

## **A Handmaid's Tale: Intended as Fiction, Not a Guidebook**

by Tia Everitt - Thursday, April 26, 2012

<https://politicsrespun.org/2012/04/a-handmaids-tale-intended-as-fiction-not-a-guidebook/>

I have become very weary of being perpetually assaulted, all day long, and being utterly helpless to defend myself from the onslaught. If it isn't advertisers shoving things I don't want down my throat, it's the bank ramming their hands in my pockets. The media fills my eyes and ears with sights and sounds that wage war on my mind. If I exercise my right to vocalize dissent against the corporate bedfellows and pet projects of the federal government, I find my hands are tied, and my mouth gagged. When I thought I couldn't be violated more, I turned around and found Ottawa making a grab for my uterus. Excuse me? I don't think so. MINE.

When you were little, you learned about stranger danger, and what to do if anyone ever attacked you/touched your private parts/tried to abduct you. You'd scream. You'd kick and claw at their eyes with your nails. Perhaps kick them squarely in the crotch. You'd try to get away and draw as much attention to yourself as possible, so as to get help, and have the offender nabbed.

**\*THIS IS ME, KICKING AND BITING, FLAILING AND SCRATCHING AT THE EYES OF MP STEPHEN WOODWORTH. GET YOUR FILTHY HANDS OFF OF MY BODY, RIGHT NOW! GET YOUR HANDS OFF OF MY DAUGHTER'S BODIES, RIGHT NOW!\***

Oh! Stephen Woodworth is a Con MP from Kitchener. Stephen Woodworth thinks he knows better than Canadian women do about what rights they have when it comes to their reproductive choices. Stephen Woodworth doesn't like that women currently have options beyond being pretty little baby making machines. Stephen Woodworth (who has a very phallic last name, indeed) has tabled a private members bill (It's nice that your members get to stay private, right?) called M-312. Under M-312, a special committee in the House of Commons would be formed to review the section of the Criminal Code that states that a baby only becomes a human being after it is born. Which, in turn, opens up the door to the abortion debate that Mr. Harper has been reassuring Canadians was not open to debate at this time. In turn, our happy far-right neo-Con folks get to play high stakes poker with the personhood of Canadian women. Does this sound familiar? It should. One only needs to look to our neighbour to the south and see what fruit this right wing, dystopian abuse of women's rights has begun to manifest. Our government seems to have mistaken Atwood's fictional *A Handmaid's Tale* for an instruction manual.

This is vastly more than just a simple introspection on personal moral and ethical beliefs surrounding conception, gestation, abortion and the value of human life. Bill M-312 threatens the human rights of Canadian women, and if they were to come into effect, make our role in society simply one of being a walking, breathing incubator. While I was doing my research, someone came along and did it for me - thanks to the [Radical Handmaids](#) and Rhapsody Blue for saving me time and consternation:

Today at 5:30 PM, the House of Commons will debate MP Stephen Woodworth's motion to form a committee to "review the declaration in Subsection 223(1) of the Criminal Code of Canada which states that a child becomes a human being only at the moment of complete birth", as well as

answer several subsequent questions.

MP Woodworth has chosen to market the motion under the title “Canada’s 400 Year Old Definition of a Human Being”, good-naturedly alleging that the law as it stands is simply out of date, and that lawmakers of the past lacked the scientific understanding of human development that we have today.

Krissy Fair [1] has pointed out the inaccuracy of Mr. Woodworth’s assertion that the current law exists because, at the time of its creation, we did not understand that an unborn child was human, in addition to pointing out that the law itself is only 120 years old. The law was written with the understanding that extending the provisions of the Criminal Code to the unborn would have several unacceptable consequences.

Just so we are clear on the text of the law as it stands currently: “a child becomes a human being **within the meaning of this Act** when it has completely proceeded, in a living state, from the body of its mother, whether or not it has breathed; it has an independent circulation; or the navel string is severed.” Note the language that specifies the context: “within the meaning of this Act” – that is to say, for the purposes of criminal prosecution.

Much has been written about this motion, and a great deal of it focuses on the abortion issue, as it should.

However, as MP Woodworth so kindly reminded me in a form letter reply that disregarded the entire contents of my original letter\* to him, the motion “has far wider implications than merely for the abortion issue”.

It is with an eye to this fact, and in the spirit of Prime Minister Harper’s promise not to re-open the abortion debate, that I would like to present several implications of Motion 312 that do not concern abortion.

We need not speculate on the results of declaring the unborn to be legal persons for the purposes of criminal prosecution. In fact, we may simply cast an eye South of the border, where

“personhood” laws have been implemented in several states.

