

THE BULLETIN

News and Reports from the Social issues Team

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CONTENTS

Are we all 'omnigender' now?	<i>Sharon James</i>	2
Review of 'The Danish Girl'	<i>Walt Heyer</i>	14
Why vote 'In'? Faithfulness v self-interest (Remain)	<i>Guy Brandon</i>	18
Christian Brexit (Leave)	<i>Peter Mcilvenna</i>	22
Freedom of expression	<i>Rod Badams</i>	27
Review of 'Counter Culture'	<i>Regan King</i>	33
Life issues (<i>Abortion, Gene editing, Assisted reproductive technologies, Stem-cell technologies, Euthanasia and assisted suicide, USA</i>)	<i>John Ling</i>	35
Latest news of significant individual cases (<i>The Christian Institute, Christian Concern</i>)		48

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Are we all 'omnigender' now?

Introduction: the deconstruction of sexual distinctions

An elite women's college in America, Wellesley College, recently clarified its admissions policy. They will admit (biological) *men* who claim to be *women*. They will not admit (biological) *women* who claim to be *men*.¹ The assumption is that objective physical reality (biological sex) is irrelevant. 'Gender' is all in the mind. We can define ourselves.

The campaign to recognise the 'right' to 'change gender' is not just about creating choice for some. It is destroying our shared understanding of what 'man' means and what 'woman' means.

Using gendered language (he/she; men/women) is regarded by some activists as 'hate speech', wrongfully imprisoning people in one of two categories. Just as some radical feminists claim that sexist language, or even using generic language, is an 'act of violence', some say that they feel violated by gendered language. There have been calls for the creation of a 'transphobic' hate crime.

To understand where this thinking has come from, we need, firstly, to understand the current worldview of 'expressive individualism' (or total personal freedom). Secondly, to consider the rapid acceptance of 'queer theory'. Thirdly, to understand how health professionals and the law have accommodated this shift in thinking. And fourthly we will point to a biblical response.

1. The current worldview: expressive individualism

A. Freedom from being defined by God

The dominant worldview in our culture denies that we are created by God. We can claim freedom to construct ourselves and define our own identity. But if we are the only point of reference, then how do we know what, or who, we are? As John Calvin wrote at the beginning of his *Institutes*, we cannot know who *we* are unless we know who *God* is.² The Christian worldview begins with Creation. Our triune, personal, relational God created men and women in his own image to relate to him, and to relate to each other.

B. Freedom from being ruled by God's law

Once we deny that there is a God who will judge us, then we deny that there are moral laws that are true for everyone, at every time, in every place. The only remaining moral absolute is to be faithful to yourself, or to find your own identity. This can be described as 'expressive individualism'. By contrast, the Bible teaches that all humans have the knowledge of God's moral law on their hearts, and we will each be judged according to the conscience he has given us.

C. Freedom from being defined by others

In the past, an individual's identity was often defined in reference to their role in society, community and family. Individual aspirations might be put to one side in the interest of the wider group. Now, by contrast, the expectation in Western society is that each individual has a primary duty to self. You

¹ Wellesley College Admission Policy, FAQs, <https://www.wellesley.edu/admission/faq#transgender> accessed 6 March 2016

² Calvin, John, *Institutes of the Christian Religion*, ed. McNeill, J, trans. Battles, FL, Westminster Press, Vol. 1, Chapter 1, p. 37

only have one life, so live it to the full, find your own identity, and fulfil yourself. Expressive individualism is the logical outworking of scientific naturalism (the belief that this life is all there is). In the past in Western society, if you felt that you were a woman ‘trapped’ in a man’s body or *vice versa*, there was the restraining factor of the duty to be faithful to wider family and community roles. Now you are told that the ‘right’ thing to do is to ‘be yourself’. The corresponding ‘moral absolute’ is to affirm everyone else’s ‘right’ to be themselves.

2. Queer theory and gender fluidity

‘First wave’ feminism focused on campaigning for equal rights for women. By the 1960s, radical feminists argued that to maintain *any* gender distinctions propped up the edifice of oppressive patriarchy. The fight against discrimination morphed into a fight against gender identity. For the last forty years or so, despite more research than ever before on the differences between the sexes, it has been commonplace to hear that gender is ‘plastic’.³ It is now said that we can decide for ourselves what gender we belong to and what that means for us. The idea that there is any essential difference between the sexes (‘essentialism’) has been defined by some as heresy.⁴ Judith Lorber, a radical feminist, wrote:

*When we no longer ask ‘boy or girl?’ in order to start gendering an infant, when the information is as irrelevant as the colour of a child’s eyes... only then will men and women be socially interchangeable and really equal. And when that happens there will no longer be any need for gender at all.*⁵

At the same time, those campaigning for gay rights asserted that the assumption that heterosexuality is ‘normal’ is hateful, and the belief that heterosexual marriage is foundational to societal stability is oppressive. Judith Butler argued in the now-classic *Gender Trouble* (1990) that the binary framework for both sex and gender is merely a ‘regulatory fiction’ that consolidates the ‘convergent power regimes of masculine and heterosexist oppression’.⁶ The Gay Liberation Front named rejection of homosexuality as a ‘sickness and a sin’ and inaugurated the era of ‘gay pride’.⁷ The theory underpinning this became known as ‘queer theory’ – a self-designation that set out to gain attention. The aim was to challenge ‘heteronormativity’ in every discipline. Judith Butler and others argued that not only is *gender* a social construct, *sexual differentiation* itself need not be fixed. If our *sexual orientation* is fluid, and something we are free to choose, then why not our *sexual identity* as well? They maintained that heterosexuals are, in fact, repressing latent homosexuality, and society as a whole needs to be liberated from such repression.⁸

During the 1980s and 1990s a new collective identity emerged of Lesbian, Gay, Bisexual and Transgender (LGBT) people.⁹ The trans-affirming worldview takes the moral high ground. It is

³ This was facilitated by easy access to contraception and artificial reproductive technologies, both of which separated sex from procreation. Marriage came to be regarded as primarily about ‘relationship’ (i.e.: emotional and sexual fulfilment). Single parenthood was facilitated by means of welfare provision and state-funded childcare. Having children became a ‘right’ to be claimed by single people outside of partnership by means of assisted reproductive technology.

⁴ Robert S McElvaine defines essentialism as the heresy that there are biological differences between males and females. Wendy Shalit, *A Return to Modesty*, Touchstone, 2000, p.87

⁵ Quoted in Germaine Greer, *The Whole Woman*, Doubleday, London, 1999, p.324

⁶ Butler, Judith, *Gender Trouble*, Routledge, 1999, p.44

⁷ Peter Tatchell, ‘Equality is not enough’, *Capital Gay*, 14 October 1994, http://www.petertatchell.net/lgbt_rights/history/equality_not_enough.htm, accessed 20 January 2011

⁸ Sanlon, Peter, *Plastic People*, The Latimer Trust, 2010, pp.21-24

⁹ To be superseded by LGBTIQA : Lesbian, Gay, Bisexual, Transsexual, Intersex, Questioning (or Queer), and Allies, or subsumed under the umbrella term Queer. However, at present, a vociferous gay lobby is campaigning for the ‘T’ to be dropped from the collective identity.

thought to be *abusive* to assign people rigidly to one sex. It is thought to be *hateful* not to allow people to choose (or 'recognise') their own unique identity.

Most people may never have heard of 'queer theory'. But, with astonishing speed, the notion of gender fluidity has permeated our culture, and it is often regarded as offensive and bigoted to challenge it (even if you are Germaine Greer or Peter Tatchell). A recent guide to transphobic hate crimes defines 'transphobia' as 'intolerance of gender diversity... based around the idea that there are only two sexes – male or female, which you stay in from birth.'¹⁰ How has this shift in thinking happened so quickly?

A. The media and entertainment have relentlessly focused on 'trans' issues. Newspapers, soap operas and films have promoted the idea that it is wrong to divide humanity between men and women. Teens and pre-teens follow a TV reality show featuring Jazz, a 15-year-old American boy who is 'becoming a girl'. Jazz's parents are presented as role models of loving support of their child. In December 2015, *The Danish Girl* hit the big screen, telling the story of one of the first men to undergo 'gender reassignment' surgery.¹¹

B. Social media. Parents are increasingly reporting the phenomenon of 'social contagion', children and teenagers are sharing ideas and experiences on social media such as Tumblr, and transgenderism is the current preoccupation for many of them. Increasing numbers of children and young people are presenting as transgender.¹²

C. The education system. Primary school children are being taught that 'sex' is between your legs, but 'gender' is between your ears, and they don't necessarily have anything to do with each other. Stonewall has been granted significant funding to go into schools to conduct 'anti-bullying' programmes, and they promote the idea of gender fluidity to children.¹³ The support group Mermaids promotes educating children about transgender issues.¹⁴ The advocacy and support group Gendered Intelligence offers to take creative workshops in schools for children of all ages.¹⁵ Educate

¹⁰ Galop, 'Transphobia fact sheet', <http://www.galop.org.uk/wp-content/uploads/2011/11/Transphobia-A4.pdf>, accessed 7 April 2016

¹¹ Walt Heyer has written a clear resume and critique of this film in Public Discourse. Heyer, Walt, 'People aren't born transgender, but playing dress-up can spark psychological problems', Public Discourse, <http://anglicanmainstream.org/the-danish-girl-people-arent-born-transgender-but-playing-dress-up-can-spark-psychological-problems/>, accessed 6 March 2016. Further, it should be noted that there is evidence that Einar Wegener/Lili Elbe (*The Danish Girl*) was actually an intersex person. According to these sources, when the surgery was underway it was discovered that there were female organs already:

<http://oiiuk.org/1369/the-trouble-with-the-danish-girl/>, accessed 9 March 2016;

<http://www.historyvshollywood.com/reelfaces/danish-girl/>, accessed 9 March 2016

¹² See John Bingham, *The Daily Telegraph*, 27 December, 2015, 'Eighty Primary School Pupils a year seeking help to change gender', <http://www.telegraph.co.uk/education/educationnews/12070632/80-primary-school-pupils-a-year-seeking-help-to-change-gender-charity.html>, and Mark Else, 'Gender Transition for Four-Year Olds: Meet the Latest Liberal Madness', *Conservative Woman*, 29 December 2015, <http://www.conservativewoman.co.uk/mark-else-gender-transition-for-four-year-olds-meet-the-latest-liberal-madness/>, accessed 6 March 2016

¹³ http://www.stonewall.org.uk/sites/default/files/getting_started_toolkit_-_primary.pdf, accessed 7 April 2016

¹⁴ <http://www.mermaidsuk.org.uk/>, accessed 6 March 2016

¹⁵ www.genderedintelligence.co.uk/, accessed 7 April 2016, go to section professionals/education/creative workshops. For sample resources see <http://genderedintelligence.co.uk/trans-youth/resources>, for example, 'The TransYouth Sexual Health booklet. <http://cdn0.genderedintelligence.co.uk/2012/11/17/17-14-04-GI-sexual-health-booklet.pdf> This includes statements such as: "If you identify as a man or somewhere on the masculine spectrum and find yourself pregnant, that does not make you a woman, rather you are a person who is

and Celebrate, another LGBT support and advocacy organisation, delivers 'LGBT+Inclusive training to staff, support staff, departments, leadership teams, parents and governors in children's centres, nurseries, primary schools, secondary schools, colleges, universities, public and private organisations'.¹⁶ For example, their 'PRIDE in Early Years Education' is a range of picture books, activities and lesson plans to help make children's centres and nursery schools 'LGBT+Friendly':

The resources and accompanying training will enable teachers and pupils to explore different families, gender identities and feeling different through the use of beautifully illustrated picture books, activities, films and songs.¹⁷

They present gender identity as a combination of masculinity, femininity, and other genders, each on a spectrum, independent of the sex assigned at birth.¹⁸ Birmingham City Council (in its education role) has arranged for Educate and Celebrate staff training and assembly resources to be available in all its schools. At least one Birmingham school is not allowing parents to withdraw children, following advice from the City Council's legal department. The Gender Identity Research and Education Society (GIREs) sends out guidelines to schools. These say that schools should ensure that toilets and changing facilities are 'immediately available in line with new gender presentation, and the young person's wishes'.¹⁹ As these organisations gain entry to more and more schools (and nurseries), usually under the 'anti-bullying' guise, promotion of LGBT ideology and in particular the promotion of the idea of gender fluidity will increase exponentially.

D. Many liberal churches have embraced 'diversity' as a cause to promote. Both the organisations Press for Change and Changing Attitude encourage churches to advertise that they are 'welcoming and diverse communities who embrace equality'.²⁰ Susan Cornwall has written a theology of gender which claims to support this model of diversity from Scripture modified by experience.²¹ Liberal theologian Virginia Mollenkott says that we are all 'omnigender'.²² Why choose one gender or another? Why not enjoy multiple identities?

3. Accommodating gender fluidity: healthcare professionals and the law

The issue of transsexualism is distinct from the issue of intersex conditions, though some campaigners have deliberately sought to confuse the two. Tragically, there are very rare cases of babies whose sex at birth is ambiguous. The incidence of all intersex conditions is rare. In fact they

pregnant." Also, A Guide for Young Trans People in the UK, <http://cdn0.genderedintelligence.co.uk/2012/11/17/17-15-02-A-Guide-For-Young-People.pdf>

¹⁶ <http://www.educateandcelebrate.org/training>, accessed 7 April 2016

¹⁷ <http://www.educateandcelebrate.org/resources/> accessed 10 May 2016

¹⁸ Educate and Celebrate, Trans+Tips for Teachers

¹⁹ GIREs guidelines, 'Transition of a Pupil in School'. www.gires.org.uk/education/information-for-educators, accessed 6 March 2016. Also, in the guidelines to schools about teachers transitioning, schools are told that toilets and changing rooms must be made available to people in their new presenting gender. "If others do not wish to share the 'ladies' or 'gents' with a trans-person, then it is they, not the trans-person, who must use alternative facilities." GIREs guidelines, 'Transition of a Teacher in School', p.8

²⁰ By 2000 two Church of England clergy had transitioned from male to female and remained in ministry. Christina Beardsley, 'The Transsexual is my neighbour: Pastoral Guidelines for Christian Clergy, Pastors and Congregations', The Gender Trust, p.4. One of ministers was Rev. Peter Stone, who returned to pastoral work in Swindon in 2000 as Rev. Carol Stone. Victoria Combe, 'Sex-change vicar tells how her prayers have been answered', The Daily Telegraph, 29 November 2000

²¹ Cornwall, S, ed., *Intersex, Theology and the Bible*, Palgrave Macmillan, 2015

²² Mollenkott, V.R., *Omnigender: A trans-religious approach*, Pilgrim Press, 2007

involve approximately fewer than 2 out of every 10,000 births (0.02%).²³ True hermaphrodites, where a person has both ovarian and testicular tissue, are very rare: one review found fewer than 5 cases per year worldwide.²⁴ Such cases have to be dealt with individually.²⁵

Unless born with an intersex condition, every baby is biologically male or female (which is determined by chromosomes, genitalia etc.). In the past it was assumed that someone's gender (the psychological, social and cultural aspects of being male or female) would line up with their biological sex. But now, the emphasis is placed on individual freedom to assert their own 'gender identity' (i.e. their own unique experience as to 'how they feel about themselves as either male, female, or neither').

