

## FRIENDS OF THE SCOTSMAN /

# Public want a legal framework to have the final say on ethics of abortion

**D**ifferent campaigns have recently been initiated in the UK seeking to completely decriminalise abortion.

In England and Wales, this would mean repealing the Offences Against the Person Act 1861, which makes it a crime to intentionally procure a miscarriage or provide substances for the purposes of abortion.

In Scotland, because abortion remained a common law offence, decriminalisation would require new legislation. Since abortion was devolved under the Scotland Act 2016, this would have to be considered by the Scottish Parliament.

That abortion remains an offence may come as a surprise to many. It has become relatively common after the Abortion Act 1967, which also covers Scotland. But this legislation only seeks to address the conflict of interests between a woman and the foetus. It does not decriminalise abortion. Doctors are not prosecuted if they follow specific legal requirements.

Those campaigning for a decriminalisation of abortion argue, amongst other reasons, that the restrictions and penalties only add to its stigma and are too severe to women in a modern society.

Instead, they suggest that abortion should be removed completely from criminal law and be treated no differently to any other medical procedure, available on demand.



**Dr Calum MacKellar reports on the minefield of conflicting opinions over a procedure on demand and the right to life**

In other words, supporters of the campaign indicate that rigorous abortion regulations restrict a woman's reproductive choices and her ability to make her own autonomous decisions.

Autonomy and bodily integrity is very important in medical ethics. But agreeing to the absolute autonomy of a person is another matter, especially when other individuals are present.

Those seeking to decriminalise abortion seem to overlook the reality that it always involves at least two human beings. The pregnant woman and the foetus have never been considered in law as having no moral status – a position that has not changed over the past centuries. Despite a growing scientific understanding of life both before and after birth, moral status has never just been reduced to aspects of size or self-awareness.

Certainly, a society can believe that the value of a human pre-natal or post-natal life is purely subjective and that the concept of inherent human worth is empty of meaning. In this case, it may be possible to accept that the only concept which really

matters is that of autonomy. Thus, an individual should always respect the autonomy of those who are self-aware and rational because he or she wants his or her autonomy to be respected by them in return.

But such a social contract does not really give any solid protection to those with less or no autonomy. Those who are strong with a robust sense of control may, for example, begin to believe that they no longer need such a social contract for their autonomy to be respected. These controlling individuals may then impose their autonomy on the weak and vulnerable.

If abortion was ever decriminalised because it is believed that the autonomy of some should be respected to the detriment of others, who are incapable of being autonomous, it would imply that human life has no inherent value as such. In other words, individuals before and after birth only have worth if they have certain abilities. However, such a position would eventually undermine the basis of a compassionate civilised society. Such a society could no longer offer solid



↑ Campaigns for decriminalisation and the right to abortion on demand also have questions to answer over the rights of those lives which have no voice, says Dr Calum McKellar

arguments against ending the lives of any other non-autonomous individuals who may be considered as having an inferior claim to life.

If the Scottish Parliament accepts that some lives can have less or no claim to life just because they are not autonomous, it would endan-

ger the concept of equality in society as well as the foundations on which Parliament is built. Campaigns for the decriminalisation of abortion, therefore, cannot just base their arguments on the absolute autonomy of women who want the procedure. When a conflict of interest arises

between a right to autonomy of the woman and a right to life of the foetus, the only way forward must be a settlement through legislation.

Public opinion seems to reflect this. In a ComRes poll from October last year, 71 per cent of those surveyed in Scotland indicated that abortion

should be governed by legislation with only 16 per cent opposing such a stance. This shows that the Scottish public does not want abortion to operate outside of a legal framework. Dr Calum MacKellar, director of research of the Scottish Council on Human Bioethics.



**Children are being indoctrinated over gender – they should find identity in Christ**

David Robertson is troubled by the politics of the LGBT movement

**T**he mother on the other end of the phone was distraught. Impeccably liberal, her whole world had been turned upside down by the news that her teenage son had announced – “Mum, I’m a girl.”

The mother, who in theory had all the ‘right’ views on transgender, was upset because her son, who suffers from depression, had seen a school counsellor who suggested that perhaps the depression was caused by him being trapped in the wrong body.

When our MSPs vote after the latest Scottish government ‘consultation’ (on transgender) they need to bear in mind that this is not about theory but real people. It may be that with the best of intentions, the proposed ‘self-identification’ ends up doing more

harm than good. There are three models offered for the legal recognition of transgender people – the treatment model, the assessment model and the proposal of the Scottish government, the self-declaration model.

The latter is not quite as simple as just declaring that you are another gender. There are three criteria that need to be met – those applying need to be applying of their own free will; they need to understand the consequences of obtaining legal gender recognition; and they must intend to live in their acquired gender until death. How these criteria are to be assessed with any degree of accuracy is, to say the least, problematic.

What is the problem with this? It is all based upon an unproven and damaging political philosophy –

queer theory’s belief that gender is a social construct that has little if anything to do with biology. According to this theory, children are not born male or female, they are ‘assigned’ their gender and the people doing the assignment may have got it wrong!

Less than 1 in 10,000 adult males, and 1 in 30,000 females suffer from what is known as Gender Identity Disorder (GID) and yet, because it is the cause celebre of the moment, the new identity politics of the civil elites, the whole of society is to be rearranged on the basis of this ideology.

Examples abound of how this is already impacting society and causing harm. In some universities staff are being required to sign documents which commit them to the philosophy that gender is just a

social construct and nothing to do with biology. Some universities want courses cleansed of ‘transphobic material’ and to shut down debate.

The greatest potential harm is when activist teachers, or those keen to get a ‘Stonewall award’, indoctrinate children with this ideology. I think of the young girl telling the speaker at a nativity service – “you can’t say Mary was a woman. How do you know that?” or the primary girl coming home upset and asking her parents if she was a boy or a girl because her teacher had said she could choose.

Or the primary schools where every classroom and corridor is covered in LGBT Scotland posters declaring ‘We celebrate Transgender Visibility – ‘He, She, They’ or ‘Respect everyone’s gender identity, use the

pronouns people ask you to use”. Apart from being impressed that primary school children are familiar with the concept of pronouns, what disturbs me is the level of indoctrination and social engineering going on in our schools, most of it without the knowledge or approval of parents.

There are primary schools which have pupil LGBT committees, whose role is to ensure that the school stays in line with the current philosophy.

The extent to which group-think, identity politics and social engineering have become part of our education, political, media and legal systems is frightening. It won’t stop with imposition of transgender ideology because the ultimate aim of queer theory is to get rid of gender as a meaningful concept altogether.

What about those who identify as non-binary, or one of the other 71 genders that Facebook now permits us to choose? The deconstruction of marriage is being followed by the deconstruction of gender. Before our politicians make such a major decision they need to know what is involved and be aware of the dangers of endorsing such a major and regressive change.

It would be too easy to just laugh and walk on by muttering ‘the world has gone mad’. But we need to understand that ‘identity’ and ‘identity politics’ speaks to a deeper need within humanity – the need to know who we are and to have an identity.

This will not be found in gender, politics or any other identities that people adopt. There is a deeper spir-

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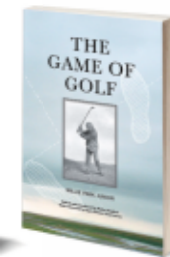
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