If the unborn are declared persons:

- Miscarriages would require full criminal investigations by the police, and could result in manslaughter convictions even in the case of no ill intent or wrongdoing. Personally, I think miscarrying a wanted pregnancy must be tragic enough without adding jail time to the mix. Consider the story of Christine Taylor, who was arrested for attempted homicide after feeling lightheaded and falling down while pregnant. **Wanting to ensure that no harm had come to her unborn child**, Taylor sought medical attention, which resulted in her arrest. [2] Laws declaring the unborn to be persons actively dissuade pregnant mothers from seeking help and making the best medical decisions for their pregnancies.
- Doctors would have the right to obtain legal custody of a fetus and, thus, a woman’s body. Consider the story of Samantha Burton, who was forcibly confined to a hospital after **she had the audacity to request a second opinion on her physician's advice** of bed rest. Her forced hospitalization separated her from her two young children, and she miscarried while being confined in the hospital. [3] Laws declaring the unborn to be persons rob mothers of their right to obtain as much information as possible and make their own medical decisions.
- Certain forms of fertility treatment, including in vitro fertilization, would be made illegal.
- Women who take prescription drugs for any reason during pregnancy, even with the approval of their OB/GYN, may be charged with delivering drugs to a minor, or child abuse. Child abuse laws regarding narcotics, after all, do not allow administration of drugs not prescribed to the child if there is relatively low risk of harm: it’s just illegal, and with good reason. Thus pregnant women may be forced to compromise their health and well-being during a pregnancy.
- Conversely, women who fail to take proper vitamins such as folic acid (perhaps because they did not know that they were pregnant) would be subject to criminal prosecution.
- Women struggling with addictions to drugs or smoking could be arrested for undergoing assistive treatment, or using products such as nicotine gum in an effort to live a healthier lifestyle during their pregnancy.
- Canada may be forced to outlaw life-saving treatment for ectopic pregnancies should the date of personhood be set early enough. Ectopic pregnancies, as I am sure you are aware, rarely result in viable births and, if left untreated, will often render the woman infertile or kill her. Treatment for preeclampsia (the leading cause of death for pregnant women) could also be made illegal.
- Doctors may force pregnant women to have major surgery such as Caesarian surgery

against the pregnant woman's wishes, as was the case with Angela Carder (who died, along with the fetus) and Laura Pemberton [4]. Police may arrest pregnant women who have exercised their right to medical decision-making regarding pregnancy, labour and delivery.

These are just a handful of considerations. I encourage you to ponder them, regardless of where you stand on the abortion issue. This motion has implications for all pregnant women, not just those who would like to have abortions.

I think that the moment of birth is the easiest way to define a person in practical legal terms; if an unborn child is to be a person, Canada must presumably begin granting unborn children the full rights of citizenship the moment they are deemed persons. I wonder, will expecting mothers be able to declare unborn children as dependents for tax and other benefit purposes? Does this also include phasing out birth certificates and birth dates in favour of personhood dates?

Take a moment to consider your position... then regardless of what you decide, I encourage you to take action!

- Read Motion 312: <http://www.stephenwoodworth.ca/canadas-400-year-old-definition-of-human-being/motion-312>
- Write to your MP:  
<http://www.parl.gc.ca/Parlinfo/Compilations/HouseOfCommons/MemberByPostalCode.aspx?Menu=HOC>
- Share this post

\* I am aware that MP Woodworth's office must be very busy. But I was still surprised to receive a form letter reply that, among other things, thanked me for my "kind comments" and implored me to "promote the views we share with the utmost sensitivity and consideration toward those who disagree" and to publicly express my support for the motion. The email also included a package of media releases, a pro-Motion 312 flyer, and a similarly supportive petition that I could pass around. I was certainly polite, but I wouldn't have called my email *kind*, nor did I express any sort of support for the motion. In fact, I encouraged MP Woodworth to conduct a respectful debate in the House, and presented several arguments against the idea of striking a committee, in the hopes that he might decide to vote against his own motion. I assume my email was not read.

Abortion is ugly. It is sad that it continues to have to be an option, that not every child is wanted/able to be cared for/loved or healthy. Not all circumstances are equal, and it is essential that we continue to be given choice and control over our own reproductive decisions

Hopefully, I don't wake up to an unwanted name change when this is over. OfStephen is really

unbecoming.

Citations:

1. <http://thinkmamathink.wordpress.com/2012/04/01/motion-312-wombs-for-woodworth/>
2. <http://news.change.org/stories/pregnant-iowa-woman-arrested-for-falling-down>
3. <http://news.change.org/stories/doctor-gets-court-order-to-confine-pregnant-woman-against-her-will>
4. [http://www.washingtonpost.com/opinions/how-an-anti-abortion-push-to-redefine-person-could-wind-up-hurting-women/2011/10/26/gIQAQSwGQM\\_story.html](http://www.washingtonpost.com/opinions/how-an-anti-abortion-push-to-redefine-person-could-wind-up-hurting-women/2011/10/26/gIQAQSwGQM_story.html)