Transsexual people are biologically normal but believe themselves to be members of the opposite sex. The term transsexual implicitly accepts the binary of two opposite sexes. A transsexual person wants to 'reassign' their biological sex (usually through hormonal, cosmetic and possibly surgical procedures) to match their preferred 'gender identity'. Transsexualism is a psychological not a physical dysfunction. It is only within the last sixty years that the medical profession has accepted transsexualism as a condition which may be treated by means of hormonal and surgical intervention, as medical and scientific advances have enabled 'sex reassignment' treatment by means of hormones and surgery.²⁶ It should be noted that this condition is different from both transvestism, which involves dressing and presenting as the opposite sex, often for sexual arousal, and from 'drag queens', where men dress as women for the purpose of entertaining others.

Transgender is an umbrella term for the different ways people experience or live out their 'gender identity' when there is a perceived incongruence with their biological sex. This term is increasingly more popular than the term transsexual. The term transgender can imply an acceptance of 'gender fluidity' – that it is inherently oppressive to divide people into two binary categories. Hence the celebrated 71 different gender identities available to choose from on Facebook.

While the *Diagnostic and Statistical Manual of Mental Disorders IV* (2000) used the term Gender Identity Disorder (GID) for those suffering incongruence between their biological sex and the way they identified themselves, the 2013 edition replaced that with the term Gender Dysphoria.²⁷ This shifted the emphasis from gender incongruence as a 'disorder', to emphasis on the distress (dysphoria) associated with the experience of that incongruence. The change was ideologically driven, the aim being to 'de-pathologise' gender incongruence.²⁸ The definition of this condition has changed once and it may be further redefined in future. What causes a person to be distressed about their biological sex is disputed. Some believe that there are 'brain-sex' issues; some suggest environmental triggers; some prefer to look at psychosocial factors; many would suggest a combination of reasons. For children and young people there can now be strong social factors encouraging a celebration of 'fluidity'.

²³ Sax L, 'How Common is Intersex? A Response to Anne Fausto-Sterling', *Journal of Sex Research*, 2002, 39(3), page 177

²⁴ van Niekirk, W A, 'True Hermaphroditism', *American Journal of Obstetrics and Gynecology*, 126(7), 1976, pages 890-907

²⁵ The Christian Institute, briefing on intersex conditions, www.christian.org.uk/transsexualism/intersex_briefing.pdf, accessed 10 March 2016

²⁶ The first Gender Identity Clinic opened in Britain at Charing Cross Hospital in 1966

²⁷ *Diagnostic and Statistical Manual of Mental Disorders (DSM) The Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5)*, 2013, is the standard classification of mental disorders used by mental health professionals in the United States.

²⁸ Peter Saunders, Lecture on Gender Dysphoria at CMF East Anglia Day, March 2016

Neither is there firm consensus on treatment. But the increasingly favoured approach is to allow patients to 'self-diagnose' and then agree to hormonal treatment or surgical treatment if that is desired (in other words to alter the body to conform to the professed gender identity). In parallel with this, the trend is to outlaw counselling or psychotherapy to help alter the felt identity to conform to the biological sex. There is vigorous debate about what is the appropriate treatment for children presenting with gender dysphoria. Some advocate puberty suppression (hypothalamic hormone suppression at ages 10-13) as a means of making ultimate 'sex reassignment' less traumatic.

The Gender Recognition Act (2004) came into effect in 2005.²⁹ It permits transsexual people who have lived in their assumed sex for at least two years to apply to the Gender Recognition Panel for a Gender Recognition Certificate (GRC). Applicants need to provide a medical referral, but do not need to have undergone hormonal or surgical treatment. A GRC entitles someone to live 'for all purposes' (including marriage) in their acquired gender.³⁰ They are able to apply for a new birth certificate, indicating their new legal sex and name. The original birth certificate, although still existing, does not have to be disclosed. Once a person obtains a GRC, it is an offence to disclose their birth sex, with fines of up to £5,000.

In January 2005, The Christian Institute urged church leaders to lobby for exceptions to the disclosure offence in order to protect religious freedom. In March 2005, the Government agreed to give protection to church leaders in relation to marriage, employment, membership and admission to the sacraments. These important protections still stand.

Gender reassignment has been made a protected characteristic, in the same way as race or religion, in the Equality Act 2010.

In 2013 the Marriage (Same Sex Couples) Act made it possible for a marriage to continue following one spouse's gender transition, provided the other spouse agreed.

In 2014 the NHS began providing puberty suspending hormonal treatment for young people who believe they are the opposite sex.

In January 2016, the House of Commons Women and Equalities Committee published the report *Transgender Equality*,³¹ which claimed that the 2004 Act is outdated, in that it 'medicalises' and 'pathologises' those who are transgender. The term 'transsexual' is regarded as outdated; as are the terms Gender Identity Disorder and Gender Dysphoria. Being 'trans' is no longer a 'problem' to be treated, but an identity to be embraced. The report recommends that:

- There should be no need for someone to live in their assumed sex for two years before applying for a Gender Recognition Certificate.
- They should not have to seek authorisation from a doctor.

²⁹ Gender Recognition Act 2004 (c. 7), http://www.opsi.gov.uk/acts/acts2004/ukpga_20040007_en_1, accessed 21 July 2009

³⁰ At the time of the 2004 Act (which was passed before the recognition of same-sex marriages), full certificates were available for unmarried people. Married people had to apply for an interim certificate. If their marriage was subsequently ended they were entitled to a full certificate. A trans-man (female to male) would be allowed to marry a woman once the full certificate had been obtained; similarly a trans- female) would be allowed to marry a male. Trans-people who wished to continue in partnership with a previous spouse had to have their marriage annulled, and then enter a civil partnership as this would now be a same-sex partnership (for instance, a trans-man, female to male, might wish to continue with their previous husband).

³¹ House of Commons Women and Equalities Committee, *Transgender Equality*, January 2016, <http://www.publications.parliament.uk/pa/cm201516/cmselect/cmwomeq/390/390.pdf>, accessed 4 March 2016

- Changing sex should be a quick and simple administrative change.
- In the future, as much documentation as possible should not require declaration of sex.
- Young people aged 16 and 17 should be able to change sex.
- It should be easier for children to access hormones to block puberty.
- Consideration should be given to the ‘needs’ of children whose parents do not consent to such treatment.

The report also recommends that many of the protections and exemptions allowed in the 2004 Act (with regard, for example, to genuine occupational requirements) should be rescinded. It claims that there are around 650,000 transgender people in Britain today, but offers no convincing evidence for that figure.³² Only 4,000 gender recognition certificates have been granted under the 2004 Act.³³

4. A Biblical Response

The supposed split between the ‘real you’ and the appearance of your body is a new form of Gnosticism. It divides your mind or thoughts from the physical reality of the body. It says that your mind, your soul, your thoughts, are more important, and can overrule the physical facts. In New Testament times, this heresy claimed that Jesus may have risen from the dead spiritually, but not physically. Gnosticism divides what God has united. We are made as whole people. Our body, our mind and our spirit or soul are not to be divided or played off against each other.³⁴ God specifically designs and determines our body. It reflects his intent. It is not irrelevant (Psalm 139:13-14; Jer. 1:5). God deliberately created male and female as different and interdependent (Gen. 2:18; 21-24), and he prohibits the blurring of gender identity (Deut. 22:5).

The biblical position is that it is not possible to change sex. A person may be tempted by transsexual thoughts, but they should not embrace the lifestyle of the opposite sex.³⁵ Treating every individual with true compassion and respect means staying true to God’s revealed will in all pastoral care and interaction. There are various reasons why an individual may feel a measure of unease with their gender identity; and some of those reasons (for example childhood trauma) may well involve being sinned against, rather than deliberately sinning. But actually assuming the identity of someone of

³² ‘It is telling that there is a lack of good quality statistical data regarding trans people in the UK. Current estimates indicate that some 650,000 people are “likely to be gender incongruent to some degree”, Report, p.6. But the term ‘gender incongruent’ is so vague as to be meaningless. Between April 2005 and January 2010, 2,551 Full and 140 Interim Certificates were issued. In 2009, a Home Office Report found that, to date, prevalence was 20 per 100,000, i.e. 10,000 people, of whom 6,000 had undergone transition (80% trans-women). At that date, 1,200 per annum were undertaking transition to a new gender role. In 2010, the BBC reported that a Tavistock and Portman NHS Trust survey found Gender Identity Disorder (GID) affected one in every 4,000 people. Assuming that Britain’s population is now somewhere around 65 million, that would put the total with GID at 16,250. But KJ Zucker, et al, Gender Dysphoria in Adults, Annual Review of Clinical Psychologists, 2016, states that fewer than 1 in 10,000 adult natal males suffer gender dysphoria and fewer than 1 in 30,000 adult natal females. That would put the number in the UK at something over 4,000 (cited in CMF Files 59, Gender Dysphoria).

³³ Government statistics, see Table 5.1 here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/483764/tribunals-main-tables.xlsx

³⁴ Peter Jones, who blogs on the Truth Exchange, is excellent on this. See also Jones, P, Gospel Truth, Pagan Lies, Main Entry Editions/Winepress Publishing, 1999

³⁵ This was the position taken by the Evangelical Alliance Policy Commission, transsexuality (London: EA Policy Commission/Paternoster Press, 2000). The report concluded: “Authentic change from a person’s given sex is not possible and an ongoing transsexual lifestyle is incompatible with God’s will as revealed in Scripture and in creation. We would oppose recourse to gender reassignment surgery as a normal valid option for people suffering from gender dysphoria on a biblical basis. We note, in addition, that no long-term research exists to validate the effectiveness of such surgery in effecting gender change.” Ibid., pp.84-85

the opposite sex does involve sin. Medical interventions, whether hormone treatments or surgery, are to be rejected. It is absolutely wrong to encourage children to change sex. For further information see The Christian Institute website.³⁶

Positively, in the US there has been a robust response from conservative evangelicals. In 2014 the Southern Baptist Convention adopted formal resolutions affirming the biblical teaching about the immutability of sex and gender.³⁷ In 2015, the first ever evangelical conference on transgender issues was convened by the Association of Biblical Counsellors. Last year Al Mohler wrote *We Cannot Be Silent*, dealing clearly and biblically with this and related ethical issues.

This is a front-line issue for us as Bible-believing Christians. It is something we need to engage with, not just in terms of information, but in terms of pastoral concern and prayer. It is a front-line issue not least because the 'new morality' asserts that it is hateful and bigoted not to celebrate diversity. It will not be long before gendered speech (use of terms man, woman, boy, girl, etc.) is regarded as hate speech. There will be pressure to censor sermons. There will be resistance to teaching children God's design for men and women. There will be huge free speech implications.

We need to be aware that many professing evangelicals now believe that personal experience is an authority alongside Scripture. Just as many evangelicals have, over the past fifty years, 'accommodated' homosexuality, so now there is pressure to 'accommodate' those who are distressed about their birth sex. The most comprehensive work to date from an evangelical publishing house, *Understanding Gender Dysphoria* is, in fact, based on listening to the testimonies of transsexuals who profess to be Christian.³⁸ Mark Yarhouse accepts that Scripture teaches that the 'ideal' would be for everyone to live according to their biological sex. But, in a fallen world, he believes that those who suffer extreme dysphoria may need to be accommodated, in order to manage their distress. This may involve accepting them as the sex they believe themselves to be, and recognising the need for medical intervention in some cases. Another significant work published by IVP (US), *The End of Sexual Identity*, accepts the idea that humanity should not be rigidly divided between male and female but that we are all on a spectrum.³⁹

While resisting the elevation of personal experience to be an authority alongside Scripture, and while holding the fundamental biblical truth "male and female created he them", we must always demonstrate deep pastoral concern for those who are, after all, the victims of a culture which has denied biblical truth. Here are some suggestions:

A. We should question over-exaggerated stereotypes of masculinity and femininity

Some stereotypes are cultural, not biblical. Yes, we believe that the complementarity qualities of male and female are designed by God and mirror deeper realities within God himself. But as Al Mohler writes:

³⁶ <http://www.christian.org.uk/resources/theology/apologetics/other/transsexualism/>, accessed 4 March 2016

³⁷ 2014, The Southern Baptist Convention (SBC) Resolutions on Gender by Denny Burk and Andrew Walker, <http://www.dennyburk.com/southern-baptists-pass-resolution-on-transgender-sbc14/>, accessed 6 March 2016

³⁸ Yarhouse, M., *Understanding Gender Dysphoria: Navigating Transgender Issues in a Changing Culture*, IVP, US, 2015. Robert Gagnon provides a helpful review here: 'How should Christians respond to the Transgender phenomenon?' *First Things*, 16 October 2015, <http://www.firstthings.com/web-exclusives/2015/09/how-should-christians-respond-to-the-transgender-phenomenon>, accessed 6 March 2016

³⁹ Paris, J.W., *The End of Sexual Identity: Why Sex is too Important to Define Who We Are*, IVP, US, 2011. There is a lengthy critique of this book by Peter Jones here: 'Heterosexuality is an abomination', <https://truthxchange.com/articles/2011/05/14/heterosexuality-is-an-abomination/>, accessed 6 March 2016

...in a fallen world there can be exaggerations and corruptions of what it means to be a man and a woman. There are some very brutalistic corruptions of masculinity, and there are some very trivial and hyper-sexualised understandings of the female that the Bible would clearly reject.⁴⁰

Just because a little boy is unusually artistic and gentle does not mean that he should be pushed into thinking of himself as homosexual or transgender. A little girl may be sporty and tomboyish, but that doesn't mean that she should be pushed into identifying as lesbian or trans. Behaviours that would have been accepted as within the normal range even a few years ago, (girls wanting to play boys' games or boys not wanting to engage in rough-and-tumble games), are now being interpreted as gender confusion. This defies common sense.

B. Always remember human dignity

The trans-affirming movement demands that human dignity is only respected when we accept the premise that we are autonomous, on the basis that there is no creator God, so we can determine who we are and how we live. In reality, human dignity is only respected when we understand that we are made by God, and in the image of God. When a trans person walks into our church, we see them as a human being, made by God, with eternal significance and worth. We are to treat everyone with civility and respect. Ultimately we respect them too much to go along with the lie of 'gender change'. But that doesn't mean we abandon basic courtesy.

Of course it would be wrong for a transsexual person to be denied a table at a restaurant, or a seat on a train. But there are situations where respect for others will mean that there has to be rightful discrimination. Respect for the privacy and dignity of women would mean, for example, that an airport security job involving female body searches should not be taken by a male to female transsexual. Partly due to The Christian Institute's campaign at the time of the 2004 Gender Recognition Act, churches do have some important protections. With regard to ministry, membership, and sacraments, churches should not be sued for discrimination for believing that it is not possible to truly change from one's birth sex.

