

ABORTION: TWO VIEWS

By Sheila Thompson

Introduction

"The Fetus: Sacred or Disposable?" This question came to mind to many people when they hear about the issue of abortion. Others see the matter from a different perspective, namely, that women should have access to all means of birth control in order that they may have control over their fertility, their bodies.

The topic of abortion has surfaced and resurfaced over the past few years. The issues are often hazy to most people, and always emotionally-charged.

Two recent events have brought the issue to the spotlight again. These are: the acquittal of Dr. Henry Morgentaler in Montreal and the introduction of Bill 220 in the Alberta Legislature.

This article will look at these events as well as some of the views on the issue.

Background

The most recent revision to Canadian abortion laws took place in 1969. Before that, abortion was only allowed if it was judged a woman's life was endangered by a continued pregnancy.

The revision to the Criminal Code makes it possible for a woman to obtain an abortion if the pregnancy is likely to endanger her life or health. No abortion can be performed without the approval of a "therapeutic abortion committee".

The present law has proved unsatisfactory to most people concerned:

1. doctors do not like being judges in this moral issue
2. red tape prevents many women receiving abortions within the required first 12 weeks
3. many hospitals do not have the required clinics
4. in many cases the committee "rubber stamps" applications rather than reviewing each case as the law intended.

Bill 220

A bill that would limit a woman's access to abortions will receive second reading in the Alberta legislature in late spring.

The private member's bill introduced by John Ashton, Conservative MLA from Ottewell, would remove abortions from coverage under the Alberta Health Care plan. The only exceptions would be cases where the pregnancy threatened the woman's health. That should be the only criteria for performing an abortion, says Ashton.

In a telephone interview, Ashton said the main reason for introducing the bill is to facilitate discussion of abortion

in the legislature.

The real test of the legislature's feeling about the bill comes in the spring, as few private member's bills ever make third reading.

Asked if his bill discriminates against low-income women, Ashton said "I don't think they are entitled to an abortion any more than rich people are."

The issue should be discussed in the legislature to let the federal government know what people think about it."

"You can't make a decision to destroy that life any more than you can kill a one-year-old child."

Minister of Justice, Otto Lang

The following are comments concerning present abortion laws, made by the Minister of Justice during 1973, as reported by the press.

Following the US Supreme Court decision legalizing abortion Grace McInnis (NDP—Vancouver-Kingsway) raised the issue to Otto Lang. The Justice Minister gave a one-word answer - no - to the New Democrat's query about possible Criminal Code amendments on abortion being

introduced during the current House session.

Lang ordered an examination into ways the abortion reform was being applied. He expressed concern with "border line excuses" being accepted and that some therapeutic abortion committees were "rubber stamping" abortion request.

In response to the Quebec jury's decision to accept Dr. Henry Morgentaler's defense, under section 45 of the Criminal Code, Lang announced in the Commons there will be studies on the matter. It will be determined whether the Supreme Court should be asked to consider the state of abortion laws.

Section 251 of the Criminal Code holds that abortion can only be performed with the approval of a therapeutic abortion committee while Section 45 states that a doctor can not be prosecuted for performing a necessary operation. The Justice Minister said he wants to determine the issue as quickly as possible.

Referendum

A referendum on the issue of abortion was held in conjunction with the 1972 Students Union Elections. It read:

Section 237-2 of the Criminal Code of Canada should be repealed leaving the question of abortion a matter between a woman and her doctor.

Results were: YES - 4564 - 80.2% No - 1131 - 19.8%

Birth right : alternative to abortion

The tiny ad reads "Pregnant and Distressed? Call Birth Right, 423-2852." Behind this ad waits a group of volunteers and consultants anxious to help women in trouble.

This nondenominational group of concerned citizens was formed in Edmonton in 1971. Its main concern is to give support to pregnant women who are wanting an alternative other than abortion.

The service begins with a phone call and continues as long as is desired. Birth Right volunteers maintain a one-to-one relationship with all callers. Friendship is an important part of this.

Help of all kinds is available, whether it be a place to live, a job or perhaps social assistance. A woman can also obtain maternity clothes, and baby clothes and furniture. Birth Right can direct women to available services in the

community.

Volunteers are good listeners. Rather than giving advice they try to help people to sort out their own problems through talking about them.

Though a service oriented rather than politically oriented group, Birth Right supports Bill 220, which would take abortion out of Alberta Health Care.

A "pro-life" group with a different focus is Voice of the Unborn (VOTUB). It is concerned with education and public relations.

