

# Canadians! Alabama is closer than we think!

Monday 20 May 2019, by [KINGSTON Anne](#) (Date first published: 15 May 2019).

## **Anne Kingston: Canadians who reassure themselves that the southern state's abortion ban couldn't possibly ever happen here haven't been paying attention**

On Tuesday, the Republican-controlled Alabama Senate voted to approve [a sweeping law](#) to ban abortion in the state, at every stage of pregnancy, even in cases of rape and incest (the only exceptions would be if the mother's life is at "serious risk" or in cases of "lethal fetal anomaly"). The bill was passed into law on Wednesday by the state's female governor, Kay Ivey. The Draconian new law, expected to be challenged in court, criminalizes the procedure for doctors, who could face up to 99 years in prison for performing one. As has been noted, it exacts a harsher penalty on those who perform abortions than on those who rape.

The new legislation has two clear targets. The first: women's bodily autonomy. This is a "forced birth" law that effectively turns women into the human incubators Margaret Atwood warned us about. The law is also destined to place women in mortal danger. Outlawing abortion doesn't eliminate abortion, but it does make obtaining one far more [dangerous](#).

The second goal is to deliver the most direct challenge yet to *Roe v. Wade*, the 1973 U.S. Supreme Court ruling that legalized abortion federally. Recently, Ohio and Georgia signed ["fetal heartbeat" laws](#), which ban abortion after the detection of a fetal heartbeat; that can occur as early as the six-week mark—a point when many women may not even know they are pregnant.

Canadians who reassure themselves that this couldn't possibly ever happen here haven't been paying attention. Yes, polls show Canadians [overwhelmingly support](#) access to abortion; thus any framing of the "debate" as "polarized" is overblown. Since the country's abortion law was repealed in 1988 in a [landmark Supreme Court decision](#) that determined a woman's right to choose under the *Canadian Charter of Rights and Freedoms*, abortion has been regarded a private medical procedure in Canada; like all medical procedures, it is subject to regulations. That said, [barriers to abortion](#) exist in Canada with access unequal across the country. It's also vital to keep in mind that public will does not always dictate legislation: according to [Data Progress](#), there's no U.S. state where support for an abortion ban reaches even 25 per cent.

In the past year, two of Canada's largest provinces—Ontario and Alberta—elected majority Conservative governments led by premiers who are actively supported by the increasingly vocal, well-organized, politically strategic anti-choice lobby. In the course of my [investigation](#) of these groups last year, I spoke to several anti-choice activists then working to elect Jason Kenney as the "pro-life premier" of Alberta. Jeff Gunnarson, vice-president of the [Campaign for Life Coalition](#), a national group that works to nominate and elect candidates who oppose abortion to all levels of government, told me his group threw its support to Doug Ford after the politician reassured them he supported all of their demands: to defund abortion; to require parental consent before a minor receives an abortion; to uphold "conscience rights" that allow medical professionals not to refer a patient needing abortion or assisted suicide; and to scrap the sex-ed curriculum of Kathleen Wynne's government. (Ford's office refused to provide comment at the time.)

Though these groups emphasize ending abortion, a topic destined to garner headlines, that's a dog whistle for a broader social-conservative agenda that includes rolling back LGBTQ rights, ending gay marriage, and outlawing sex education. Notably, abortion was a top-line topic at the Conservative Party of Canada's policy conference in Halifax last year. Delegates voted to delete Article 65, the 2014 motion dictating that the party will not legislate on abortion. It was the first time since enacted that the motion was discussed at a convention. It was defeated narrowly, by 53 to 47.

Only last week, one of the anti-abortion lobby's star candidates, Sam Oosterhoff, elected Conservative MPP in Ontario's Niagara West riding, generated headlines and outrage when he vowed to make abortion "[unthinkable in our lifetime](#)" at an anti-abortion protest at the Queen's Park legislature. The 21-year-old policer of uteruses (he's also known for calling the cops on elders protesting his government's cuts to library services) appropriated a line from Dr. Seuss 1954 book *Horton Hears a Who!* to back his "pro-life" stance: "A person's a person no matter how small." (Here it's worth noting that Theodor Seuss Geisel (a.k.a. Dr Seuss) and later his widow Audrey [objected](#) to his characters or material being hijacked to support others' political points of view, specifically anti-abortion groups.) "I will always speak for children who are too young to speak for themselves, who have no voice," Oosterhoff continued, employing the sort of social-justice terminology focused on "free speech" and "human rights" marshalled by anti-choice lobbyists.

When questioned about Oosterhoff's comments, Premier Ford, who defines himself as "pro-life" except in cases of rape or incest, [responded](#) that Conservative MPPs are "open to speak their mind" and that he wouldn't "reopen" the abortion debate, with no indication he would block others from doing so. The government has already taken a machete to public health services, of which abortion is one.

It's worth noting too that cultural differences in attitudes toward abortion do exist between the two countries. For one, enshrining fetal legal rights via "personhood laws" has had success in the U.S., but not in Canada, where legal rights are assigned to a human being after birth. Religious arguments also tend to have traction in the U.S, which is not the case here. That shouldn't make those who support women's reproductive rights complacent, however. Canadian anti-abortion groups are known to coordinate with similar groups south of the border vis-à-vis training and funding. Canada's [RightNow](#), for example, has received support and training from the Leadership Institute, a right-wing U.S. training organization funded by groups affiliated with the Koch Brothers donor network. Such connections serve to remind us that any presumption that Canada is a unique country untouchable by what's happening in Alabama is made entirely at our own peril.

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**Anne Kingston**

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**P.S.**

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