C. Compassion and child protection

God has put us here, in this culture, at this time, for such a time as this. We could refuse to engage with anyone with problems. But that is not Christ's way. He wept over Jerusalem. We should be grieving over the way that the minds of children and young people are being poisoned against God the Creator. We need to present the case for protecting children from medical interventions that are dangerous both physically and psychologically. It is claimed that in eighty per cent of cases, when children claim to be 'in the wrong body', if they are left alone, in time, they grow out of this desire (of course, the challenge remains as to how to help the twenty per cent of those do not). But many would maintain that to intervene medically is unnecessary and unwise.⁴¹ Underage youngsters are not mature enough to make such momentous choices and decisions.

⁴⁰ Mohler, Al, We Cannot Be Silent, 2015

⁴¹ Paul McHugh, 'Transgender Surgery isn't the Solution', Wall Street Journal, 12 June 2014, http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=OCC0QFjAB&url=http%3A%2F%2Fwww.wsj.com%2Farticles%2Fpaul-mchugh-transgender-surgery-isnt-the-solution-1402615120&ei=sU10VYG_PLGd7gbC8ICwBQ&usg=AFQjCNEhVh8uS6M3rpC_dYCnkCOPZu-JcQ&sig2=COPAiFuRZEx60Zi6qHuK2A&bvm=bv.95039771,d.ZGU, accessed 6 March 2016. For medical risks of hormone treatment see Phelan, James E, 'Dangers of Hormone Treatments', in Shick, D., ed., Understanding Gender Confusion, Help4Families, 2014, pp.20-24. See also the chapter 'Transgender Children' in Heyer, Walt, Paper Genders, pp.25-45. In 2015 the Tavistock and Portman Trust, reported a four-fold increase in children under ten reporting 'gender confusion.' In 2009-2010 there were 19 under-11s referred; in 2014-15 there were 77.

Conclusion

The author of Ecclesiastes observed that 'there is nothing new under the sun'. The ancient heresy of Gnosticism regarded gender as fluid, and our first parent as androgynous. Satan has opposed truth from the beginning, but the darkness has never overcome the light. As the reformation wall in Geneva proclaims, *post tenebras lux* – light after darkness. We are living in a day when the fundamental truth 'male and female created he them' is denied. But ultimately, God's truth will prevail.

Sharon James

We are thankful to Sharon James for providing us with this introduction to an important issue and would encourage readers to continue to think and read widely on this matter to gain a biblical understanding of the issues involved. Alongside her own list of further resources (next page) Affinity, in association with London Theological Seminary and the Evangelical Movement of Wales is hoping to hold a conference next year for church leaders and other interested parties in the south Wales region. We will be publicising this widely nearer the time but if you would like to be informed of this once the details are confirmed, please let us know (office@affinity.org.uk)

Further Resources

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Sex Change Regret, www.sexchangeregret.com/ a website for support of those who have transitioned and later regret it.

The Christian Institute, www.christian.org.uk. You can contact The Christian Institute for advice regarding the law on transsexual issues.

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Review

The Danish Girl

Universal Studios, (2015), Eddie Redmayne, Alicia Vikander, Director: Tom Hooper

The Danish Girl: People Aren't Born Transgender, But Playing Dress-Up Can Spark Psychological Problems

A recent film accurately portrays the deep emotional and psychological problems that transgender people experience, but it fails to address the reality of life after sex-reassignment surgery and the need to treat comorbid psychological disorders.

At times, I felt as if I were trapped in the audience of a never-ending timeshare resort sales pitch. When would the predictable sound bites be over?

The Danish Girl is stuffed with fluffy, gooey sentiments designed to convince 'homophobic' or 'transphobic' heterosexuals that the painful twists and turns of a transgender person's life are really a healthy and courageous quest to embrace his or her true self. The film overflows with familiar LGBT talking points. At a key moment, the lead character exclaims, 'I finally am who I am!'

The Danish Girl, based on the novel of the same name by David Ebershoff and directed by Tom Hooper, tells the story of Lilli Elbe, one of the first known recipients of sex-reassignment surgery. The movie stars Eddie Redmayne in the role of Einar Wegener/Lilli Elbe, the emerging transgender female. Alicia Vikander co-stars as Gerda, his devoted wife, who loves her husband deeply and remains faithful to him throughout the years of his downward spiral.

Although the acting was well done, the film is ultimately little more than an LGBT sales tool. It is true that transgender people are suffering. But what the film fails to address is that, all too often, transgender patients continue to suffer even after surgery, because their psychological problems remain untreated. I know from first-hand experience, as I was once a transgender woman, and I regret my sex-reassignment surgery.⁴²

The Plot

The movie is set in Denmark in the 1920s. When we first meet him, Einar, the husband, is a stable, bright landscape artist with some success in the art world. He exhibits no noticeable gender quirks or homosexual tendencies. Gerda, also an artist, is an attractive woman who loves her husband, but she struggles to gain recognition as an artist. They seem to be an ordinary couple in love.

Things start to turn strange when Gerda is in need of a female model to complete a painting. Gerda asks Einar to help her out by posing as a woman. Obviously, this is the first time Einar has ever done this; he needs his wife's guidance to don the soft nylon stockings. Einar slips his feet into the lacy, too small women's sandals and adopts a feminine pose for the painting. He is a reluctant helper, yet good-naturedly yields to Gerda's wishes. They make it into a playful game – a game that ends up going too far.

Gerda is taken in by the excitement of Einar posing as a female. She encourages the emerging female, whom they teasingly call Lilli, to be lovely and beautiful. Gerda discovers her untapped artistic passion when sketching him and he, in turn, is entranced by the drawings of himself as a woman. The trigger is

⁴² <http://www.thepublicdiscourse.com/2015/04/14688/>

pulled. Einar falls in love with the way he looks dressed as a female. This is not transsexualism but a sexual fetish, driven by the energy and excitement Gerda's encouragement has unsuspectingly tapped into. Einar sneaks off to cross-dress privately and to explore the sexual allure of himself dressed in the soft silky fabrics.

The medical term for the behaviour Einar is exhibiting – a man's being sexually aroused by the idea of being or becoming a woman – is 'autogynephilia'. Einar exchanges his marital love for his wife for self-love of an image in the mirror and on canvas.

The play-acting reaches a new level when, for some reason, Gerda encourages her husband to accompany her to an art showing in female guise. Gerda dresses Einar with a wig, applies his makeup, and chooses an ensemble. Gerda coaches him how to walk and carry himself as a woman. The night of the party, Gerda enjoys the excitement of using Einar's disguise to fool their acquaintances until she catches him in a romantic kiss with a homosexual. Lilli is out of the gate, running laps of pure joy, by the time Gerda finally sees what she has unleashed.

Gerda finds herself unsure of what to do with Lilli, whose unwanted and unannounced appearances are becoming more frequent. Gerda reaches out to a friend of Einar's from childhood with whom Einar has lost contact. When she tells Einar his friend wants to see him, Einar tells her about a long-forgotten incident from his youth when his friend kissed him because he was 'so pretty'.

The movie relentlessly marches on to show Lilli's step-by-step emergence, Einar's complete disappearance, and his abandoned wife's anguish, loneliness, and frustration as she grieves the loss of the man who was once her husband. Watching the wife's anguish reminded me of another movie, *A Beautiful Mind*, in which a wife looks on powerlessly as her husband tumbles deeper and deeper into mental illness.

Parallels to My Life

The experiences of my early childhood⁴³ evoked within me the same desires that awakened within Einar. In Einar's case, the childhood experience that influenced his later life occurred when his male playmate kissed him because he looked 'so pretty'. In my case, I had a grandmother who secretly cross-dressed me, starting at age four. She sewed special dresses for me to wear and told me how pretty I was when I modelled them for her.

Like Einar, I married a woman and lived as a man. Like Einar, I cross-dressed in secret and eventually began going out in public dressed as a woman. I, too, felt energised by the experience. After some time, my desire to be a woman grew stronger, and I felt I had no choice but to transition to 'Laura' (the name of my female persona) in order 'to be who I am'. Like Lilli, I wanted to kill my male identity so that Laura could live. That is why I underwent a full surgical transformation.

Lilli did not have the opportunity to live as a transgender female to see if living life as a woman fulfilled her expectations and served as her path to peace. She died from an infection a few days after the second reconstruction operation. Today, transgender surgery techniques aren't particularly life-threatening. After undergoing sex-reassignment surgery, I lived as a transgender female for eight years, some of the time working and living in San Francisco. Right after surgery, like Einar, I was elated about finally having made the transition. Yet the excitement soon wore off.

Over time, I discovered that life as a woman could not give me peace. To my dismay, I still fluctuated between being Walt and being Laura, sometimes several times in one day. Whatever caused me to

⁴³ *ibid.*

want to change my gender identity had not been solved by sex-reassignment surgery or by living as a woman. I kept searching for an answer.

An Accurate Portrayal – To a Point

The movie accurately portrayed the deep emotional and psychological problems that transgender people experience, illustrating how infuriatingly difficult these issues are to diagnose and treat. It did a good job in showing how gender discomfort can start from a seemingly small incident in childhood and then grow in adulthood into severe gender discomfort that eventually leads to sex-reassignment surgery. The audience watches as Einar progresses from reluctantly cross-dressing to help his wife with her painting, to being sexually aroused by the idea of dressing in women's clothing, to enjoying becoming Lilli and ultimately rejecting his identity as Einar and his marriage to Gerda. Lilli fervently wants the genital surgery, even at the risk of her life. Immediately after the surgery, Lilli appears truly happy with her decision.

Most transgender people would say this is true in their experience; in fact, I saw this same progression in my life. However, because Lilli died after the second surgery, the movie could only portray pre-transition longings and the immediate effect of the surgery, not the long-term reality of life after the transition. In my case, transition promised a good life, but after the initial euphoria wore off, it delivered only despair. Until I determined to stop living as Laura and to do whatever it took to be Walt, peace eluded me. Being open to being restored to manhood changed everything.

When a proper diagnosis of my dissociative disorder was made, the first effective treatment could begin. It took several years, but as I persisted with the treatment for dissociative disorder, my feelings of wanting to be a woman dissolved until they were completely gone. I learned that sex-reassignment surgery had not been necessary, but it was too late. My body was irreversibly mutilated.

Disorders Breed Disorders

The usual diagnosis for patients who identify as transgender is 'gender dysphoria'. According to the DSM-5 (the latest edition of the *Diagnostic and Statistical Manual of Mental Disorders*), gender dysphoria is characterised by a marked incongruence between one's experienced/expressed gender and one's biological sex, lasting at least six months. Although it isn't talked about much, studies show a majority of transgender patients suffer from other co-morbid (co-existing) disorders.

The movie shows the co-morbid disorders of Einar quite clearly. First, we see the onset of autogynephilia, a mental sexual disorder in which Einar becomes the object of his own affection in the identity of Lilli. After being nurtured and indulged for a while, this escalates to a narcissistic obsession of self-gratification at the expense of his relationship with his wife.

We see Einar's emerging desire to become the female in the paintings his wife Gerda has so beautifully drawn. The yearning becomes an obsession. His powerful new emotions change his view of himself as a man. Eventually, Lilli dissociates from Einar, and two personae exist within one person. This is called a dissociative disorder. Unchecked, Lilli takes total control and turns Einar into the canvas picture of Lilli, the female.

Lilli says Einar is dead and gone. That statement demonstrates a disorder rather than reality, because Einar is standing there talking. I made similar statements about Walt. I talked about wanting Walt's death and conducting a proper funeral service for Walt so Laura could live unencumbered by Walt. That is a disturbed mind talking. As it turns out, I too had a co-morbid disorder.

The makers of *The Danish Girl* are clearly trying to sell the popular idea that trapped inside of Einar all his life was a girl. Do not be fooled by the ‘sales pitch’. Look a little closer, and you will see a misunderstood and undiagnosed series of mental disorders that led Einar to become Lilli, the transgender woman. Transgender people are not born that way; they evolve from experiences that shape their emotions and desires.

Providing Real Psychiatric Care

At the end of the movie, as the credits rolled, I turned to the middle-aged lady seated next to me and asked her what she thought. She replied, ‘It felt like propaganda! I live in a neighbourhood where people in need of psychiatric care wander the streets, but no one is there to help them.’

In a way, this description applies to transgender people as well: they are in need of real psychiatric care, but they often have no one to help them. Over 60 percent⁴⁴ of patients with gender dysphoria suffer from the existence of co-morbid disorders. These commonly include psychological or psychiatric disorders such as dissociation, sexual fetishes such as autogynephilia, and mood disorders such as depression. In nearly all cases, these disorders could be resolved without any surgical intervention if patients receive proper treatment, including psychotherapy and medication.

A 2011 survey⁴⁵ found that 41 percent of transgender people reported attempting suicide at least once. Unhappiness and suicides were first reported in 1979 by a doctor at Harry Benjamin’s gender clinic, endocrinologist Dr. Charles Ihlenfeld. After six years administering cross-gender hormone therapy to five hundred transgender patients, Dr. Ihlenfeld said that 80 percent of the people who want sex-reassignment surgery should not have it. The reason? The high rates of suicide among the post-operative transgender population. More startlingly, Dr. Ihlenfeld stated that transgender surgery was never intended to be a life-long treatment solution, but only a temporary reprieve.

Although their intentions may be good, many activists for transgender acceptance actually keep transgender people from getting the help they need. Because co-existing mental disorders are not treated properly, it is likely that high suicide rates among the transgender population will continue.

In one scene of *The Danish Girl*, a specialist diagnoses Einar with paranoid schizophrenia. Before the doctor can come back with a team to lock him away, Einar understandably runs away in fear of the barbaric treatment awaiting him. I look forward to the day when today’s practice of endorsing sex-reassignment surgery for all who express dissatisfaction with their birth gender is looked upon as equally barbaric.

Walt Heyer

This essay originally appeared online at *Public Discourse: Ethics, Law and the Common Good* (www.thepublicdiscourse.com) and is reprinted with permission.

⁴⁴ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4142737/>

⁴⁵ http://www.thetaskforce.org/static_html/downloads/reports/reports/ntds_full.pdf

Why vote 'In'? Faithfulness v self-interest

There are many arguments that the Stay and Leave campaigns have made in support of and against our continued membership of the EU. To date, the economic case has received by far the most airtime, with dire warnings about what will happen if we leave. One of the most controversial statements has been the suggestion that every household would be £4,300 worse off after Brexit. On the other side, Leave campaigners claim we are sending £350 million a week to Brussels. The majority of economists, as well as the IMF, the Treasury and the Bank of England, believe that the economic consequences for the UK would be serious; there are a handful of economists that think we could be better off.

The economic case is not the only one, however. Immigration has come back to the fore in recent days, perhaps because it offers a clearer picture and because the economic argument has been all but settled. (At the time of writing, the Leave campaign has yet to spell out an economic plan in the event of Brexit.) The most recent figures show that net migration rose to 333,000 in 2015, the second highest on record. Despite the government's pledge to bring migration down to the "tens of thousands" – i.e. below 100,000 – this is practically impossible to achieve while we remain in the EU, since freedom of movement makes it very difficult to prevent any EU citizen from coming to the UK. We may aim to dissuade them by withholding benefits and by other such means, but if they want to come, they can.

