005 Right to Life Australia Conference, Trinity College, Melbourne University.

¹⁴ Dr David van Gend, “Abortion: Facts banish the myth of the ‘backyard butcher’”, *News Weekly*, November 6, 2004.

“Study the entire Australian Bureau of Statistics data *on Causes of Death 1906-1996*. Observe the death rate for illegal abortion plummet from about 100 deaths every year in the 1930s (before antibiotics) to just one death in the whole of Australia in 1969 (the last year of the old ‘backyard’ regime) – before there was a single ‘legal’ clinic anywhere in the country. All this was thanks to medical advances alone, with the legal status of abortion unchanged and irrelevant.

“Observe also that maternal deaths from all causes - childbirth, miscarriage, abortion - dropped exactly in parallel, for the exact same medical reasons. It was medical progress, not legal agitation, which made abortion (whether criminal or medical), and childbirth, irreversibly safer.

“Facts one and two dispel the cherished illusion that ‘illegal’ means ‘unsafe’, and that ‘therefore it must be legal’ - the trump card of the abortion lobby.

“This is beginning to be acknowledged even by abortion supporters. Writing in the US journal *Women’s Quarterly*, Candice Crandall reluctantly accepts that medical advances, not legal changes, were responsible for improved safety: ‘In fact, it wasn’t *Roe v Wade* (the U.S. Supreme Court ruling in 1973 to legalise abortion) that made abortion safe: it was the availability of antibiotics beginning in the 1940s.’

“She also confirms that ‘the most powerful of the pro-choice arguments was the claim that any infringement of the right to an abortion would return America to the dark ages when thousands of women died because of unsafe, back-alley abortion’.

Thousands of women? In fact, she notes, the U.S. death toll had dropped to 41 in the year before *Roe v Wade*, not the ten thousand figure promoted by the National Association for the Repeal of Abortion Laws (NARAL).

“Co-founder of NARAL, Dr Bernard Nathanson, writes: ‘I confess that I knew the figures were totally false - but the overriding concern was to get the laws eliminated, and anything within reason that had to be done was permissible.’”

d) *Difficult cases, such as rape*

Is abortion morally permissible when a woman’s pregnancy is the result of rape? It is, of course, no small thing to ask a woman who has suffered the ultimate degradation of her body to allow a resulting pregnancy to proceed to birth. But neither is abortion necessarily an appropriate way out of this dilemma. Taking innocent human life can in no way redress a terrible wrong. And, as we shall see, in section (f) below, women who have abortions, for whatever reasons, frequently suffer serious, negative and long-lasting psychological problems as a consequence.

Unfortunately, the argument for abortion in the event of rape has been used dishonestly by the pro-abortion lobby – not so as to restrict the practice of abortion to exceptional circumstances such as rape, but to win public sympathy as the first step to establishing unrestricted abortion on demand.

The church acknowledges that rape presents a particularly difficult (and, we hope, rare) circumstance, but to legalise abortion in the event of rape, we fear, is invariably used as a pretext to widen the circumstances under which abortion is permitted.

We stress that the church must not abandon women who are contemplating abortion for whatever reasons, but should instead direct them to organisations equipped to help them because, as we shall see in section (f) below, there *are* alternatives to abortion.

e) *Is being pro-life somehow anti-woman?*

A woman’s right to abortion on demand is often depicted as being an essential ingredient for her freedom, and is heavily promoted by the modern feminist lobby. This has not always been so, however. Historically, leading figures of the original feminist movement, such as Mary Wollstonecraft (1759-1797), Elizabeth Cady Stanton (1815-1902), Susan B. Anthony (1820-1906) and Alice S. Paul (1885-1977), were strongly pro-life.

In a book published in 2004, *The Cost of "Choice": Women Evaluate the Impact of Abortion*, the authoress Erika Bachiochi observes, "Without known exception, the early American feminists condemned abortion in the strongest possible terms." She notes the irony of the fact that the U.S. anti-abortion laws of the latter half of the 19th century were the direct results of the advocacy work of the early feminists.¹⁵

f) *Psychological damage to women – the reality of post-abortion grief*

In recent years, it is increasingly being acknowledged that women suffer greatly from abortion.

In 2000, Melinda Tankard Reist – an adviser to former Tasmanian Independent Senator Brian Harradine – lifted the curtain on this tragic yet hidden dimension of abortion, with her remarkable book, *Giving Sorrow Words*.

In it she complete personal accounts of 18 women and drew on the experiences of more than 200 others. All thought they could quickly get over their abortions and resume their normal lives, but their lives were never the same again. Almost without exception, they suffered deep grief for their lost child – a grief that often lasts for years.

Reist's book also exposed the coercion women experience from boyfriends, husbands, parents and society in general. It also reveals the inadequacy of current pre-abortion counselling practices and the lack of informed consent.¹⁶ (At the end of this paper is a list of pro-life pregnancy advisory centres in Victoria).

