The abortion debate – an unhelpful dichotomy

The Catholic tradition holds that the right to human life is inviolable. It is based on a notion of human dignity that is ‘intrinsic’ – that is to say, not dependent on, or subject to, any calculation of ‘value’ or values based on values ‘extrinsic’ (or external) to the life in question. These extrinsic factors include human perceptions about the ‘quality’ of this or that life.

In Catholic teaching this approach is applied consistently from the moment a unique human life begins. “A life is begun [at fertilisation] which is neither that of the father nor the mother. It is already the human being it will always be and will only grow in size and complexity. On that basis, all embryos are entitled to be granted a place in the human family and treated with the same respect as persons.” (New Zealand Catholic Bishops, Submission on the use of gametes and embryos in human reproductive research, 2007.)

While this stance is rejected by many, it is arguably the most philosophically coherent of all approaches. When we consider that all human embryos are biologically and ontologically the same kind of being, it is actually illogical to accord greater or lesser respect based on their perceived status as routinely occurs within the IVF industry. The highest status, for example, is reserved for ‘wanted’ embryos by couples anxious to conceive a child. Over time the same embryo can become ‘unwanted’ if a couple no longer desire to have more children. Then again, in some countries, an ‘unwanted frozen embryo’ may, if the parents agree, be granted a certain (although much reduced) status as a potential object for donation or research – wanted by others on the basis of its usefulness as ‘experimental laboratory material’. In this scenario dignity for human life is directly linked to subjective human preference, i.e. to extrinsic factors.

It is of grave concern that there are moves afoot by some members of Young Labour to persuade the Labour Party to make the decriminalisation of abortion an active part of its 2014 policy platform. This move is derived from the view that the present law denies women their rightful autonomy; abortion is subject to the judgements and favour of others when it should, quite simply, be a woman’s choice. It is further argued that this reflects a lack of trust towards women; a woman’s own judgement is discounted in favour of ‘state mandated control over women’s bodies’ – seen as an unwarranted assault on women’s freedom.

The most vocal proponents of abortion decriminalisation advocate that access to abortion should be subject to nothing more than a woman’s choice, with no necessary consideration of the rights of any other party, including the father or the unborn child. For these people, the very existence of any law is seen as too restrictive and therefore unacceptable. Thus, Alison McCulloch writes of the “real freedom to choose.”¹ McCulloch and others hold this view even while they acknowledge that New Zealand women already have access to safe and legal abortion services – a situation described by persons on both sides of the debate as virtually ‘abortion on demand’.

While not considered as inviolable, the rights of the unborn child are nevertheless acknowledged in the current abortion law which, in its longer title, speaks of providing “for the circumstances and procedures under which abortions may be authorised after having full regard to the rights of the unborn child.”² As noted above, the right to life of the unborn child is a fundamental tenet of those opposed to abortion. It has led to what may be described as a ‘competing rights narrative’ in which

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² Contraception, Sterilisation and Abortion Act, 1977, emphasis added.
the right of the woman to choose has been pitted against the right to life of the newly conceived
human being.

I would not want to disregard arguments centred on the embryo and its right to life. However, closer
consideration of the facts reveals that the existence of a robust process requiring critical
discernment by the woman and some form of external evaluation, far from restricting a woman’s
choice, is in fact a necessary component for protecting women’s choice. Why? For a variety of
reasons, including relationship stress, family and financial pressures and a real or perceived lack of
support, many women make the ‘choice’ to have an abortion under real duress and even coercion.
This figure is said to be as high as 64% - almost two out of every three women. In another survey of
women who sought help after abortion, 83% said they would have carried to term if they had had
greater support. In other words, pitting the ‘right to choose’ against the ‘right to life’ is an unhelpful
dichotomy.

True freedom for women demands a transparent robust process that includes a high degree of
professional and compassionate scrutiny in which women are provided with *real* alternatives and
the support needed to carry a baby to term. Decriminalisation will not achieve this – it will only
further undermine the authentic choices of women.

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