



Abortion Rights
Coalition of Canada

Coalition pour le droit à
l'avortement au Canada

POB 2663, Station Main, Vancouver, BC, V6B 3W3 • info@arcc-cdac.ca • www.arcc-cdac.ca

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Pro-Choice Group Calls for Law Banning Coerced Childbirth

NATIONAL – A bill recently introduced by a Conservative MP to criminalize “coercing” a woman into abortion should be scuttled in favour of a bill prohibiting the much more common practice of coercing a woman into childbirth, says the Abortion Rights Coalition of Canada (ARCC), a national pro-choice group.

“It’s wrong to pressure women into an abortion, but this does not occur on the grand scale often claimed by anti-choice propagandists. It mostly stems from situations of domestic abuse,” said Joyce Arthur, Coordinator of ARCC. Arthur pointed to a recent U.S. study¹ that examined reproductive control of women by abusive male partners. “Some were pressured to have an abortion, but women also reported that their partners prevented them from obtaining or using birth control, threatened them with pregnancy, or forced unprotected sex on them. If they became pregnant and wanted an abortion, some partners threatened or pressured them to carry to term.”

In 1989, Chantal Daigle of Quebec had to travel to the U.S. for an abortion after her boyfriend got an injunction preventing her from having an abortion. Canada’s Supreme Court subsequently ruled that male partners cannot force a woman to have a baby.

“It’s not just partners or family members who try to compel women and girls to have babies against their will,” said Arthur. “The entire anti-choice movement has been trying to force women into pregnancy and motherhood for decades, by working to outlaw or restrict abortion. Perhaps we need to protect women from this coercion by criminalizing anti-choice activism!”

A more realistic target would be to prohibit certain types of anti-choice activism. “Over 150 so-called ‘crisis pregnancy centres’ exist in Canada, and their main job is to prevent women from having abortions,” said Judy Burwell, another ARCC spokesperson. “Tactics used may include deception, misinformation, shaming and guilt, scare-mongering, shock tactics, invasion of privacy, and proselytizing.² Also, anti-choice protesters engage in so-called ‘sidewalk counselling’, which involves accosting women as they enter abortion clinics. Too often, protesters use aggressive and hateful language, such as telling women they are murderers and threatening them with hellfire if they get an abortion.”

“A law against coerced childbirth would be a great opportunity to put a stop to some of the most egregious violations of women’s integrity perpetrated by the anti-choice movement,” said Burwell.

¹ Ann Moore et al. Male Reproductive Control of Women Who Have Experienced Intimate Partner Violence in the United States. Pending publication in *Social Science & Medicine*. Available at: <http://www.guttmacher.org/pubs/journals/socscimed201002009.pdf>

² To combat the deception of CPCs, two U.S. cities have recently passed laws requiring CPCs to post signs informing clients they don’t offer or refer for abortion or contraception: <http://xrl.us/bhhgqg>. For evidence of CPC tactics, see: *Exposing Crisis Pregnancy Centres in BC*: <http://xrl.us/bhhgzuz>.

Background: Bill C510 would amend the Criminal Code to prohibit coercing a woman into an abortion via physical or financial threats, illegal acts, or through “argumentative and rancorous badgering or importunity”. It was introduced on April 15 by anti-choice Conservative MP Rod Bruinooge (Winnipeg South), who chairs the secretive Parliamentary Pro-Life Caucus.

Other reasons why Bill C510 is not needed or is suspect:

- The bill is mostly redundant because threats and illegal acts are already illegal under the Criminal Code.
- Counselors already screen for possible coercion in women seeking abortion. Abortion clinics do not perform abortions on women who are conflicted or being coerced.
- The bill patronizes women by implying they are frequently coerced into abortion, but the vast majority of women make their own decision to have an abortion and take responsibility for it.
- If the intent is really to protect women from abusive partners, we need better solutions than this bill. Women’s safety and security is best assured by helping them win equality and autonomy (e.g., with pay equity, affordable childcare, legal aid, and other programs).
- The law would have a chilling and intimidating effect on abortion providers because it would likely be used mostly against them. The anti-choice movement falsely believes that clinics coerce women into abortions, which may encourage frivolous charges under this bill, and harassment and violence against providers.
- Who decides when a line is crossed into illegal threats? How would proof of coercion be obtained in such circumstances?
- The bill is motivated by anti-choice sentiment, not by concern for women. Not only was it introduced by an anti-choice MP, it is strongly supported by anti-choice activists, and refers to a fetus as a “child.” This bill is an attempt to reintroduce the notion of fetal rights through indirect means, by presenting abortion as a social harm to be criminalized.
- The bill’s rationale – the 2007 murder of a pregnant woman from Winnipeg – has been misrepresented. Bruinooge claims that Roxanne Fernando was murdered because she refused to have an abortion, but the murderer himself, his lawyer, and the Crown prosecutor all agree that this was not the motive.

Joyce Arthur	Coordinator / Coordinatrice, ARCC-CDAC, Vancouver	604-351-0867
Lianne McTavish (elle parle français)	ARCC-CDAC, Edmonton	780-453-2455
Dr. Suzanne Newman	Abortion provider / Fournisseur d'avortement, Women's Hospital, Health Sciences Centre, Winnipeg	204-477-1887
Carolyn Egan	Ontario Coalition for Abortion Clinics, Toronto	416-806-7985
Alison Brown	ARCC-CDAC, Toronto	416-907-8051
Patrice Powers (il parle français)	ARCC-CDAC, Montréal	514-486-6376
Peggy Cooke	Morgentaler Clinic, Fredericton	506-206-1824
Christopher Kaposy, PhD	Ethicist, Memorial University / Éthicien, Université Memorial, St. Johns NL	709-777-2338