Independent confirmation of the phenomenon of post-abortion grief has come from a recent New Zealand study conducted by Professor David Fergusson of the Christchurch School of Medicine. It was conducted on more than 1,200 individuals who were tracked from birth until the age of 25. It revealed that young women who have an abortion (the commonest medical procedure performed on young women in New Zealand) have a higher risk of mental health problems, including depression, anxiety and drug and alcohol abuse, than women who continue with their pregnancies. It is noteworthy that this discovery was one that Professor Fergusson did not expect. He told ABC television's *7:30 Report*: "I remain pro-choice. I am not religious. I am an atheist and a rationalist. The findings did surprise me, but the results appear to be very robust because they persist across a series of disorders and a series of ages."¹⁷

In the United States, an organisation Operation Outcry¹⁸ has emerged representing women who have been traumatised by their abortions. A number of them tour the U.S., speaking out about the pain and consequences they have endured.

Operation Outcry, working with churches and voluntary organisations, has invited women traumatised by abortion to fill in a special questionnaire/affidavit describing their experiences.¹⁹ Over a number of years, Operation Outcry has collected some thousands of women's affidavits.

¹⁵ Erika Bachiochi (ed.), *The Cost of "Choice": Women Evaluate the Impact of Abortion* (New York: Encounter Books, 2004), quoted by Bill Muehlenberg in: *News Weekly*, November 19, 2005.

¹⁶ Melinda Tankard Reist, *Giving Sorrow Words: Women's stories of grief after abortion* (Sydney: Duffy & Snellgrove, 2000).

¹⁷ "Higher risk of mental health problems after abortion", ABC television's *7:30 Report*, January 3, 2006: www.abc.net.au/7.30/content/2006/s1541543.htm

¹⁸ Operation Outcry: www.operationoutcry.org

¹⁹ Question form affidavit for post-abortive women, available at: www.operationoutcry.org/pages.asp?pageid=23540

The sheer volume of women's testimony on the trauma of abortion has forced legislators to take notice. As a result of Operation Outcry's lobbying, the Texas legislature in 2003 passed a Woman's Right to Know Act.²⁰ Under this law, a doctor or abortion-provider must provide a woman patient with a special 23-page information booklet, from the Texas Department of Health, entitled *A Woman's Right to Know*.²¹ The booklet describes the different methods of abortion. It warns about the medical risks for abortion, pregnancy and childbirth, but particularly the medical and psychological side-effects of abortion, including possible future depression, grief, anxiety, suicidal thoughts and behaviour, substance abuse and possible infertility.

The booklet always refers to the embryo as an unborn child, never as a foetus, and describes how, at fertilisation, "the unborn child has his or her unique set of DNA material — or genes". The booklet displays a series of colour pictures of the growing child in the womb. It informs the mother where she can find support and counselling, should she continue with her pregnancy, and also the benefits available to help with medical care before, during, and after childbirth.

The Texan informed consent laws have reduced abortion in that state to the lowest level since 1978.²²

g) *Eugenic abortions*

The sheer arbitrariness of abortion is especially disturbing. Some babies are being aborted at an age that they're allowed to be born prematurely elsewhere in hospital.

By what criteria do we decide which babies are worthy of life and which should be aborted? Only because they are "wanted"? This can lead us into very murky waters.

Melinda Tankard Reist, in her recent book *Defiant Birth: Women Who Resist Medical Eugenics* (2006),²³ has described the disturbing consequences of pre-natal screening and diagnosis of potential disabilities in the unborn. If a mother learns that her unborn child may have some possible medical problem or defect, she can do one of two things: she can continue with the pregnancy, or terminate it. Increasingly these days, doctors are encouraging abortion, even if there is only a slender chance of some medical defect or complication. That is despite the findings of a study, quoted by Tankard Reist, which shows that prenatal diagnosis is generally reliable only in 39 per cent of cases.

Some women, however, bravely go against this medical advice and accept the possibility of delivering a less than perfect baby. According to Tankard Reist, these "genetic outlaws" — who value the sanctity of life over mere quality of life — have "resisted the ideology of quality control and the paradigm of perfection".

What this whole issue of prenatal screening for defects raises is the disturbing modern denial of the sanctity of human life. This view, as anti-human as it is anti-Christian, basically denies the intrinsic worth of a human being. Instead, it measures one's worth according to entirely subjective criteria of whether one possesses supposedly desirable traits, such as a strong physique, intelligence and good looks. We don't have to look further

²⁰ Texas legislature (2003): Woman's Right to Know Act (House Bill 15): www.dshs.state.tx.us/wrtk/default.shtm

²¹ *A Woman's Right to Know: information material* (Austin: Texas Department of Health, 2003): www.dshs.state.tx.us/wrtk/pdf/booklet.pdf

²² "Suffering in silence no more", *News Weekly*, January 20, 2007.

