

**Jamie Bogle, speech against the motion**  
**“This house believes that abortion is a fundamental human right”**  
**Durham Union Society**  
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Jamie Bogle is a barrister in private practice in the Inner Temple, Deputy Head of Chambers and Chairman of the Catholic Union of Great Britain. He is also a former Army officer in the British cavalry.

**The right to life**

The protection of human life has, perhaps unsurprisingly, arisen in the course of my career in both professions, whether in the streets of Northern Ireland or appearing in the High Court in a medical or human rights case.

No-one can deny that the most fundamental human right of all is the right to life.

It is prior to all other rights. Without this right you cannot be sure of enjoying any other human rights.

Rights to freedom of speech and assembly, or to a fair trial, for example, are of limited use if you do not have the right to live long enough to enjoy them.

It is the task of us all to ensure that this fundamental right, and all human rights, are protected, particularly lawyers and judges.

The Army, even though empowered by the state to use lethal force as a last resort, can only do so in defence of human rights. It is the gravest infringement of such rights for such force to be used to destroy human rights.

The same applies to the medical profession whose first duty, according to all known charters of medical ethics, is first to do no harm.

Who would visit a clinical surgery if they thought that the doctor was permitted by law to harm them?

In all international charters, including that of the UN and the European Convention on Human Rights, the right to life of every innocent, non-combatant human being is the first and foremost of all rights, an absolute right from which there is no derogation.

**What is human life?**

So, perhaps the real question is this: what is human life?

And when does it begin?

What makes us human so that we are eligible to enjoy human rights?

Does it depend upon our size or shape? Or our race, colour or creed? Or the shape of our heads?

No, of course not.

Does it depend upon our age?

Well, one would have thought not, on principle.

Does it depend upon being born? Must one be born to enjoy human rights?

To enjoy human rights, one need be no more than simply human.

## Person and Personhood

For a long time, the ultra-rich international companies that generate income from providing abortion argued that some pre-born infants were not human until they reached a certain stage of development.

At this stage, they argued that the human embryo becomes a “person”. Before that time, they argued, the unborn human is not a “person” and has no human rights. Therefore he or she or “it” (as they put it) can be “terminated”.

So the question shifts to this: what is a “person”? Can one become one? If so, how?

What is it that bestows personhood on any one?

But they cannot really answer that question.

Is it when you begin to look human?

In which case, presumably, a heavily facially deformed human being is not a “person”.

Is it when you have consciousness? If so, then are you a “person” when you are asleep or unconscious?

Is it when you can’t “communicate a decision” to use the words of the Mental Capacity Act 2005? That, of course, rules out many disabled people.

Is it when you are not able to make a rational decision? That maywell rule out many with mental illness or children under a certain age.

Is it when you have a notion of the past, the present and the future?

Does that rule out anyone with amnesia or those who are not clairvoyant?

Are they also “non-persons”?

You see the difficulty with the “personhood” argument.

Actually, as Dr Peter Kreeft has shown, there is no argument in favour of aborting the unborn that cannot also be used to justify infanticide.

Indeed, Prof Peter Singer, of Princeton University, following that very logic, argues that parents should have the right to “terminate” their children up to the age of a suitable initiation after, say, 2 years of age. So, if the child is not “a wanted child”, then the parents, he argues, can just get rid of the child.

Interestingly, Singer, when faced with the mental incapacity of his own mother, took a rather different view and objected to her being “terminated”.

Apparently, this “personhood” thing only applies to other people’s parents or to people who are not inconveniently “in the way” or burdensome.

It is an anti-social mind-set that seeks to “terminate” people who are “inconvenient”.

## Sentience: pain and pleasure

Some say that you become a person when you can feel pleasure and pain.

Do you then cease to be a “person” when under anaesthesia?

In any case, the human embryo does feel pain and at an early age.

Neurological structures for the perception of pain are in place by the 10<sup>th</sup> week, according to Prof Peter McCullough. There is the widest consensus that the unborn child can feel pain by the end of the second trimester i.e. at 24 weeks.

On average, the human embryo develops the foundation of the nervous system at the 20th day, a beating heart on the 21st day, is reflexive at 6-7 weeks, and has brain activity at 8 weeks. In the 7th month his or her eyes open.

And there can be no doubt that the process of abortion, dismembering the body and then extracting the parts with a vacuum device intruded into the womb, is a bloody and distressing business.

This is still the most common form of abortion.

That the human foetus and embryo can feel the most acute pain during such procedures is now well established.

In a later-term abortion, the woman's womb is cut open; the child is removed, cut away from the mother and left on the side to die of cold, infection, asphyxiation or dehydration.

In partial-birth abortion, which is legal in some countries, the child is half born and the back of the child's head is speared open and the brains sucked out to ease removal. The child is "terminated" just as the mother gives birth. This avoids an accusation of infanticide.

Peter Singer is more logical. He says wait until they're born and then "terminate" them.

### **Society's consensus**

Some say it is all a matter of societal consensus. But that won't do, either.

What if society's consensus is to eliminate a particular race or colour or creed? Does that become right simply by majority voting?

No, of course not.

### **Physical and psychological harm to women**

The fact is that abortion is not a therapeutic procedure. It does not treat any condition, cure any illness or prevent any disease.

On the contrary, it often leaves a trail of misery and harm in its wake, not least for the woman concerned. The father, too, may be adversely affected.

Even the manufacturers of RU486, the abortion drug, admit that it is an "appalling psychological trauma" (their words) for a woman to abort at home, over several days, and then have to place the remains of her infant in an empty margarine tub (a recommended method) and return the same to the hospital.