Other criteria include national security and foreign relations. Broadly speaking, the argument goes that it is easier to track criminals and have influence on the international stage if we remain part of the network that shares information and discusses strategy collectively.

These are the secular arguments, and there is very little here that Christians can engage with on its own terms. Aside from the spin and, at times, deliberate misinformation presented to us, we should not chase economic gain for its own sake. Similarly, immigration is a complex subject and immigrants come in many different forms and with different needs – economic migrants, asylum seekers, students, family members and more. Our national debate about immigration typically lacks nuance and, especially in this context, provides limited help for Christians trying to make up their minds one way or another.

High stakes

Referenda are not like the General Elections that are most people's main experience with voting. In a General Election, each of the parties sets out its vision for society, which may have one or other broad theme or emphasis but which encompasses many different areas of life. Voters then choose which party they wish to represent them in Parliament. For most of us it is a process of compromise: we are unlikely to agree with or appreciate everything in the manifesto, but we choose whichever represents our values best. Our collective choices are reflected in the composition of the House of Commons. Minority parties hold the government to account or, occasionally, no one party gains a majority and a coalition is formed, as in the 2010 election. If people don't like the decisions the government makes, they can vote them out again within five years at most. The House of Lords also plays a vital role in passing new laws, offering a further layer of accountability to government.

In a referendum, all of the complex questions surrounding these many different areas of life – the economy, immigration, healthcare, the environment, welfare, housing and more – are forced into a single, binary outcome. A General Election and normal government is a process of negotiation and compromise. A referendum reduces all of this to a fault line: in this case, In or Out, with no room for

nuance and with permanent consequences. It is democracy at its most direct, but also its most blunt and most dangerous. The stakes are extremely high.

Sovereignty

Before looking at a framework for Christian engagement with the referendum, it is worth stopping for a moment to ask where our hope and confidence lie. There has been much talk of sovereignty throughout this campaign; in the Sky News debate on June 3, for example, Out campaigner Michael Gove used the repeated refrain “take back control”. The idea is that Brussels is appropriating sovereignty and control from the UK, making us less able to make our own decisions. National autonomy is an emotive issue.

Whether this narrative is true or not, Christians must remember that there is a higher authority still. God is sovereign over all. And whilst we should make an effort to understand the arguments and to be good stewards of the world he has placed us in, that knowledge should also free us from the fear and anxiety that has been a staple of both campaigns (the Remain campaign has even been dubbed “Project Fear” by critics in the media). As Jesus tells the crowd in the Sermon on the Mount, *“Therefore I tell you, do not worry about your life, what you will eat or drink; or about your body, what you will wear. Is not life more than food, and the body more than clothes? Look at the birds of the air; they do not sow or reap or store away in barns, and yet your heavenly Father feeds them. Are you not much more valuable than they? Can any one of you by worrying add a single hour to your life?”* (Matthew 6:25-27) Or, as the Yiddish proverb goes, “Man plans, God laughs.”

Whatever happens on 23 June, In or Out, market meltdown or economic non-event, God is still sovereign.

Right relationships

One of the problems Christians may have is that it can seem hard to apply biblical teaching as a whole to a matter as complex as the referendum. There are many different issues at stake here, and while there is much in the Bible about all of the subjects involved, we ideally need an overarching ethic to make sense of them holistically.

Asked by the Pharisees what he considered the greatest commandment, Jesus answered by quoting scripture – specifically Deuteronomy 6:5 and Leviticus 19:18b: *“‘Love the Lord your God with all your heart and with all your soul and with all your mind.’ This is the first and greatest commandment. And the second is like it: ‘Love your neighbour as yourself.’ All the Law and the Prophets hang on these two commandments.”* (Matthew 22:37-40) Love is a quality of relationship: every law in the Bible seeks to protect or regulate some aspect of some relationship.

The word for “love” used in these Old Testament verses is *‘ah^abâ* and, like the English word “love”, this is a broad term and open to misinterpretation. In nuancing the biblical understanding of “love”, the word *hesed* is a useful term to understand. This is often translated as “mercy” but more accurately means “loving-kindness” or “covenant loyalty”. It is a key element of God’s character and encompasses many other attributes: grace, compassion, faithfulness, love; as well as embodying or bringing about justice, righteousness and holiness.

Hesed communicates a sense of faithfulness in one or other form of relationship, including marriage (Genesis 20:13), friendship (1 Samuel 20:15) and diplomacy (2 Samuel 10:2). It is often found paired with other divine characteristics: *“He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.”* (Micah 6:8)

Since we are made in God's image, our interactions with each other as well as with him are to reflect this attribute, just as he shows faithfulness to us. Thus *hesed* provides a way of understanding the nature of the love that is the purpose of every law in the Bible.

EU membership through the lens of *hesed*

There is much that is wrong with the EU. No one claims otherwise, but the two campaigns differ on the correct response: Remain states that the benefits of EU membership are worth the costs, and that you can only change the situation from within; Leave claims that the best way of protecting our interests from a fundamentally broken and unjust institution is to pull out of it.

The idea of *hesed* provides a reminder that we, the UK, represent only one half of the relationship on which we will nevertheless make a unilateral decision on 23 June. What we decide will likely have dramatic effects for us. It will also have dramatic effects for the EU.

This is where the rubber hits the road for Christians. The arguments for and against EU membership have been articulated in terms of what is best *for us*, whether that means economic growth, control over immigration, sovereignty and the amount of money we send abroad, or national security. But God does not call us to act exclusively in self-interest.

This becomes particularly relevant when discussing the economic case. The EU is inefficient and bureaucratic. However, the money that we send there is used in part for the benefit of much poorer countries, like a system of international welfare. Additionally, we are a large trading partner for the EU, which brings mutual economic benefits. Several struggling Eastern European economies experienced significant economic growth upon joining the EU in 2004. There are people who have been lifted out of poverty, gained access to better healthcare and education and cheaper food, thanks to our EU membership.

To be clear, this is not an argument that would appeal to many voters and you are unlikely to hear it from the Remain campaign. But for Christians, this kind of solidarity with the people of Europe might provide a reason to stay. The counter-argument is that we would be better able to help poorer European countries – or, indeed, to give more aid and enter into trade agreements with poorer African countries – if we regained access to the money we are currently giving to the EU. The reality is simply that this would not happen: the tenor of both the In and Out campaigns should prove beyond doubt that we act in our own interests first and foremost. In this regard, EU membership is a limit to our national selfishness.

Immigration

The principle of *hesed* can also inform our approach to immigration. Once again, we are self-centred about migration. The official position is that we should accept “the brightest and the best”: essentially those who will grow our economy rather than be a “burden on the state”. We are hesitant to accept asylum seekers for that reason. Low-paid economic migrants are also a point of contention. It is only when we have a need – for example, for doctors and nurses in the NHS – that we welcome those from overseas.

This is absolutely opposed to the Bible's position. There are broadly two categories of migrant in the Bible, the *gēr* and the *nokrî*. The *gēr* was a “resident alien”, typically someone who had been forced by circumstances to leave their home country. They are typically associated with other dependent groups like the hired man, the poor, widows, orphans and the Levite. These are landless people who are disproportionately vulnerable, and it is no coincidence that language of justice and oppression

are often used in the context of the *gēr*: “Cursed is anyone who withholds justice from the foreigner [*gēr*], the fatherless or the widow.” (Deuteronomy 27:19) The Israelites were instructed to care for the *gēr*, not least because they had been *gērîm* in Egypt (Exodus 22:21). “Administer true justice; show mercy [*ḥešed*] and compassion to one another. Do not oppress the widow or the fatherless, the foreigner or the poor. Do not plot evil against each other.” (7:9-10)

The *gēr* was quite distinct from the *noḵrî*, who is presented as a “true” foreigner – someone whose loyalties typically lay in their country of origin, who were temporary visitors to Israel and who were generally economically independent. The *noḵrî* appears in a number of different contexts. The word is possibly derived from a Hebrew root meaning to “recognise” or “regard”: foreigners are those who are “closely watched”. It seems clear that the *noḵrî* was viewed with a degree of suspicion at best – and often with outright hostility. The word is frequently used of foreign gods (e.g. Deuteronomy 31:16) that threaten to ensnare the Israelites throughout their history. In Ezra (e.g. chapter 10), Nehemiah and Proverbs, foreign women are considered a major source of apostasy.

The Israelites were instructed to look after the most vulnerable people in society, including the aliens who led a hand-to-mouth existence. These might roughly correspond to asylum-seekers and refugees, and low-paid economic migrants – precisely those we are most reluctant to accept into our country. The *noḵrî*, by contrast, might correspond to those who are wealthier and who are less interested in “giving back” to the UK (including those who are domiciled abroad for tax reasons). Once again, membership of the EU provides a brake on our national self-interest and forces us to keep our borders open to those we might otherwise not help.

Conclusion

Britain’s membership of the EU is fraught with problems, but so is leaving. What we decide will have huge implications, but it is an emotive issue and many people will vote based on gut reaction instead of carefully thought-through arguments. There is a need for strong leadership in and from the Church, of people like the men of Issachar “who understood the times and knew what Israel should do” (1 Chronicles 12:32).

The referendum implicitly asks a question about the kind of organisation of which we want to be a member – and about the kind of country we want to be ourselves. Britain has secured an opt-out to the principle of “ever closer union among the peoples of Europe”. The recent agreement states this clearly: “*The United Kingdom is not committed to further political integration in the European Union. References to ever-closer union do not apply to the United Kingdom.*” We want to be a part of the club, but don’t like the rules by which members are expected to act.

The referendum can be seen as a barometer of our collective values. The fact that the official case has generally been made in terms of narrow economic self-interest is telling – and for Christians in particular, should be a cause for serious concern. There will be sacrifices to staying, as there will likely be sacrifices to leaving. Our aim as Christians, though, cannot be to minimise the personal inconvenience or financial consequences presented by this decision, but to seek the most just, most godly outcome: one characterised by *ḥešed* in all our relationships, within the UK and beyond it. If remaining in the EU is the best way to secure justice, peace, solidarity, religious freedoms, environmental safeguards and more, both for us and for our international neighbours, then we should.

The arguments are complex and, as Proverbs 18:17 states, “*The one who states his case first seems right, until the other comes and examines him.*” We should not underestimate the effect of our decision to stay or leave. However, we should also remember that whatever happens, unlike the UK, the sovereignty of God is not in question.

Guy Brandon

Christian Brexit

Economic Argument: Jobs and Money

The financial cost of being in the European Union is £55 million each and every day. This works out at £22bn each year. The cost of our membership since we joined in 1973 is up to half a trillion pounds. That's £500bn. Now we do get some money back (the rebate that Margaret Thatcher secured) and we get public sector receipts (money back mainly for farmers and for poorer regions) which all comes with strings attached. Actually for every £1 the EU sends us, we give them £2.65. There is no such thing as EU money. It is our money and we pay a lot just to have our own money back.

In the 70s, the UK was the sick man of Europe. It seemed as though we were getting a good deal and we certainly did not want to get left behind as this new free trade area increased its international clout. We could not be left on the sidelines. It was set up (or so we were led to believe) as an Economic Area (called the European Economic Community) to help boost trade. It was our third attempt to join this new economic club; the French had refused to let us join in 1963 and 1967. Eventually Charles de Gaulle let us in (seemingly after getting over his fear that English would become the common language of the community).

Soon after we joined the oil crisis hit with prices quadrupling in less than a year; most of the world went into recession and the EEC began its slow slide into oblivion. We joined at the height of its influence and now it is time for us to leave as it enters its darkest hour of economic weakness and moral collapse as a result of the migrant disaster.

Another factor to consider is the EU's declining position in world trade. According to the IMF, the EU produced 30% of world GDP in 1985, but this will have fallen to 15% by 2030. As the 5th largest economy in the world, do we really want to be tied to this shrinking trade dinosaur? While the developing world and many Commonwealth countries are flourishing, we are barred from making deals with these nations. We need to wait for the EU to agree trade deals for us and, as it has taken them seven years to conclude such a deal with Canada, we seem to wait a long time for the bureaucratic Brussels machine. So while we sit on our hands and wait for Brussels to start the laborious task of years of negotiations with China to achieve a free trade agreement, other countries like Switzerland and tiny Iceland have just signed such agreements to open up the Chinese market to their businesses.

Democratic Deficit and Lack of Accountability

Most citizens of the EU have no idea how their laws are made and about the disconnect between the law-making process and the electorate. In the UK laws are proposed, amended and voted on in the House of Commons and the House of Lords; every 4 or 5 years, the public are given the opportunity to vote for a government; every citizen can view the voting record of their MP and lobby them; at any time, one can go online and read every speech by any MP, every written or oral question, and every vote; the process of any bill can be followed at every stage. Not so in the EU; in Brussels and Strasbourg the opposite happens. I remember sitting in Strasbourg and being shocked that the vast majority of votes were not even recorded so European citizens will simply never know how their MEP votes on most issues. This is not democracy.

Unelected Commissioners enjoy the freedom to propose, in secret, all EU legislation and thus much of our EU law. They are not even instructed to represent the citizens of Europe or the member states; the Commissioner's task is to do what is best for the interests of the European Union. The

next stage of the legislative process is carried out in the Committee of Permanent Representatives. This all happens behind closed doors among officials who are unknown to the UK public and who never have to put themselves forward for election. The British people have no say, control or input in this process. The proposals that emerge are pretty much a done deal as they head to the Council of Ministers (again in secret) before seeing the light of day in the European Parliament for MEPs to rubber stamp. If you feel confused at this explanation of the legislative process, you are not alone as the vast majority of the British public have no understanding of what happens in Brussels. And don't believe the "we must be in it to influence it" argument; the UK government has only 12% of the votes in the Council of Ministers, where it has been defeated on all 55 measures it has opposed since 1996.

Currently, two-thirds of EU member states' legislation is made in Brussels, not in their national capitals. The EU constantly tries to impose its will on member-states, even if it is contrary to their national interest and the desire of their electorate.

If we leave the European Union, it will be Members of the British Parliament, whom we elect, that will pass ALL our legislation. They are accountable to the British people. They propose and pass legislation that is in the best interests of those who live in this country. Insistence on the sovereignty of one's own State is a natural right as well as a social duty. Maintaining State sovereignty guarantees the political independence of a nation and creates conditions for its members to continue to assert their right to self-determination. Nowhere in the Bible do we find a call to abandon the nation state and become subservient to another power.

Spiritual Arguments

I believe the key arguments against the EU are economic and democratic. But is there a spiritual argument for leaving the EU? Is there a moral principle behind Brexit? As a Christian voter, which of the choices is most in keeping with God's law?

As Christians we believe that a democratic system whereby each citizen is given the same free and fair voice is the best way of making decisions in our nation. Everyone can vote regardless of their gender, age, occupation, race, colour or religion. Elections are free and fair and voting is done in private. Yet the EU seeks to undermine the nation state at nearly every opportunity. The EU parliament overrides our national laws. The European courts overrules decisions made in British courts. We have become a puppet that dances to the beat of the EU drum. The Bible shows us that national identities and diversity are ordained by God and so should be celebrated. In Acts 17:26 we are told that "From one man he made all the nations, that they should inhabit the whole earth; and he marked out their appointed times in history and the boundaries of their lands." Distinct nationhood and self-determination are seen as a blessing from God.

