


30/8/18

Health, Communities, Disability Services and
Domestic and Family Violence Prevention Committee
Queensland Parliament

Dear Members of Committee,

I am making this submission to the Committee about the proposed changes to the abortion laws in Queensland. In addition to the content of the proposed laws, I am deeply concerned about the basis on which they are being changed.

In a letter to me the Attorney General outlined the principles which guided the work of the Queensland Law Reform Commission¹. These principles, and my concerns, are:

that abortion should be considered a health matter

This is an assertion which neatly sidesteps, without addressing them, any ethical or philosophical problems with the abortion of human foetuses. It assumes what is yet to be proven. No basis was provided for this assertion and I do not know if it was simply a declaration by the Attorney General or whether it was the product of the thinking of the QLRC. In any case, the act of declaring that a process is (MERELY) a health matter does not make this declaration true, and it needs to be critically examined. Of course if the termination of the unborn is placed in the same category as the removal of a skin cancer then it is absurd to consider it in the context of criminal law, and outrageous for other people to take any interest in the individual woman's decision. However, the fact that another human body is involved whose existence is threatened with a violent end means that there is much more going on than a simple medical consultation.

¹ I'm also very puzzled by the QLRC. In what sense is this group 'independent' when each member is selected on the recommendation of the Attorney General? According to their website, the current members were appointed in September 2017. Were they simply appointed in order to give legitimacy to the State government's agenda on this issue? In her courteous letter to me Miss d'Ath acknowledges the existence of diverse views in the community. Does the composition of the QLRC in any way reflect these diverse views? Or were they selected in order to produce a predictable outcome?

that our laws should be consistent with our human rights obligations

Is there a human right to abortion asserted anywhere in any statement of the UN or other body to which Queensland has any relationship? The UN Convention on the Rights of the Child refers to ‘the dignity and worth of the human person’ and asserts that ‘childhood is entitled to special care and assistance’, quoting with approval the Declaration of the Rights of the Child which says that “the child, by reason of his physical and mental immaturity, needs special safeguards and care, as well as appropriate legal protection, **before as well as after birth**” (emphasis mine). The human rights convention to which we subscribe explicitly argues against the routinisation of abortion here. How is it meaningful to talk about rights to education, health, self-fulfillment etc. if there is no previous underlying right to not have your existence violently ended on the decision of another person?

the laws should be consistent with contemporary medical practice and with other states which have modernised their abortion laws

This principle exploits the assumption that ‘contemporary’ is a positive adjective. It is not interchangeable with ‘good’. It simply means happening at this point in time. Everything in the past was contemporary when it happened; now, cyber-bullying, electric cars and full-body tattoos happen to be contemporary (or modern). Some of these things may be good and others not, but the judgement must be made on other and firmer grounds than the fact that they are simply happening now. ‘Contemporary medical practice’ also implies that doctors are now universally in favour of terminating pregnancy, which is demonstrably untrue: many of the most strident critics of abortion are medical doctors, including some who have performed abortions in the past and know what the reality of the procedure involves (a reality which cannot be described in any debates on this issue).

that women’s autonomy and health should be promoted

Again, pregnancy is not an illness and it is absurd to claim that a woman who has had an abortion is ‘healthier’ than a woman who has not. For the vast majority of women, the pregnant body is an entirely natural and healthy thing – it has not somehow malfunctioned. ‘Autonomy’ or self-rule is a good thing when a mature person is able to select between equally valid choices. However, first it has to be proven that the destruction of a human identity is

an equally valid choice to the choice of respect and acceptance of a new life. How can these two choices possibly be considered ethically equivalent?

My own view, which is a view shared by millions of women, is that a woman and her unborn child are deserving of all possible support and protection. Both of these lives matter. The unborn child is a fact which, although it can be destroyed, cannot be unmade, and it has dignity and value. A position which sees the unborn child as merely a surprising, inconvenient and unwanted medical problem insults the human dignity of our entire society, and particularly that of women whose bodies are designed to shield, protect and nurture their babies, even after the point of birth, and most certainly before.

Those who would find liberal laws most convenient are, of course, the abusive men who have sexual relationships with women with no intention of taking responsibility for the natural results of those relationships. If bullying men are capable of giving women unwanted pregnancies, as the focus of the abortion industry on victims of rape suggests, then bullying men are also capable of forcing women to terminate babies against their will.

Please note that this is not a 'male versus female' issue. A look at any pro-life event will show you the numbers of women who want to protect the unborn. You will also see how many young people feel strongly on this issue. In Argentina recently, these voices were strong enough to defeat a de-humanising and misogynistic proposal for liberalising abortions. This issue is about the value and dignity of all human people. To de-value the foetus is to de-value ourselves.

Thank you most sincerely for reading my letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Spadaro', written in a cursive style.

(Dr) Katherine Spadaro