If the abortion is done because the child is disabled, the psychological after-effects on the woman can be particularly traumatic.

Numerous studies conclude that abortion substantially increases the risk of later miscarriage, premature delivery, infertility, placenta *praevia* and even breast cancer.

It is not surprising that there can be birth complications for such women, since the process of abortion involves dilation of the cervix, is highly invasive and can cause permanent physical harm.

There is a general consensus amongst researchers that between 10-20% of women will experience psychological complications after an abortion.

A 2006 New Zealand study by Dr David Ferguson (who is not opposed to abortion) confirms the link between poor mental health outcomes and abortion.

42% of women who had an abortion experienced major depressive illness, twice the rate of those never pregnant and 35% higher than those who continued their pregnancy.

Researchers were at pains to ensure that the women in the control group had no mental health issues prior to the abortion.

Given the some 40 million abortions that are conservatively estimated to take place round the world each year, the human cost of abortion is very extensive, though little addressed.

### **A fairly typical example**

Sara Abell, in a *Daily Telegraph* advice column, recently responded to a letter from a man called Jerry.

Jerry says “four years ago I encouraged my girlfriend, Kate, to have an abortion but I promised her that we would try for children one day. Now, although I can’t face the thought of being single again, I feel trapped in this relationship. Her mother died recently and her parents were divorced and her relationship with her father suffered. She is feeling very sad.”

Well, I am not surprised that Kate is feeling sad. Wouldn’t you be?

This sadness can rapidly develop into depressive illness after abortion, especially in circumstances like this, which are by no means uncommon.

The woman is left alone to nurse her own feelings and to try to cope after an experience which can affect her for many years, if not life.

It is often connected to her deepest feelings and expectations, her desires for a lasting relationship, for children and, as in this case, for a boyfriend who effectively dumped her when the going got rough.

Dr David Reardon of the Elliott Institute in the USA found that in most cases, women who had had abortions were pressured into making their decision, often enough by their partners.

Who would want to make into a human right a procedure that can cause this kind of misery?

In any abortion there are at least 2 lives that are adversely affected: both mother and child. The father may also be affected.

### **Human rights: protect the vulnerable**

Human rights law should protect, not abandon, the vulnerable.

Our opponents argue for in-roads to be made into the most basic of human rights, including the right to life. These in-roads have often come about because of the unwillingness of some to respect human rights for their own self-oriented reasons, like Jerry.

Jerry not only reneged on the agreement but helped to mess up some of the central years of Kate’s life.

But whatever problems may be caused in one’s own life, that cannot be a sound basis for depriving others of basic human rights, still less for pressing them into a decision that may cause later irreversible clinical, mental and emotional harm to the woman, not to mention death to the child.

That, I suggest, is the mentality of the oppressor.

The long-term *sequelae* of abortion are often much greater than many realise. In China forced abortion has been a factor present in the lives of millions of women and in North Korea, even more so.

The whole point and purpose of human rights law is to protect us from oppression – not to enshrine oppression in law.

How are the vulnerable protected when what is really a species of violence against both women and children is proposed as a “fundamental human right”?

Ladies and gentlemen I warmly invite you to oppose this motion.

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### **Points made in the final speech**

Peter Singer does say that infants and neo-nates might be terminated if unwanted. I’ve heard him say it.

To address the point about organ donation: this is fine if it saves lives without threatening life. But an organ is not a human being and so cannot be compared with removing a human child from the womb. Abortion terminates a human life and that is part of the psychological effect that it can have upon women who are also the victims of abortion.

The gentleman at the back admitted that if we think it acceptable to terminate one human life, that in the womb, then might we not also say that some elderly, frail and ill persons and can also be killed? Sir, you make my very point for me!

Who decides? And what other “undesirable” persons would you kill? By what criteria? Colour, race, creed, something else...?

This is not about patronising women but about protecting them. It is about protecting all human life. That is what the law should do.

We’re told it is “all about choice” but is it? What sort of choice is there for a woman, distressed and pregnant, emotionally pressed by her partner to have an abortion? Not much of a choice, is it? Still less is it a choice for the child.

The clinics only see women directly before and directly after an abortion. They are in no position to judge what the long-term after effects are, weeks and even years later.

The fact is that you don’t have to have an abortion to become a lawyer, judge, doctor or anything you want. The two are simply not mutually inclusive.

And let me correct the lady over there. RU486 certainly is used up to 20 weeks. It is used as a prostaglandin.

Don’t be fooled. This is not a debate about censoring women. It is about considering the consequences of making a non-therapeutic, invasive procedure, which harms women and terminates a human life, into a “fundamental human right” so that none of you, nor any doctor or nurse, would be able to conscientiously object to its being done.

Many former advocates of abortion have come to change their minds.

The Jane Roe in *Roe v Wade*, Norma McCorvey, now admits that she gave false testimony in the case and has joined our side of the debate.

Dr Bernard Nathanson was once a leading abortion doctor and the foremost advocate of abortion rights in the USA as President of NARAL. He now admits that NARAL and most other abortion rights campaigners, simply invented statistics about maternal deaths from abortion. They just made the statistics up!

He, too, is now very firmly on our side of the debate and freely admits he was wholly wrong in the past about abortion.

Surely, in the 21<sup>st</sup> century we can find a better way of dealing with pregnancy and the prospect of lone parenthood than the crude simplistic reaction that is abortion.

I urge you to reject the motion.