Our cry and prayer as Christians is for God's Kingdom to come and for the freedom to follow spiritual principles as we serve him. We thank God that freedom to live for Christ is available to every citizen in the EU but this will change when Turkey joins.

I believe there are three main reasons why we should vote to leave the EU on 23 June:

i) Rejection of Christianity

One very memorable incident shows us the spiritual vacuum that lies at the heart of the European project. In 2003, Pope John Paul II called on the EU to include a recognition of Europe's Christian heritage in its first constitution. He also urged the EU to give churches and other religious bodies a

recognised status as social bodies, arguing that they are far more than merely private entities. His pleas were completely ignored and the document that emerged as the first constitution failed to recognise the importance of Christianity and instead referred to the cultural, religious and humanist inheritance of Europe. The preamble mentioned ancient Greece and Rome and the Enlightenment as the main sources of European identity, as if nothing significant had happened in Europe between 313 and 1789. The desire of our EU leaders was to craft a constitutional treaty that would give Europe a new common identity. But of course no one could agree on what this new European identity should be but that it will seek to marginalise the faith that gave birth to Western civilisation. Today, the European Union's institutional culture is anti-Christian.

This rejection of Christ is very different to the ideals at the start of the European project; one of the founders of the EU, Alcide de Gasperi, was a devout Catholic. Born in Italy, he became a deputy to the Austrian parliament, later co-founding the Italian People's Party, which based its platform on Catholic social teaching. He served as Italian Prime Minister from 1945 to 1953. Seeing the Soviet takeover of Eastern Europe and the rise of the Italian Communist Party, de Gasperi believed that Western Europe must unite against communism. He knew that its Christian heritage was what united all Europeans. What is more, because forgiveness is a key Christian teaching, he believed that a return to Christian principles was the best protection against a third World War.

The idea of European unification is inspiring; from Charlemagne to Alcide de Gasperi, it was Christianity that inspired European harmony. However, today's European Union has utterly failed those founding ideals.

ii) Pray for our Leaders. But who are they?

In 1 Timothy 2:1-3, Paul says, *"I urge, then, first of all, that petitions, prayers, intercession and thanksgiving be made for all people – for kings and all those in authority, that we may live peaceful and quiet lives in all godliness and holiness. This is good, and pleases God our Saviour."*

In the UK this is easily possible; everyone knows that David Cameron is our Prime Minister and that Queen Elizabeth II is our Queen. Anyone can find out who their MP is and how they vote. But ask them about their leaders in Europe and they will be stumped. An *Opinium/Observer* survey from May 2014 found that only 11% of the public knew who their MEP was, against 52% who knew their MP. Just 8% said they had made contact with an MEP, and 79% say they had never considered doing so. 20% thought that the German Chancellor, Angela Merkel, was the President of Europe. Actually Europe has four Presidents: Donald Tusk is the President of the European Council, Jean-Claude Juncker is President of the European Commission, the Netherlands is President of the Council of the European Union and finally Martin Schulz is President of the European Parliament – a true recipe for chaos and disaster. How as Christians do we pray in this confusing scenario? I simply cannot work it out. I want our rulers to be those in the British Parliament and not the confusing state of affairs in Europe.

iii) Treatment of our Neighbours

The migrant crisis has shown the failings of the European project. Germany encouraged them to come to Germany, not out of the goodness of her heart but simply to get cheap young labour to fix their demographic time bomb. People have flocked to Europe for a better life, yet nearly 4,000 of them have died in the process. And what is the point of inviting everyone to your home if you have no capacity to care and provide for them? Remember, the story of the Good Samaritan is as much about capacity to help as it is about desire to do so. The best way to deal with the crisis in Syria is the British model; our aid spending is the highest in Europe and Britain is trying to deal with the problem

in Syria instead of sucking out their best and then expecting the country to be able to recover. In James we read that *“Religion that God our Father accepts as pure and faultless is this: to look after orphans and widows in their distress and to keep oneself from being polluted by the world”*. Europe has utterly failed to do this, so let Britain do what it can instead of working with the mess that is the EU which is only making the current situation worse.

We have not even touched on reconnecting with our friends in the Commonwealth who we had to turn our back on when we joined the EU. This is another example of having rejected our neighbours.

Lessons from Luther

This is not the first Brexit. We must go back centuries to learn of an event that sent shockwaves throughout Europe. Next year we will be celebrating 500 years since the beginning of the Reformation. What began as a local complaint spiralled into a fight against a creaking multinational bureaucracy, the political breakup of the nations of Northern Europe, and ultimately the first Brexit under Henry VIII. The European economy was in crisis and the Muslim threat was threatening to overrun Southern Europe. The Roman Catholic Church accused Luther of bringing division. He was passionate about unity and was loyal to the ideals of a European Christendom. But his experiences of corruption and injustice led him to blow the whistle and fight for reform. He was not trying to sow division, but rather to pursue the vision of a better unity, one based on truth and justice rather than centralised power, cronyism and ideology. How history repeats itself! Like Luther, the United Kingdom has pushed for reform in Europe for decades yet we seem to have sunk deeper and deeper into the quagmire. Luther realised that European Christendom was impervious to reform – as we have also found with the political European project. We now must choose obedience or rebellion. We cannot stay in the EU and continue to grumble about all its failings. Reform has failed and so we now have one option left: We must leave the political/legal/fiscal/military union and then reengage as a close trading partner so we can celebrate being Europeans without submitting to the controlling power of Brussels. Leaving the EU in no way turns our back on our neighbours in Europe; it simply changes the relationship from one of subservient subordination to interdependent friendship.

Final Thoughts

Looking at how Germany has treated Greece in its time of need speaks volumes. If we put Greece into the parable of the Good Samaritan then the outcome should have been very different. We are told to love our enemies yet we cannot even love our friends. Greece is our neighbour and part of the EU club. In 1914 and 1939 whenever our European friends were on their knees, we gave our all for them. When Greece found itself in trouble, Angela Merkel, daughter of a Lutheran pastor, decided to enslave Greece. Her austerity package for Greece was designed with the German President Joachim Gauck, himself a former Lutheran pastor. These measures have forced the Greek government to sell off its main assets, increase youth unemployment to 50%, slash pensions and enforce spending cuts so that schools and hospitals now operate with a skeleton staff. There is now out-and-out hatred between Greece and Germany which has led to a surge in support for extremist parties. This is no way to treat your friends and is an example of the failings at the heart of the EU.

A New Vision

A Britain, freed from the most burdensome and expensive of EU rules, can become once again a world leader in the many industries where we have an advantage. As the 5th largest economy in the world we can plot a new path in the world where we link with our Commonwealth friends and shape a trading system that no longer oppresses the poorer nations, but lifts them up. This new Britain offers a vision of freedom, hope and prosperity under the restoration of our sovereignty and rights.

How to Pray

In closing, the Church of England has released a prayer for the EU referendum campaign which is one that should be on all our lips.

*God of truth,
give us grace to debate the issues in this referendum
with honesty and openness.
Give generosity to those who seek to form opinion
and discernment to those who vote,
that our nation may prosper
and that with all the peoples of Europe
we may work for peace and the common good;
for the sake of Jesus Christ our Lord.
Amen.*

Peter McIlvenna

(These two articles on the referendum were published prior to June 23 on our website and are reproduced here after the event for information.)

Freedom of expression: A biblical perspective

Throughout the past three centuries, freedom of expression would have appeared in anyone's list of the 'fundamental British values' which defined the character of the nation. In the earlier part of my own lifetime, freedom of expression was such an assumed and unquestioned right and privilege within British society that it would not have occurred to anyone to try to curb it in any way.

More recently, something has suddenly and dramatically changed. During the last ten years, there has been a succession of serious attacks on freedom of expression covering a wide range of contexts:

- police action against street preachers
- disciplinary action by employers against employees who have expressed personal views in conversations or social media
- censorship of speakers in universities under the no-platforming policy adopted by the National Union of Students
- refusals of meeting venue bookings to organisations representing particular viewpoints on current issues
- attempts to introduce legislation in Parliament containing measures to restrict or control freedom of expression

Most of these attacks are the product of the equality and diversity culture which has dominated social assumptions in Britain since the late 1990s, and has greatly influenced subsequent legislation and public policy. Equality has become the super-value of our times, trumping all other values.

The new culture fears difference, anathematises discrimination, imagines sensitivity, and seeks safety in political correctness. The inevitable result has been an increasing micro-management of social conduct by the State and its many agencies, and by the private sector bodies, organisations and institutions which take their cue from them.

In a social climate of this character, freedom of expression is bound to be under attack, as it is expression which makes difference visible. Ever-new threats to it, in all kinds of places and contexts, are inevitable.

A strong, deliberate and sustained promotion of freedom of expression as a core value within British society might have offered some degree of protection. However, government statements on the subject have been unconvincing, inspiring no confidence that freedom of expression is regarded as the important national value which once it was.

Further evidence of its down-grade appeared to come with its omission from the government's published list of 'fundamental British values', which are defined as: 'Democracy, the rule of law, individual liberty, mutual respect for and tolerance of those with different faiths and beliefs and for those without faith'. This list of values is used, for instance, by Ofsted when assessing the schools and other service-providers over which it has a monitoring responsibility.

In view of the recent and likely future attacks on freedom of expression, it is appropriate to remind ourselves of the source of this long-established liberty. It has its roots in the Bible, which shows us the part which freedom of expression should play in the conduct of human society in a fallen world. The rest of this article explores how it should be understood and practised.

In the New Testament there are three principles bearing on the issue of freedom of expression:

- 1) It should be protected throughout human society to enable the gospel to be preached and the word of God declared.
- 2) Beyond the specific preaching of the gospel, there is a wider presumption of freedom of expression.
- 3) Although freedom of expression is presumed in the Bible, there is accountability.

1) It should be protected throughout human society to enable the gospel to be preached and the word of God declared.

(a) The Christian church in every generation and in every part of the world should ensure that it is fulfilling the Great Commission as a matter of priority.

In God's world-view it is imperative that man is free to preach and hear the gospel. Jesus gave a general command to the apostles *to go into all the world and proclaim the gospel to the whole creation* (Mark 16:15). This instruction was universal in scope, as is demonstrated by the references to *all the world* and *the whole creation*. The task of fulfilling this instruction was not unique to the Apostles, but has become the responsibility of the whole Christian Church in every subsequent generation.

(b) State rulers have an obligation to permit freedom of expression within their own jurisdictions in order to enable the gospel to be declared.

Since it is God's will that the gospel should be preached throughout the world, it is the duty of national governments, which are all subject to his higher sovereignty, to allow this. Secular authorities should frame their social order and civil laws in a way which provides for freedom of expression. Laws should never be imposed anywhere which prevent or hinder gospel preaching. Naturally, if a secular State allows the freedom to preach the gospel, it is likely that false ideologies will be communicated just as freely. Freedom of expression cannot be partial. It either exists or it does not.

The Bible, however, respects the mind and intellect of man, which God has created, even when that mind is darkened and fallen, and comes to wrong conclusions, such as embracing false religion. We should be pleased when man uses his mind, knowing that this is the means God uses to make man aware of, and to cause him to consider, spiritual truths. It is with the mind that spiritual truths are 'spiritually discerned' (1 Corinthians 2:13-14). In the light of this, we should oppose any moves in law to bind or regulate the mind, or to restrict debate.

There are those who want to limit freedom of expression in order to shield their belief system from challenge and criticism. They believe, wrongly, that their religion has a right to State protection. In 2002, French author Michel Houellebecq said that 'the dumbest religion, after all, is Islam'. He was sued in the French courts by a number of Islamic mosques, but was acquitted on the basis that the law allowed freedom of speech. However, a spokesman for the Paris Mosque said: 'Islam has been reviled, attacked with hateful words. My community has been humiliated.'

Such attempts to limit freedom of expression have no biblical warrant. In the light of this, we should oppose any proposed legislation which would bind or regulate the mind, or restrict debate.

(c) If State rulers do not provide for this freedom, the Christian Church is bound to disobey the laws which deny it.

God did not say: 'Go into all the world, except into those places where there is a law against freedom of speech or gospel proclamation.'

Acts 4 and 5 are chapters often cited to justify a Christian's disobedience to man's law, if that law is in conflict with the commands or will of God. The context is the declaration of the gospel, and there are two verses which show unarguably that, in God's order for the world, the freedom to preach that gospel is absolute. In Acts 4:18, the Jewish leaders charge the apostles not to speak or teach at all in the name of Jesus; but in Acts 5:20 an angel directly countermands this: 'Go and stand in the temple and speak to the people all the words of this life.' It is in the context of the conflict between these two explicit commands that the apostles say: 'We must obey God rather than men' (5:29). Continuing to preach was not a bright idea of their own, based on bravado or a presumptuous disdain for the rules which men make. It was a humble act of obedience to the superior command of God.

This incident confirms that circumstances can arise in which it will be necessary and justifiable for Christians to disobey a law of the land. Although in Acts the 'law' involved was imposed by a religious authority, the principle clearly extends to the whole spectrum of formal State legislation, and to the diktats of authorities and rulers of every kind.

2) Beyond the specific preaching of the gospel, there is a wider presumption of freedom of expression.

In Matthew 3:7, we read that John the Baptist, seeing a group of Pharisees and Sadducees approaching, publicly addressed them as 'You brood of vipers!' He was not arrested for saying this, which seems to indicate that there were no civil or criminal laws in place limiting public expression. When he was later arrested, it was not for public condemnation of Jewish leaders, but for what he had said about Herod's personal lifestyle (Mark 6:18). It was a political arrest, rather than one connected with the regular operation of the rule of law.

More significant, though, is the fact that Jesus also used this same expression, 'You brood of vipers!' (Matthew 12:34), when speaking to a group of Pharisees. The fact that Jesus, *who knew no sin* (2 Corinthians 5:21), used such uncompromising terminology in his criticism of the Pharisees is proof that God's moral law is not transgressed by the use of such language in such a context. If it had been, then Jesus would have been guilty of sin.

This point is reinforced by an incident recounted in Matthew 15. After a session of public teaching by Jesus, we read that the disciples specifically informed him that the Pharisees had been 'offended' by what he had said about them (Matthew 15:12). He had described them as 'hypocrites' (Matthew 15:7). It is clear therefore that language regarded by some as offensive can be consistent with moral rectitude.

In the societies in which the New Testament is set, it seems to be assumed that everyone can speak without fear. What a delightful contrast this is to the risk faced by street preachers in Britain in recent years, several of whom have been wrongly arrested, allegedly for saying things considerably less offensive than 'You brood of vipers!'

3) Although freedom of expression is presumed, there is accountability.

Freedom of speech is not an unqualified liberty. We are all answerable for the way we use it. This accountability is summed up in the words of Jesus in Matthew 12:36: 'But I say to you that for every idle word men may speak they will give account of it on the day of judgement.'

