

To Repeal Or Not Repeal?

8th Amendment seminar

Questions (discuss in pairs)

1. Why have you come to this seminar?
2. What aspect of this issue is most pressing for you?
 - a. Understanding what the law says and what repealing the 8th means.
 - b. Understanding the science behind pregnancy/abortion.
 - c. Understanding what the Bible says about abortion.
 - d. Learning how to talk to people who disagree with you on this matter.
 - e. Something else?

(1) THE LAW

History of Abortion in Ireland

- 1861 - illegal under 'Offences against the person' act
- 1973 - Roe v Wade in US – abortions legal on basis of 'protecting privacy of woman'
- 1983 - 8th amendment – said it was in response to Roe v Wade
- 1992 - freedom of information amendment – info on abortion
 - freedom to travel – travel for abortion
 - abortion permitted if woman's life is at risk because of pregnancy
- 2010 - A, B, and C v Ireland
- 2012 - October – Savita Halappanavar
 - Died from septicaemia – a termination would not have saved her life
 - *Verdict of MEDICAL MISADVENTURE*
- 2013 - Protection of Life During Pregnancy Act
- 2015 - Clare Daly Abortions when there is a Fatal Foetal Abnormality failed

History of Abortion in UK

1967 Abortion Act

- Abortion can be carried out in 'limited' circumstances
- <28 weeks, reduced to <24 weeks in 1990
 - except for risk of injury or death to woman
 - extreme foetal abnormality

Pro-Choice Campaign

"We the undersigned call for the repeal of the Eighth amendment to the Irish Constitution so that full reproductive health services, including abortion, can be made available in line with best medical practice, international human rights norms and the will of the majority of people in Ireland."

Abortion Rights Campaign Petition

Repeal of 8th Amendment = Asking for removal of any rights/protection for a foetus

Human Rights

European Convention of Human Rights

- Article 2 = right to life
- Article 8 = right to privacy

Reproductive rights

(2) THE SCIENCE

Foetal Development

Dated from fertilisation (for scientific reasons) rather than from first day of last period which is how pregnancies are normally dated (gestational age which is vague and inaccurate)

- 3 weeks (5 weeks on poster)– heart beating
- 4 (6) weeks – head and body distinguishable
- 6-7 (8-9) brain function detected
- 8 (10)
 - MOST ABORTIONS BEGIN TO BE PERFORMED (explain)
 - Limbs, fingers, fingerprints, toes
- 9 (11) hands grasp, swallow, suck thumb
- 10 (12) – end of first semester, miniature baby complete
- 13 (15) change position, respond to pain, noise, light, hiccups
- 5th and 6th month – hair, eyelashes, nails, nipples, cry, grip, punch, kick

What is Abortion?

Abortion can be spontaneous (commonly known as miscarriage) or induced (what we commonly term abortion now).

It involves the *death* of a foetus. There is a beating heart and that heart has to stop beating.

Plenty of euphemisms –

‘termination of pregnancy’
contraceptive (means ‘counter-conception’ but actually destroys conceived)
therapeutic abortion

Foeticide

Early abortion (before 12 weeks)

1. Medical abortion – 2 pills taken on different days. First pill stops heart from beating and second prompts vaginal ‘delivery’ of dead foetus.
2. Suction – Foetus and lining is ‘gently’ sucked out using a tube – this can be done manually or mechanically. The foetus is presumably dismembered in the process
3. Dilation and evacuation – Foetus is removed by forceps and suction. The cervix is not dilated enough to remove the body whole so it is dismembered with forceps inside the womb and pulled out in sections. The skull, pelvis and spine are still too big so are crushed with the forceps before removal

Late term abortion – 2 stages

1. Stop the heartbeat with medication or an injection into the foetus’ head
2. Foetus is delivered vaginally with contractions as in labour. Dilation and evacuation is used to remove any remaining ‘uterine material’ (another euphemism) for the foetus’ body and/or uterine lining/placenta

Foetal tissue disposal is governed by the interestingly named ‘Human Tissue Act’. It can be requested by the family but otherwise they are buried, cremated or – the most standard practice – incinerated (incidentally also done if the mother does not wish to be involved in the decision)

Is a foetus a human being? (the key issue!)

Startling inconsistencies – purely subjective on whether the foetus is wanted or not

Does any person have more value because they are wanted or no value if they are unwanted?

When does life begin?

- Various theories – fertilisation, implantation, segmentation, brain activity, viability, birth
- Scientifically the start of the new individual is at fertilisation – there is no other clear moment of change
- See inconsistencies in society's treatment of this (example of woman whose baby was stillborn after assault from ex-boyfriend – found guilty of the murder of the foetus)

Common Pro-choice arguments:

- *'potential human being'* – sperm and ovum is potential human being, at fertilisation, they combine creating a new, individual, unique 'human being' – scientifically that is a fact. It does not change into a human being, it grows from that point.
- *A foetus is dependent on the mother so is not an individual* – independence is not a definition of human-ness as many humans old and young are 'dependent'. True they are not bound to be dependent on one individual and can be cared for by a different person if necessary but this does not defeat the point – dependence does not lessen human-ness
- *Foetus is not sentient* – people in comas/some mental illnesses render a person not sentient – do they suddenly lose their rights?
- *Equivalent to being forced to donate organs to save someone's life* – a) if this is an equivalent they are acknowledging that the foetus is a *LIFE* which can be *SAVED*, b) pregnancy is a temporary state and organ donation is often permanent, c) the act of refusing to donate an organ is to refuse to act to save a life whereas the act of abortion is to intentionally inflict deathequivalent comparison of not jumping in front of a bus to push someone out of the way (refusing to donate organ) versus driving the bus into a person deliberately (abortion).