VOTUB is Alberta-based and presently has over 2000 members. This number is deceptive though, as often a ladies group will buy a single membership. Supporters, therefore, are far greater in number.

VOTUB is concerned with spreading information about pregnancy. One feature of their presentations is a film on the

development of the fetus, showing, as they put it, his humanity.

They also want to call to attention the dangers of abortion. These include psychiatric affects, possibilities of sterility and an increase in prematurity and miscarriages in future pregnancies. There is also danger in the actual surgery itself.

A basic premise of VOTUB is that the fetus is human. Other facts such as a woman's unwillingness to give birth are less important. The baby should not be destroyed.

On the issue of Bill 220 VOTUB maintains that they have called for this action long before Ashton brought it up. In April, 1973 they presented a brief to the government to this effect. Recently they received word that the Social Planning Committee of the cabinet wishes to see them about their brief.

Pro-abortion arguments

-It frees women from a needless form of slavery - unwanted pregnancies.

-A woman who aborts this year because she is in poor health, neurotic, economically harassed, unmarried, on the verge of divorce, or immature may well decide to have a child five years later - a wanted child.

-Women should have this procedure readily available to them in their tax-supported hospitals.

-Wanted children of loving parents is what the world needs now.

-If destruction of an

unwanted fetus is the taking of a life why are there not funerals for miscarriages?

-Decisions about conception belong with individuals not with the state. This idea gains importance when considering the possibilities of test-tube babies.

-Killing in itself is not the issue. We know that there are children starving in many parts of the world. That war is torturing many. Why put our energy into "protecting" unwanted fetuses when there are living, suffering people who need our concern?

Support

The international nature of the abortion issue can be seen as an attempt by women of the western world to gain control of their reproductive lives.

Supporters of Repeal of Abortion Laws

Canadian Psychiatric Ass'n
Alberta Medical Ass'n
Humanist Ass'n of Canada
Unitarian Church
New Democratic Party (Federal also Alberta NDP Women's Caucus Young Socialist)
Quebec Federation of Labor
Ontario Federation of Labor
Corporation of Quebec Teachers
Civil Service Ass'n - University Hospital Local
Doris Anderson, editor
Chatelaine
Pierre Berton, author
George Mantor, U of A president
Jean McBean, vice-pres. Alta. NDP

International to the Morgentaler trial

Though it has received little coverage in the Canadian press, there has been considerable international reaction to the Morgentaler Trial.

The Toronto Defense Committee has received copies of letters sent to the Prime Minister and to Quebec Justice Minister Choquette. These letters have voiced support for Dr. Morgentaler and have urged Canada to follow suit with other Western nations in repealing abortion laws.

The Women's National Abortion Action Coalition

(WONAAC) and The Humanist Ass'n did much to call attention to the Montreal trial by doing an international mailing.

A mailing to all members of the American Medical Ass'n also had a large response in letters.

International demonstrations were staged, as well. Two influential French groups Choisia and MLAC (Mov't for Freedom of Abortion and Contraception) protested the Morgentaler Trial this fall.

Demonstrations have also been held in Belgium and in front of Canada House in England.

Macchabee trial

If the Morgentaler Trial received little coverage in the press, the Macchabee Trial is receiving even less.

Dr. Yvan Macchabee, a close colleague of Morgentaler, has just had his preliminary hearing on a charge of performing an illegal abortion. Macchabee has been an outspoken advocate of abortion being a private matter.

He appeared along with Morgentaler on the TV program W5, which demonstrated the simplicity of the vacuum suction

method of abortion. He is also a signer of a declaration of Quebec doctors, nurses and others who have performed abortions illegally or have otherwise aided women in obtaining abortions.

On August 4, Macchabee's clinic was raided, his files were seized and charges were laid against him.

Morgentaler's acquittal is not precedent-setting so there is no assurance that Macchabee will be acquitted.

Comment

The NDP has advocated removing abortion from the Criminal Code, exempting from prosecution or penalty all doctors who have been charged or convicted under the applicable sections of the code.

Stephen Lewis
National Leader
New Democratic Party

Only 100 years ago:

In an edict by Pope Pius XI in 1869 it was decreed that the soul enters the fetus at the moment of conception. Before that it was felt to enter at either 40 or 80 days.

We recommend that the Criminal Code be amended to permit abortion by a qualified medical practitioner on the sole request of any woman who has been pregnant for 12 weeks or less.

Royal Commission
on the Status of Women

Toronto Morgentaler
Defense Committee