Two things are immediately clear from this statement of Jesus:

(a) *Accountability is individual.* Each individual person is responsible for the words which he or she utters. This is an aspect of a person's conduct for which it is impossible to blame someone else. What we say and how we say it is always determined by our own decisions.

(b) *Accountability is retrospective.* In God's world, people are free to speak, and the accountability comes later. Nowhere in the New Testament is there the slightest support for any measures designed to limit freedom of expression in order to deter people from committing speech-related 'offences'. The Bible is not presenting us with a world in which people do not communicate because fear, restriction or prescription has created a chilling effect.

In Matthew 12:36 Jesus is saying that there is absolute freedom of expression at the point of utterance, but it comes with an ultimate accountability. It will help us if we clarify what is meant by *every idle word* in Matthew 12:36.

Firstly, its definition appears to have a broad scope. The Greek word *argos* is translated *idle* in the AV and NKJV and *careless* in the ESV and NIV. These two English words seem sufficiently different to suggest that *argos* encompasses anything said with inadequate care and thought.

It would include two kinds of verbal expression – *slander* (1 Corinthians 6:10) and *obscenity, foolish talk and coarse joking* (Ephesians 5:4-5) – which the Apostle Paul particularly associates with a failure to inherit the kingdom of God. His prohibitions listed in Ephesians 5 are likely to include the use of shocking, crude and outrageous language, such as swearing and blasphemy.

However the various types of *idle words* which people utter are graded – the Bible gives us no details about that – uses of speech which are associated with 'a failure to inherit the kingdom of God' must be at the more serious end of the spectrum. They represent a moral shortcoming, and must therefore be sinful.

Secondly, *every idle word* implies a comprehensiveness in respect of the methods by which words are conveyed. In Matthew 12, only the spoken word will have been in mind, but today the same principle applies not only to what we say in conversation or on public platforms, but what we communicate in emails, in social media, in books or in the columns of newspapers.

In today's secular climate, it might be argued that accountability at the day of judgment is not a fear which many people would take seriously, or allow to influence them. The thought that it might exist would not occur to most people, and therefore it lacks relevance and practical value as a deterrent. Reasonable though that observation is, it misses the point. Although Matthew 12:36 speaks specifically of the reckoning at the day of judgment, this does not mean that retrospective accountability is limited to that. The passage establishes a principle which gives legitimacy to additional forms of retrospective accountability which human society may need to impose where freedom of expression is alleged to have been abused.

One example of the latter is the Independent Press Standards Organisation (IPSO) set up by the British newspaper industry to adjudicate on complaints against the press, and to provide redress if it finds that a newspaper or journalist has been guilty of harassment, falsehood or injustice against a complainant.

Another appropriate form of accountability, consistent with the principle of Matthew 12:36, is, in certain cases, the English criminal and civil law. The offences of perjury and perverting the course of

justice directly address instances where false statements – idle words – are alleged to have been uttered to the detriment of justice. The law of libel, a centuries-old provision of English civil law, provides for a remedy in many cases where a person’s reputation has been wrongly damaged, but not in a way that transgresses the criminal law.

Whatever the form of accountability, it does not cease to be accountability if someone whose conduct is being examined is found not guilty. Accountability is not only about guilt. It is about justice being administered on the basis of a fair, impartial and public consideration of evidence. In the criminal cases which followed the Leveson inquiry, many of the defendants were acquitted.

Finally, we need to consider the adequacy or otherwise of the safeguards which exist in Britain in defence of freedom of expression. Where freedom of expression exists, it is largely based on statements contained in a variety of global conventions, which some nations, including Britain, have specifically incorporated into their legal framework.

One of those chiefly relied upon is the European Convention on Human Rights (ECHR, 1950), Article 10 of which specifically relates to freedom of expression.

Article 10: Freedom of Expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent states from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

The second paragraph of Article 10 indicates that the rights in the first paragraph are qualified, rather than absolute. They are subject to the risk that ‘the rights of others’ might be given priority. When this happens, aggrieved parties can challenge the decision by taking their case to the European Court of Human Rights (ECtHR).

However, of the cases which go to the ECtHR from Britain, far fewer involve Article 10 issues than Article 9 – *freedom of thought, conscience and religion*. One of the reasons for this is that a number of the relevant British Acts of Parliament contain a free speech clause, which provides for a wide freedom of expression. It specifically permits ‘discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions or the beliefs or practices of their adherents’. Given so powerful a protection in law, challenges in the courts are likely to be rare, and any cases that do go to court should be unlikely to succeed.

The recent removal of the word *insult* from the Public Order Act 1986, and improved police guidance and training in respect of the use of that Act, and of the rights of street preachers, should lead to far fewer cases of unjustified police intervention arising in future. It is to be hoped that a new police culture – one in which the right of freedom of expression will be instinctively assumed and defended – will emerge and become a permanent characteristic of policing in Britain.

While the safeguards and improvements identified above are a great benefit, it will take a long time for freedom of expression to become re-established in the assumptions of the public generally as a universal entitlement. The great challenge for contemporary society is to overturn the twenty years of relentless social conditioning which has wrongly led people to believe that the firm public expression of a view which does not meet the expectations of all the equality boxes is intolerant, discriminatory and illegal.

Rod Badams

(Some of the material in the above article was explored in greater detail in the article, *The Freedom and Accountability of the Press*, by the same author, published in Issue 25 of *The Bulletin* in March 2014.)

Book Review

Counter Culture

David Platt (2015), Tyndale House Publishers, 267 pages, £7.35 (Kindle £8.54)

Poverty. Same-sex marriage. Racism. Sex slavery. Immigration. Persecution. Abortion. Orphans. Pornography. These are the headline issues that scream out from the cover and are substantially addressed within David Platt's 2015 publication *Counter Culture*. The book's introduction issues a call to meet our culture's hot-button issues head-on as Christians with compassion, conviction and courage. Challenging our propensity to remain in non-confrontational comfort zones, Platt sets the tone for the book by asking,

...what if Christ's call in our lives is not to comfort in our culture? What if Christ in us actually compels us to counter our culture? Not to quietly sit and watch evolving cultural trends and not to subtly shift our views amid changing cultural tides, but to courageously show and share our convictions through what we say and how we live, even (and especially) when these convictions contradict the popular positions of our day. And to do all this not with conceited minds or calloused hearts, but with the humble compassion of Christ on constant display in everything we say and do.

As he begins to flesh out his subject matter, Platt presents an easy-to-follow pattern. Each chapter contains examples from Platt's own experience and how the Lord has used circumstances to shift his own attitude and actions regarding the matter being dealt with. Previously the pastor of a significantly-sized Baptist church in Birmingham, Alabama and currently the President of the Southern Baptist Convention's International Mission Board (IMB) – an organisation that helps facilitate mission out of 40,000 churches in the US – Platt has much experience to draw on.

While using such experience to illustrate his point, Platt does not manipulate his readers using sentimentality. On the contrary, he wisely focuses on exploring the Bible's teaching on each of the matters he addresses, bringing a proper Christian response to light. In concluding each chapter points of application are summarised via bullet points under the three headings: 'Pray', 'Participate' and 'Proclaim'. This section makes the book even clearer and more reader-friendly than it would otherwise be. For anyone who reads and understands Platt's argument that the scriptural mandate is to be counter-cultural, there is really no excuse not to respond appropriately.

Why should *Counter-culture* be on your shelf?

Writing with the same conviction he calls his readers to have, Platt expresses a legitimate concern:

While I'm deeply encouraged by the expressed zeal of so many Christians for certain social issues, I'm profoundly concerned by the lack of zeal among these same Christians (especially, though again not exclusively, younger evangelicals) for other social issues. On popular issues like poverty and slavery, where Christians are likely to be applauded for our social action, we are quick to stand up and speak out. Yet on controversial issues like homosexuality and abortion, where Christians are likely to be criticised for our involvement, we are content to sit down and stay quiet.

Platt does not ignore the issues of poverty and slavery, but he does not hide away from other controversial issues. He writes of the Christian responsibility in a democracy to challenge government to legislate according to what is righteous. He is aware of how people will react to this. Challenging Christians to seek pro-life legislation, Platt writes,

Many people today say, 'It's not the government's job to legislate morality.' This is a sham argument, though, and we all know it. The state not only has the right but also the responsibility to legislate morality. The state should most definitely say that stealing, lying, murder, and a host of other things are wrong. This is foundational to its purpose. Government imposes morality on people every day, and this is a good thing. Other people say, 'It's not the role of government to take away people's right to choose.' But this is absolutely the role of government. You cannot choose to steal. If you do, there will be consequences.

The problem of Christians' silence and seeming apathy does go beyond the standard controversial issues of homosexuality and abortion. The care of widows and orphans, though highlighted as an important reflection of pure religion in James 1:27, is often explained away as irrelevant in today's society. 'That's the government's responsibility' some will argue. Platt addresses this and shows from the Scriptures that such care is a responsibility belonging to the local church. Some will still come up with ways to excuse themselves from this responsibility. When discussing some voluntary work I do for elderly people near me, a student pastor from a large London church questioned the purpose: 'I don't understand. You're a young guy. Why are you choosing to spend your time around old people? It's so boring.' This is an increasing characteristic of an evangelicalism that side-lines the elderly and in so doing inevitably ignores vulnerable, lonely, fragile widows. Rather than being counter-cultural, churches often fall into line with our society in viewing the elderly as burdensome.

And what of orphans and children within the foster system? Sadly, Christian couples who are unable to conceive naturally seem more likely to pursue IVF as a first course rather than adoption or foster care. UNICEF estimates that there are 132 million orphans worldwide. Why will childless Christian couples not adopt or foster? Platt, whose family includes two adopted children, sheds light on what is often the heart problem within many Christians:

We must be finished and done with talk in our homes of 'not wanting to adopt until we have children of our own' or of 'wondering whether we could love a foster child as much as we love our own child'... We have been put on this earth to portray a gospel message, and that message crosses physical barriers and transcends biological bloodlines.

It is this portrayal of the gospel that is Platt's primary concern in *Counter-culture*. He is not writing a treatise for moralism. He highlights his own failures in regard to his subject matter and recognises that his audience will contain people from all backgrounds and life experiences. In it all, Platt points to God's grace for salvation and sanctification. In his conclusion, Platt calls Christians to

...pray to God, participate with God and proclaim the gospel. And do these things not because you have a low-grade sense of guilt that you ought to act, but do them because you have a high-grade sense of grace that makes you want to act... not under a utopian illusion that you or I or anyone or everyone together can rid this world of pain and suffering. That responsibility belongs to the resurrected Christ, and he will do it when he returns.

This is certainly an important and timely reminder for Christians in an increasingly fragile and constantly-changing culture.

Regan King

Life Issues

Abortion

Abortion statistics – England and Wales 2015

The annual abortion statistics, for 2015, were published by the Department of Health on 17 May. The details can be read at <https://www.gov.uk/government/statistics/report-on-abortion-statistics-in-england-and-wales-for-2015>

These figures are always bad, but this year they are worse than bad – many of the key data have increased. The total number of abortions performed in England and Wales last year was 191,014. The number for residents was 185,824. Both these figures show an increase over those of 2014. This 0.7% increase may be small, but it represents some 1,000 unborn children. Similarly, the 2015 rate of abortion has increased from 15.9 to 16.0 per 1,000 resident women aged 15 to 44. Any such increases are wrong directional trends.

Looking at abortions for resident women, 98% were funded by the NHS and 68% took place in the independent sector clinics, like bpas and Marie Stopes, under NHS contract – these were up 1% from the previous year. In terms of timing, 92% of abortions were carried out at under 13 weeks gestation, while 80% were at under 10 weeks, the same as in 2014. Medical, as opposed to surgical, abortions continued to be more common and accounted for 55% of the total. This proportion has more than doubled in the last 10 years.

Ground C, the so-called ‘social’ ground, abortions accounted for 181,231 or 98% of the total. Ground E abortions (risk that the child would be born ‘seriously handicapped’) numbered 3,213 and represented 2% of the total. These latter abortions showed an increase over the 2014 figure of 3,099. This represents a 3.7% increase on 2014 and it reflects the less than compassionate view we have of the disabled.

One decrease - teenage abortion continued to fall with a total of 26,162 performed for girls aged under 15 to 19 years old. This compares with 27,455 for 2014. In 2015, there were 509 abortions among the under 15s and 79 for the under 14s.

Two of the notable trends in recent years have been the number of repeat abortions and the number of older women having abortions. Both these rose again in 2015. A total of 70,295 women had a repeat abortion and 322 had their fifth termination. And 29,471 women aged 35 or over had abortions – up from 28,129 in 2014.

The total number of abortions performed during 2015 in Great Britain – England, Wales and Scotland (see below) – was well in excess of 200,000. To be precise, it was 191,014 + 12,082 = 203,096.

Abortion statistics – Scotland 2015

The relevant statistics for Scotland can be found at <http://www.isdscotland.org/Health-Topics/Sexual-Health/Abortions/>

A total of 12,082 pregnancies were terminated in Scotland during 2015, up by 306 from the previous year. This total represents an increase for the first time in three years. The overall rate of abortion in Scotland was 11.6 for every 1,000 women aged 15 to 44, whereas south of the border it was 16.0 per 1,000.

As in the English and Welsh data, this Scottish rate continued to decline in women under 20 years old, but increased among older women, particularly those aged 35 to 39 years. The number of girls under 16 having terminations fell to its lowest figure over the past 10 years, from 364 in 2006 to just 136 in 2015. Among women aged 35 to 39 it increased by almost 200 in just one year.

We Trust Women and the RCM

We Trust Women is the name of a campaign launched on 9 February by The British Pregnancy Advisory Service (bpas), the UK's largest abortion provider. Its aim is to scrap the 'cruel archaic' abortion laws that 'prevent women from making decisions about their own bodies.'

The campaign's primary targets are Sections 58 and 59 of the 1861 Offences against the Person Act, which still applies and still criminalises abortion – a woman can still be sentenced to life imprisonment for terminating her pregnancy. The 1967 Abortion Act only gave doctors a legal defence for performing abortions under certain conditions. *We Trust Women* wants to decriminalise all abortion – up to birth, for any reason. It wants abortion to be treated like any other medical procedure (even though it isn't).

The campaign is supported by a number of diverse organisations, such as Women's Aid, Lawyers for Choice, The Fawcett Society, Birthrights, Voice for Choice, The British Humanist Association and the Southall Black Sisters. But most disturbingly by The Royal College of Midwives (RCM), which represents almost 30,000 midwives and healthcare workers in the UK.

On 6 May, the RCM issued a position statement explicitly supporting the aims of this campaign as well as the limitation of conscience rights for midwives, and the extension of the 1967 Abortion Act to Northern Ireland. This most extraordinary situation can partly be explained by the fact that the RCM's Chief Executive, professor Cathy Warwick, is also the head of the bpas' Board of Trustees.