(3) THE STATS

UK stats

2016 190,406 abortions carried out – 38% repeat abortions

7 reasons why you can get an abortion in UK, 97% come under 'C'

the pregnancy has not exceeded its twenty-fourth week and that the continuance of the pregnancy would involve risk, greater than if the pregnancy were terminated, of injury to the physical or mental health of the pregnant woman

1967 Abortion Act introduced as a cautious relaxing of abortion laws – stretching from only to save the maternal life to also the health and wellbeing of the mother and other existing children

US stats

Abortion on demand for any reason up to 24 weeks

Abortion in limited circumstances depending on state after that

- 2014 – 974,000 abortions (when compared to population, broadly the same as UK which has 'limited' abortion)
- Rape – 0.3%
- Incest – 0.03%
- Maternal life risk – 0.1%
- Maternal health risk – 0.8% ('97%' in UK)
- Foetal health issue – 0.5%
- Elective – 98.3% (numbers are accurate when added up – rounded up for purpose of presentation)

Canada stats

- No law restricting abortion
- *Not all clinics report data*
- *No stats for Ontario (38% of the population)*
- *Abortion rate significantly higher in relation to population*
- 82000 abortions in 2014
- Do not show a breakdown of reasons why abortions are performed – possibly because there is no law to govern it

Overwhelming conclusion is that a huge number of fetuses are aborted for 'social', lifestyle reasons.

Pro-choice campaign says "thousands of women are forced to continue with their pregnancy" but thanks to that, there are thousands of people alive today.

(4) BROADER ISSUES

- Stem cell research
- IVF
- Infanticide

Other arguments

- Cases of rape and incest
- Fatal foetal abnormality
- Thousands more children in care
 - Are they better off dead? Would all children in foster care say they wished they had been aborted? Who are we to say who deserves a life and who doesn't?
- Law should reflect 'reality' of abortion

(5) THE BIBLE

Job 10: 8, 10-11,

- ⁸ “Your hands shaped me and made me.
Will you now turn and destroy me?
¹⁰ Did you not pour me out like milk
and curdle me like cheese,
¹¹ clothe me with skin and flesh
and knit me together with bones and sinews?

Psalms 139

- ¹³ For you created my inmost being;
you knit me together in my mother’s womb.
¹⁴ I praise you because I am fearfully and wonderfully made;
your works are wonderful,
I know that full well.
¹⁵ My frame was not hidden from you
when I was made in the secret place,
when I was woven together in the depths of the earth.
¹⁶ Your eyes saw my unformed body;
all the days ordained for me were written in your book
before one of them came to be.

In both passages it is clear that God creates human beings in the womb. It is poetic language to describe that process.

Luke 1: 41-44, 2: 12,16, 18:15

⁴¹ When Elizabeth heard Mary’s greeting, the baby leaped in her womb, and Elizabeth was filled with the Holy Spirit. ⁴² In a loud voice she exclaimed: “Blessed are you among women, and blessed is the child you will bear! ⁴³ But why am I so favored, that the mother of my Lord should come to me? ⁴⁴ As soon as the sound of your greeting reached my ears, the baby in my womb leaped for joy.

¹² This will be a sign to you: You will find a baby wrapped in cloths and lying in a manger.”

¹⁶ So they hurried off and found Mary and Joseph, and the baby, who was lying in the manger.

¹⁵ People were also bringing babies to Jesus for him to place his hands on them. When the disciples saw this, they rebuked them.

In each of these passages Luke uses the same word ‘brephos’ to describe both the foetus in Elizabeth’s womb, the newborn baby Jesus and the babies and children who come to Jesus to have his hands placed on them. Biblically, there is no difference between the individual in the womb and the individual once born.

Exodus 21: 22-25

²² “If people are fighting and hit a pregnant woman and she gives birth prematurely^[e] but there is no serious injury, the offender must be fined whatever the woman’s husband demands and the court allows. ²³ But if there is serious injury, you are to take life for life, ²⁴ eye for eye, tooth for tooth, hand for hand, foot for foot, ²⁵ burn for burn, wound for wound, bruise for bruise.

This passage is sometimes used to justify abortion as it appears that the foetal life does not warrant the same treatment as the death of a person who is born. However, this would seem counter to what the Bible mostly says and can be otherwise to be interpreted that if the baby is born prematurely but survives that would be a lesser offence warranting the lower penalty but if the baby were not to survive, that would warrant the harsher penalty.

(6) PASTORAL RESPONSES

Those who have had abortions

- Good news! No judgement. For those who feel convicted and guilty we can demonstrate Jesus' love to them – forgiveness, reconciliation, restoration
- For those who are not convicted, we can still demonstrate that love and support
- These women often don't take the decision lightly – it is not right in any way to judge

Reality of unwanted pregnancies and unwanted children

- consider adopting/fostering
- support those who do
- support charities which provide care for women with unwanted pregnancies and unwanted children
- volunteer
- pray

De-criminalisation of women

- it is my personal (perhaps controversial) opinion that the women should not be criminalised, but the doctors who perform illegal abortions that should
- the women are often in desperate situations and need support, options – the doctors are the ones who are performing the act

(7) REFLECTION QUESTIONS

1. What are the next steps for you in terms of 'standing up for Christ' in this area?
2. How would you have a conversation with a friend who disagrees? (How can you promote mature generous kind yet robust discussion when we disagree?)