²³ Melinda Tankard Reist, *Defiant Birth: Women Who Resist Medical Eugenics* (Melbourne: Spinifex Press, 2006).

than the last century for ideologies, such as Nazism, which evaluated the worth of human beings according to racial criteria and condemned to forced labour or extermination categories of humanity such as Jews, Gypsies and Slavs who were held to be *Untermenschen* (subhuman). In the previous century, in 1857, the U.S. Supreme Court declared that black people had no human rights. In the famous Dred Scott case, the court decided that black slaves were the property of their masters, were not deemed human persons before the law and therefore had no human rights.

To compare the dehumanising philosophies of slavery and Nazism with today's cavalier attitude towards the unborn is not to seek to be sensationalist. If we judge an unborn child's worth according to how far it conforms to our ideas of physical perfection, this sends out an unmistakable message that our love for a child is only conditional. If this is our criterion for loving a child, what can we expect from parents if an apparently perfect baby is born to them but later in childhood develops some disability or defect that escaped detection during prenatal screening?

So much for eugenic abortions. But there's more ... there is sex-selection abortion, which is widely practised in India and China, whose cultures for various reasons often mean that a male child is more highly prized than a female child. Recently, it has begun to dawn on even the most die-hard radical feminists that, under these circumstances, their most prized women's right, abortion on demand, disproportionately victimises females. At the United Nations' recent 51st session of the Commission on the Status of Women, non-government organisation (NGO) feminists denounced in the strongest terms the killing of a "girl child" in the womb as "the most extreme form of violence against women".²⁴

Conclusion

In the abortion debate, the church then has two major tasks. One is to oppose unequivocally the dehumanisation of the unborn child whereby doctors and biotechnologists disregard it as a mere blob of tissue. The church unashamedly proclaims the sacredness of human life, especially at its most innocent and vulnerable. It calls on society to repudiate the prevailing culture of death and to welcome babies into the world with unconditional acceptance and love, not terminate their lives because they are unwanted or disabled.

At the same time, the church seeks to reach out to women who experience an unexpected or unwanted pregnancy. At such a time when a woman is alone, vulnerable and often frightened of the consequences of continuing with her pregnancy, the church and society must be at her side reassuring that she is not abandoned and that help is at hand.

* * * * *

John Ballantyne

Presbyterian Church of Victoria's Church and Nation Committee

July 31, 2007

²⁴ "Dilemma for pro-abortion feminists", *News Weekly*, March 31, 2007.

Pregnancy advisory centres

Organisations exist in Victoria to provide confidential counselling, moral support and practical help for women who find themselves with an unplanned pregnancy. These organisations have contact with pro-life doctors and other support agencies. Ministers of religion and priests are available to provide spiritual support.

Services offered include help with money, accommodation and clothing. The St Vincent de Paul Society, for instance, provides food vouchers, some assistance with bills, furniture and so on.

Organisations can refer women to government agencies, for example for single mothers' allowances, family benefits, etc, and can call on migrant advisory bodies in relation to immigration or visa problems.

Baby-sitting can be arranged.

Here is a list of some of the agencies in Victoria:

National Pregnancy Support Helpline

(This agency was set up by federal Health Minister Tony Abbott).

Tel: 1800 422 213

Caroline Chisholm Society

Moonee Ponds, Victoria.

Melbourne metro callers: (03) 9370 3933

Country callers: 1800 134 863

Accommodation: "Home of Compassion",

Fitzroy, Victoria.

Tel: (03) 9415 1010.

Pregnancy Counselling Australia

(This is linked to Right to Life Australia).

Administration: (03) 9388 1866.

Counselling: 1300 737 732 (24 hours).

Pregnancy Help Line

Tel: 1300 139 313 (24 hours)

Pregnancy Help Australia

Albury Wodonga, Victoria/NSW.

Director: Debbie Garratt, RN

Tel: (02) 6059 5550

Open Doors

Ringwood, Victoria.

Director: Anne Neville

Tel: (03) 9870 7044

Options Plus Care

Pregnancy Counselling Centre,
Dandenong area, Victoria.

Linked with Pastor Danny Nalliah of Catch the Fire Ministries

Director: Gayle Baulch

Tel: (03) 9794 8922

Helpers of God's Precious Infants

Prayer and counsel outside abortion clinics.

Tel: 0407 090 367

Centacare adoptions (Catholic)

Tel: (03) 9419 5633

Victims of Abortion

Tel: (03) 9887 7669

Mob: 0408 175 033

Provides post-abortion counselling and support, and is able to explain to women thinking of having an abortion the tragic consequences.

(Director: Anne Lastman).