The RCM's stance has not gone unchallenged. An online letter, entitled *Not in Our Name*, is addressed to the Board of the RCM. It states, *inter alia*, 'We work to help not only women but their babies also throughout pregnancy and in childbirth. For the organisation that represents us to support the radical position (supported by only a small minority of women) that all protections for unborn children should be removed right through to birth, and without any consultation of us members, we find utterly unacceptable.' And, 'We ask that the Board revoke the College's support for this agenda, and begin to consult the membership as to the membership's views on this controversial issue. Only when this has happened can the College develop a position that truly represents the views of its members, one which we believe can better reflect the views of British women and safeguard not only their welfare but that of their children.' On 16 May, the RCM responded on its website, 'Contrary to the distorted and sensationalist accounts touted by certain newspapers and lobbyists, the reality is ...' And in conclusion, 'The RCM believes that if we are to be advocates for women then we must advocate for choice on all aspects of their care. This is not about being for or against abortion; it is about being for women and respecting their choices about their bodies.' Meanwhile, there have been numerous calls for Cathy Warwick to do the decent thing and resign from either the RCM or bpas, or both.

The hope is that all decent midwives will sign this online letter (at the time of writing, about 800 midwives and 42,000 members of the public have) and that an honourable MP will ask the Secretary of State for Health what discussions he has had, or will have, with the RCM and bpas. 'Conflict of interest' and 'abuse of power' are two issues that require clarification. And perhaps all concerned should remind themselves that the RCM's motto has been, since its founding in 1881, 'Vita Donum Dei' meaning 'Life is the Gift of God'.

Abortion thinking in the USA

Every year the Gallup pollsters publish results on so-called American 'values and beliefs'. Abortion is one of the issues included. Last month it was announced that 47% of respondents rated abortion as 'morally wrong', while 43% said it was 'morally acceptable'. A further 9% thought it depended on the situation and 2% had no opinion. This anti-abortion vote is up from 45% in 2015. It is not the first time that self-styled opponents of abortion have outnumbered its advocates, but it is satisfying to see that the US population is still basically pro-life.

Gene editing

Editing the human embryo

The world's first gene-editing experiment using human embryos was carried out by a team led by Junjiu Huang at Sun Yat-sen University in Guangzhou, China. The group used CRISPR-Cas9 to modify the gene responsible for β -thalassaemia, a potentially fatal blood disorder. Their results were published in April 2015 edition of the online journal *Protein & Cell* under the title, 'CRISPR/Cas9-mediated gene editing in human trippronuclear zygotes.'

The second attempt, published in April 2016, also came from China. It appeared in the *Journal of Assisted Reproduction and Genetics* by the stem-cell scientist Yong Fan and colleagues at the Guangzhou Medical University. The paper was entitled, 'Introducing precise genetic modifications into human 3PN embryos by CRISPR/Cas-mediated genome editing.' They collected a total of 213 human embryos, donated by 87 IVF patients. These embryos were reported to be unsuitable for implantation because they contained an extra set of chromosomes – they were destroyed three days after the experiment. Fan's team used CRISPR-Cas9 editing to introduce into some of the embryos a mutated gene known as CCR5 Δ 32. Some humans naturally carry this mutation and they are resistant to HIV, because the mutation prevents the rogue virus from entering the human T-cells of the immune system.

Both of these Chinese gene-editing trials used embryos that had been rejected by IVF clinics because they contained an extra set of chromosomes. It is therefore far from clear if the results from either of these studies are relevant to healthy human embryos. Moreover, Fan *et al.*, reported that, 'In the embryos containing the engineered CCR5 Δ 32 allele, however, the other alleles at the same locus could not be fully controlled because they either remained wild type or contained indel mutations.' In other words, technical difficulties abounded. Genetic analysis showed that only 4 of 26 human embryos targeted were successfully modified. And not all the embryos' chromosomes contained the CCR5 Δ 32 mutation – some contained unmodified CCR5 and others had acquired different mutations.

Fan *et al.*, defended the necessity of their so-called proof-of-principle experiments. Others criticised them for 'just playing with human embryos'. Yet the Chinese group recognised the serious implications and limitations of their sort of work because their paper concluded, 'We advocate preventing any application of genome editing on the human germline until after a rigorous and thorough evaluation and discussion are undertaken by the global research and ethics communities.'

Nevertheless, subsequent experiments are already being devised, if not already completed, in China and elsewhere. For example, at the Karolinska Institute in Stockholm, Fredrik Lanner is preparing to edit genes in human embryos. Lanner thinks that the passage of time and a lengthy ethical discussion – neither of which has conspicuously occurred – have blunted the controversial nature of such research. He may be right or it may be his wishful thinking – the line between hype and hope can be so very narrow.

Meanwhile in Britain, during February 2016, Dr Kathy Niakan of the Francis Crick Institute in London was given the green light by the HFEA to modify human embryos by CRISPR-Cas9 gene-editing technology – the first in the UK. At the beginning of May, her team began preparatory work on the programme following its approval by the Cambridge Central Research Ethics Committee. However, the start of the trial may be delayed for several months because of difficulties in obtaining a sufficient number of human embryos to be donated by consenting patients undergoing IVF.

Every new and ground-breaking biological technique gives rise to early bioethical anxieties. Yet, as time passes, acceptance and then permissiveness typically win the day. As Schaeffer and Koop wrote in 1979 within the context of abortion, infanticide and euthanasia, ‘Practices once labelled unthinkable are now considered acceptable.’ Nothing in the realm of human genetic engineering has the huge potential to change the human race, and thus holds the power for good or for evil, as CRISPR. How will we use and abuse it?

Using and abusing CRISPR

There is as yet no global consensus on the potential uses and abuses of CRISPR technologies. On 28 and 29 April, two conferences were held in Paris, one organised by European and the other by US scientists. They were attended by the world’s leading figures in stem-cell research and ethics to discuss human gene-editing research. Some of their key conclusions were as follows. While most countries prohibit germline gene editing, it is certainly not ready for clinical application in humans. Basic research should therefore continue. The UK is still the only country to permit mitochondrial replacement techniques (MRT) and Niakan’s human embryo work (see above), which will result in germline alterations. Neither the US nor China consider it prudent to approve MRT technology at this time. There is no consensus on the status of the human embryo. There is a consensus that public discussion of gene-editing technologies are urgently needed with the hope that ‘broad, informed consent’ can be obtained before any clinical application of gene editing in humans begins.

This is all very laudable. But not every country was present at these conferences, and consensus is not necessarily unanimity, and there are always rogue scientists who will ignore or stretch agreed boundaries. I wish I were more optimistic, but I have lived through the debates which set legal limits on abortion, human embryo experimentation, and so on. They all became plastic and elastic.

The view from the USA

A recent article entitled ‘The Public and the Gene-Editing Revolution’ by Robert J Blendon *et al.*, was published in *The New England Journal of Medicine* (2016, **374**: 1406-1411). It analysed 17 opinion polls to gauge the US public’s attitude to gene therapy and gene editing. To cut a long story short, it stated that, ‘Most of the public favors [sic] gene therapy for clinical use in patients with serious diseases. The majority do not support gene editing in human embryos or germline cells, but the level of opposition varies depending on its goals.’ And with respect to the latter, ‘A majority of Americans approve of gene editing aimed at preventing one’s children from inheriting certain diseases.’ On the contrary, ‘... they do not approve of using gene editing to improve the intelligence or the physical traits or appearance that one’s child would inherit.’ But as the authors noted, ‘Of course, public opinion could change over time as discussions of these issues continue to evolve and as more is learned about the implications and safety of gene-editing technologies.’

CRISPR obviously makes ‘designer babies’ thinkable, if not yet possible. For the moment, a bioethical restraint exists. If, and when, such experimentation proceeds and goes wrong, scientists will be highly vulnerable, though not, of course, as vulnerable as the unborn child. Such a fear of public scorn may, at least for the time being, act as an effective deterrent against rash and illicit science.

Assisted Reproductive Technologies

The 14-day rule challenged

It was always bound to happen – everyone knows that laws and boundaries are there to be broken and breached. I wrote in my 2014 book, *Bioethical Issues* (p. 114), ‘And will there be calls for the fourteen-day rule to be extended?’ And so it has come to pass, the 14-day rule, recommended in the UK by the Warnock Committee in 1984 and enshrined in law by the 1990 Human Fertilisation and Embryology Act, is now under threat.

The Warnock Committee, having decided that human embryos could be the subject of research, were faced with defining how long they could be experimented upon. It plumped for 14 days. It was always a daft and arbitrary limit, but it satisfied the general public that something was being monitored and forbidden. Indeed, the Warnock Report stated (section 11.19), ‘... some precise decision must be taken in order to allay public anxiety.’

And so the 14-day rule, signalled by the appearance of the inconsequential ‘primitive streak’, was hailed as a brilliant and progressive regulatory decree – in truth, it was an intellectually indefensible tenet. In at least 12 countries, this limit has been enshrined in law, and in 5 other jurisdictions it occurs in guidelines that govern embryo research. And for years it has remained unthreatened. Human embryos have previously been grown in vitro for typically 7 days, 9 at the most. Until that is, the recent simultaneous publication of work by UK and US scientists in *Nature* and *Nature New Biology*. They managed to grow human embryos in vitro for up to 13 days after fertilisation, which is well beyond the time of about 7 days for implantation to begin in the womb, in vivo.

The two innocuously-titled publications from the Cambridge and Rockefeller Universities are Deglincerti, A., *et al.*, (2016), ‘Self-organization of the in vitro attached human embryo.’ *Nature* **533**: 251–254. And, Shahbazi, M.N., *et al.*, (2016), ‘Self-organization of the human embryo in the absence of maternal tissues.’ *Nature Cell Biology*, doi:10.1038/ncb3347.

The work is the result of developing growth conditions that mimic the womb in which surplus embryos, donated by couples undergoing IVF, could be successfully cultured for an extended period. The scientists reckon it will improve our understanding of implantation biology and thus improve the success of IVF techniques.

Professor Magdalena Zernicka-Goetz, a senior author on both papers and head of the Mammalian Embryo and Stem Cell Group, University of Cambridge, stated that, ‘Implantation is a milestone in human development as it is from this stage onwards that the embryo really begins to take shape and the overall body plans are decided. It is also the stage of pregnancy at which many developmental defects can become acquired. But until now, it has been impossible to study this in human embryos. This new technique provides us with a unique opportunity to get a deeper understanding of our own development during these crucial stages and help us understand what happens, for example, during miscarriage.’

This is interesting. Now, implantation, rather than the primitive streak, has become the touchstone, the centre of interest, of early human development. And of course, to attract public approval, any such basic research must have an associated human interest story – in this case, it is determining the causes of infertility and miscarriage, plus improving embryonic stem-cell technologies. This is what is called consequentialism.

So, because what was previously technologically impossible has now become feasible, the call has gone out – we need augmentation, we need more than 14 days. John Harris, the doyen of utilitarian

bioethics from the University of Manchester, jumped in early with this, 'The overwhelming consensus of scientific opinion, as of this week, is that much of considerable scientific and therapeutic importance can be learned by extending the 14-day limit for a further week, to 21 days...' A group of US bioethicists more circumspectly stated, 'Now that the culturing of human embryos beyond 14 days seems feasible, more clarity as to how the rule applies to different types of embryo research in different jurisdictions is crucial. Moreover, in light of the evolving science and its potential benefits, it is important that regulators and concerned citizens reflect on the nature of the restriction and re-evaluate its pros and cons.' The Nuffield Council on Bioethics announced that it will hold a colloquium later this year to consider a change in the law. The US National Catholic Bioethics Center offered a different possibility by suggesting that because the 14-day rule was flawed to begin with and that it paid only 'lip service to the moral status of the human embryo', the cut-off point should be fertilisation.

The suggested range of options is broad – from fertilisation to when the embryo develops into a foetus and can experience pain, exhibit brain activity or survive outside the womb. In effect, they call for a ban through to a bonanza. According to many legislators, neither of these extremes will make for good public policy in our pluralistic societies. Even so, deep and worrying shifts in what is permissible research have occurred recently with, for example, the UK government's 2008 approval of the production of human-admixed embryos. Or, in 2015, its permission for the clinical use of mitochondrial-replacement therapies and their germline changes to future generations. Or again, in February 2016, its authorisation to edit the genome of human embryos using CRISPR technology.

The case for extending the 14-day rule was deftly explained in a recent editorial by three US bioethicists in *Nature* (533: 169–171). They wrote, '... when they [regulations, like the 14-day rule] are understood to be tools designed to strike a balance between enabling research and maintaining public trust, it becomes clear that, as circumstances and attitudes evolve, limits can be legitimately recalibrated.' Though, of course, 'Any formal changes to this rule should occur through similar processes of consensus-building involving experts, policymakers, patients and concerned citizens.'

Oh dear, we are in for protracted debates, consultations, lobbying and balloting. But, as I started this piece with the truism that, 'everyone knows that laws and boundaries are there to be broken and breached.' So, will there now be a new 21-day rule by 2020? And a 45-day rule by 2030?

Embryo heal thyself

Now here is a curious tale. It was published in the March 2016 edition of *Nature Communications* (doi:10.1038/ncomms11165) under the title, 'Mouse model of chromosome mosaicism reveals lineage-specific depletion of aneuploid cells and normal developmental potential.' It comes from the group at Cambridge led by Magdalena Zernicka-Goetz (see above).

The article reported that, 'Live-embryo imaging and single-cell tracking in chimeric embryos, containing aneuploid and euploid cells, reveal that the fate of aneuploid cells depends on lineage: aneuploid cells in the fetal lineage are eliminated by apoptosis, whereas those in the placental lineage show severe proliferative defects. Overall, the proportion of aneuploid cells is progressively depleted from the blastocyst stage onwards. Finally, we show that mosaic embryos have full developmental potential, provided they contain sufficient euploid cells, a finding of significance for the assessment of embryo vitality in the clinic.'

In other words, the very early embryo has the ability to essentially repair itself by getting rid of abnormal cells. At least, in mice. Does the same restorative process occur in human embryos?

As Zernicka-Goetz has stated, 'We found that even when half of the cells in the early stage embryo

are abnormal, the embryo can fully repair itself. It will mean that even when early indications suggest a child might have a birth defect because there are some, but importantly not all abnormal cells in its embryonic body, this isn't necessarily the case.'

Does this have implications for IVF and pre-implantation diagnosis (PGD) of human embryos? Yes, it does. PGD is performed on embryos that are only a few days old. In the test, a single cell is removed – without damaging the embryo – and that cell is tested for chromosomal defects. Based on this present study, a positive PGD test may be misleading if that abnormal cell was destined to be eliminated from the embryo.

Another new IVF technique

It is called next-generation sequencing (NGS). And it is hailed as a cheap technology that will improve the success rate for thousands of women on conventional IVF. There is talk that pregnancy rates among women in their mid-thirties could be boosted from about 25% to almost 80%. Yes, we know hype when we hear it.

NGS allows embryologists to select the embryos that have the greatest likelihood of growing into healthy babies. About half of all IVF embryos contain the wrong number of chromosomes – so even if they result in pregnancies, there will often be severe complications. Chromosomal counting, a form of pre-implantation genetic diagnosis (PGD), already exists, but it is expensive, making the cost of an enhanced IVF cycle as much as £9,000. Hence only about 1 in 2,500 women undergoing IVF currently use it. NGS would be considerably cheaper, perhaps adding between £2,000 and £3,500 to standard IVF fees, roughly halving the cost of PGD.

The world's first NGS baby was born in the USA in 2013. The method has been introduced and pioneered in the UK at the Oxford Fertility clinic. The first UK child, named Biagio, as a result of NSG treatment was born in January 2016 to Ewa Wybacz and her husband Sergio Russu. She had been told, because of earlier illnesses, that she would never conceive. Doctors fertilised about 15 of her ova, 10 survived, 7 were discarded, 3 were selected, 2 were frozen and 1 transferred. Nine months later Biagio Russu was born.

Of course, this is no more than new generation eugenics – picking the most genetically good-looking, the one most likely to succeed. But this is not really new. Embryologists, given a choice will always select subjectively, by eye, which embryos look the most attractive. NGS makes this process less subjective, more scientific. But if you use science to control and ensure that the best of genes are handed down to the next generation, that's eugenics.

How old is too old?

What is the best age for a woman to have a baby? Conventional wisdom reckons it to be about 26 years old. When is it too old? Most would say mid-40s – after all, women become menopausal for a reason. It is therefore no surprise that a worldwide gasp was caused by an Indian couple, well into their 70s, who recently had a baby boy by IVF. To say it's unnatural is an understatement.

In April, Daljinder Kaur, thought to be 72-years-old, gave birth to a 2 kg, apparently healthy, baby boy, named Arman Singh, following two years of treatment at the rogue National Fertility and Test Tube Baby Centre at Hishar in the Indian north-western state of Haryana. Donor ova had been used. She and her 79-year-old husband, Mohinder Singh Gill, said they had almost given up attempting to raise a family.

Most fertility specialists believe it was unethical and reckless to provide such an elderly woman with IVF treatment. Typical of the protesting outcry was that of Hrishikesh D Pai, the former president of

the Indian Society of Assisted Reproduction. He said, 'It is outrageous. It is inappropriate to do it and it is not in the best interests of the parents or the unborn child to do it.'

There is a well-known lack of regulation of assisted reproductive technologies throughout India. Some seven years ago guidelines were drawn up, but the government has consistently failed to implement them.

IVF guidelines vary from country to country. In the UK, NICE (the National Institute for Health and Care Excellence) recommends that NHS clinics should not provide IVF to women over the age of 43. Similar age limits exist in other European countries. However, treatment in private UK clinics is not bound by such a limit. For instance, in March 2016, 55-year-old Sharon Cutts gave birth to triplets at the Jessop Hospital in Nottingham after fertility treatment had failed in London but was successful at a clinic in Cyprus. At the other extreme, IVF in the USA is virtually unregulated. There, it is largely governed by doctors' ethical stance and what is medically feasible.

Yet post-menopausal IVF creates all sorts of additional bioethical dilemmas. It renders IVF even more unnatural. Whatever the stresses and strains, both biological and psychological, for this particular elderly Indian couple, the fact is that their child will probably soon be an orphan. When asked if it would be difficult to bring up a child at her ripe old age, Daljinder Kaur reportedly said, 'That thought never crossed my mind. God will take care of everything.' That is not a Christian sentiment, it is wishful thinking.

Another knotty case of IVF

A 60-year-old UK woman wants to use her late daughter's frozen ova to give birth to her own grandchild. She wants to take the ova to a New York clinic to be fertilised with donor sperm and any subsequent embryos to be transferred to her.

In 2014, the HFEA refused to release the ova from storage (OK, so the HFEA sometimes says, 'No'). Last year the mother contested this decision in the High Court, lost, but was granted leave to appeal. Now the case is being heard at the Court of Appeal in London, before a panel of three judges.

The sticking point is simple. The HFEA says that full written consent is required before the ova can be released. The woman says that her daughter, who died five years ago from bowel cancer at the age of 28, had verbally endorsed the plan. If the HFEA eventually gives permission, it is thought that the mother could become the first person in the world to become pregnant using a dead daughter's ova. Knotty or what?

'Three-person' IVF - not so simple or safe?

In February 2015, the UK government lifted a ban on the controversial technique known as mitochondrial replacement therapy (MRT), or 'three-parent' IVF. It aims to prevent mothers from passing on harmful genes to children through their mitochondria. The HFEA has yet to green-light the procedure for clinical use – it wants further evidence of MRT's safety.

Meanwhile, Dieter Egli, a stem-cell scientist at the New York Stem Cell Foundation Research Institute has raised serious reservations about the technique. His group's experiments have been published in *Cell Stem Cell* (2016, **18**: 749–754) under the title of 'Genetic drift can compromise mitochondrial replacement by nuclear transfer in human oocytes.' They have shown that if a small number of mutant mitochondria are carried over and retained after the transfer of the maternal nucleus into the donor ovum, which is apparently a common occurrence, they can sometimes outcompete healthy mitochondria in the 'new' embryo. In other words, the carried over mitochondria could potentially cause the disease the therapy was designed to avoid.

However, in early June, a paper by Louise Hyslop and colleagues from the Wellcome Trust Centre for Mitochondrial Research, Newcastle and entitled, 'Towards clinical application of pronuclear transfer to prevent mitochondrial DNA disease' was published in *Nature* (2016, doi:10.1038/nature18303). The team reported the first preclinical studies on pronuclear transplantation (PNT). Problems with normally-fertilised ova led them to develop an alternative approach based on transplanting pronuclei, shortly after completion of meiosis, that is, on the same day as fertilisation, rather than shortly before the first mitotic division. They created these IVF embryos using some 500 ova from 64 donors – a huge number of gametes from a large cohort of women. This new procedure, called 'early pronuclear transfer', promoted, '... efficient development to the blastocyst stage with no detectable effect on aneuploidy or gene expression' – that is, embryos from the new technique appeared to be no different from those generated by conventional IVF. After optimisation of the procedure, mitochondrial DNA (mtDNA) carryover was reduced to <2% in the majority (79%) of PNT blastocysts. In other words, embryo development was not adversely affected and the amount of faulty mitochondria being passed was significantly reduced.

The research team concluded that, '... PNT has the potential to reduce the risk of mtDNA disease, but it may not guarantee prevention.' The team leader, Doug Turnbull stated, '... we have found no evidence the technique is unsafe.' But is 'not unsafe' the same as 'safe'? Whether these results will satisfy the demands of the HFEA that 'three-parent' IVF is sufficiently safe before any clinical trials can commence, we shall wait to see. If approved, then the Newcastle team will be able to apply for a licence to offer the procedure to women, with the expectation that babies could be born in 2017.

On the other hand, is pursuing PNT really sensible? What about using the more specific gene editing techniques? In April 2015, researchers at the Salk Institute for Biological Studies in La Jolla, California reported (*Cell*, 2015, **161**: 459–469) success using gene-editing technology in preventing mitochondrial diseases being passed from female mice to their offspring. Could this be the answer for humans too? Bioethically, the whole area is a mess. Alternatively, adoption is a wonderful way to start a family if a couple considers themselves to be genetically at risk.

Stem-Cell Technologies

Regulating stem-cell technologies

Should stem-cell research and its application be a global free-for-all? On 12 May, the International Society for Stem Cell Research (ISSCR) issued updated and extended guidelines for such work – *Guidelines for Stem Cell Research and Clinical Translation*. These new guidelines provide a model of self-regulation, which many consider to be a better form of regulation than a collection of diverse national laws.

The new ISSCR guidelines assert that any attempt to modify the nuclear genome of human embryos for the purpose of human reproduction should be prohibited at this time. They do, however, endorse continued laboratory-based research on human embryos and the derivation of stem-cell lines from them. That is disappointing.

One of the ISSCR's key proposals is that all proposed manipulations of human embryos, including gene-editing and mitochondrial replacement therapy (MRT or 'three-parent' IVF), should now undergo similar reviews to those that use embryos to create stem-cell lines. All such research should be added to the remit of existing embryonic stem-cell research oversight (ESCRO) committees. The ISSCR also took the opportunity to insist that researchers should not overstate the clinical implications of their stem-cell experiments – I'll vote for such anti-hyperbole.

Tight regulation of such controversial areas of biological advancement is always welcome. But these ISSCR guidelines appear to be pretty liberal, and they are guidelines, not rules with any legal sanctions. How do you restrain the maverick? If I knew that, the courts would be virtually empty.

Treating MS with stem cells

Multiple sclerosis (MS) is an autoimmune disease that affects the central nervous system. Around 2.5 million people worldwide and 100,000 in the UK suffer from MS. It is apparently close to being cured – what a remarkable claim. It comes after results from a pioneering treatment at the University of Ottawa were published. Patients were first subjected to aggressive chemotherapy, which destroyed, rather than just suppressed, their immune systems. Second, the latter were ‘reset’ using stem cells previously harvested from the patient’s own bone marrow. Some have defined this novel practice as, ‘We kill you and then we rescue you.’

Of the 24 patients treated, aged between 18 and 50, one died because of a shutdown immune system, 70% experienced an end to relapses and the disease’s progression, and 40% had their condition effectively suppressed. The follow-up period averaged 6.5 years.

Now the downside – this study involved small numbers, its aggressive chemotherapy is hazardous, and it is not a cure for MS. But the results, for a disease with very limited treatment options, are impressive. Moreover, it is relatively simple – chemotherapy plus autologous haematopoietic stem-cell transplantation (aHSCT) are both tried and tested techniques.

One of the patients was Jennifer Molson. She was diagnosed with aggressive MS in 1996 at the age of 21. Her treatment began in 2002. She has said, ‘Before my transplant I was unable to walk or work and was living in assisted care at the Ottawa hospital rehabilitation centre. Now I am able to walk independently, live in my own home and work full time. I was also able to get married, walk down the aisle with my dad and dance with my husband. I’ve even gone downhill skiing. Thanks to this research I have been given a second chance at life.’

This promising research was published online (9 June 2016) in *The Lancet* by Harold Atkins *et al.*, and under the title, ‘Immunoablation and autologous haemopoietic stem-cell transplantation for aggressive multiple sclerosis: a multicentre single-group phase 2 trial.’

Treating cataracts with stem cells

Currently, the only treatment for cataracts, the leading cause of blindness worldwide, is to extract the affected lens and implant an artificial intraocular lens. Lin and colleagues from China and the USA have reported a novel method (*Nature*, 2016, **17**: 323-328). They isolated lens epithelial stem/progenitor cells (LECs) from rabbits, monkeys and human infants and discovered two genes, Pax6 and Bmi1, which are essential for LEC renewal.

They designed a surgical technique, which preserved the epithelial stem cells, which in turn allowed the regeneration of the lens, which restored visual function. When the team used their new minimally-invasive technique on 12 infants (aged 0–24 months; 24 eyes) they reported lens regeneration within three months of surgery and by eight months, the regrown lens was described as being ‘comparable to a native lens.’

One of the lead researchers, Kang Zhang, professor of ophthalmology and chief of Ophthalmic Genetics at University of California, San Diego, stated, ‘We believe that our new approach will result in a paradigm shift in cataract surgery and may offer patients a safer and better treatment option in the future.’ Another triumph for adult stem-cell technology?

Corneal tissue from iPS cells

Kohji Nishida of Osaka University in Japan and colleagues reported (*Nature*, 2016, **531**: 376–380) the growth of eye-like structures in laboratory dishes using induced pluripotent stem cells (iPS cells) derived from human cells. The researchers called these self-formed ectodermal autonomous multi-zone (SEAM) of ocular cells. These proto-eyes grew in a target-like pattern with each ring of the target containing cells that correspond to a different layer of the eye – the ocular surface ectoderm, lens, neuro-retina and retinal pigment epithelium. Then the scientists isolated cells that could grow into corneal epithelial cells, the outer layer of the eye. When transplanted to the eyes of rabbits with experimentally-induced corneal damage, the human cells repaired the wounds and recovered visual function in these corneally-blinded animals.

Is there no end to the potential and effectiveness of non-embryonic stem-cell treatments? Will the success of iPS-cell treatments create a new and burgeoning speciality within regenerative medicine?

Euthanasia and Assisted Suicide

Assisted suicide in Oregon

In 1997, the people of Oregon voted to introduce the world's first assisted suicide legislation, the Death with Dignity Act (DWDA). In February 2016, the Oregon Health Authority published its annual Report, referring to 2015 data.

According to the Report, 'During 2015, 218 people received prescriptions for lethal medications under the provisions of the Oregon DWDA, compared to 155 during 2014. As of January 27, 2016, the Oregon Public Health Division had received reports of 132 people who had died during 2015 from ingesting the medications prescribed under DWDA. Since the law was passed in 1997, a total of 1,545 people have had prescriptions written under the DWDA, and 991 patients have died from ingesting the medications.'

Commenting on the Oregon Report, the UK's Dignity in Dying organisation stated, '... there have been no cases of abuse and no widening of the law's eligibility criteria. The fears expressed by opponents to a change in the law in this country are the same ones expressed in Oregon in 1997. Data published last week confirms what we already knew – that none of these fears have been realised.'

Others disagree that all is so tickety-boo. For example, Oregon relies almost exclusively on doctors self-reporting such assisted deaths. Moreover, Oregon bureaucrats have no budget or legal authority to conduct independent investigations if they obtain information of 'abuses'. The Report implies that these deaths were voluntary, but it does not address this subject. And for those who think that because these deaths account for only 0.39% of the total deaths in Oregon, they should consider, for example, California – the Golden State recently legalised assisted suicide and it has a population ten times greater than Oregon. Simple maths would suggest that California could therefore experience 1,300 extra suicides per year.

And why do mainly white, single, well-educated, elderly Oregonians wish for assisted suicide? Uncontrolled pain is often thought to be the principal reason, but few mentioned it. The three main reasons given were 'less able to engage in activities making life enjoyable' (96%); 'losing autonomy' (92%); and 'loss of dignity' (75%). 'Inadequate pain control or concern about it' was mentioned by just 29%.

Whatever the bioethical arguments surrounding assisted suicide, the Oregon statistics are increasing year-on-year. Legalise anything, whether abortion or a speed limit, and a growing proportion of the population will push the boundaries, extend them and eventually break them – it is called human nature. We hate laws because deep-down we are natural rebels.

Euthanasia and assisted suicide in the Netherlands

Euthanasia statistics for 2015 have recently been released in the Netherlands. The total was 5,561. This represents an increase of 4% compared with 2014 and a 50% increase over the last 5 years. The rise is mainly due to euthanasia being implemented for demented elderly people, as well as psychiatric patients. The inclusion of these two new categories raises even more bioethical questions than 'ordinary' euthanasia for those with 'unbearable suffering with no prospect of improvement.'

In 2015, 109 demented persons (81 in 2014) were killed even though they were sufficiently 'mentally competent' to express their own will. Another 56 patients with psychiatric disorders (41 in 2014) were put to death at their own request.

Euthanasia and assisted suicide in Belgium

Like the Netherlands, Belgium is incessantly pressing to expand the criteria and scope of euthanasia. Laurette Onkelinx, the leader of the Belgian Socialists and a former Deputy Prime Minister, has recently proposed three such innovative bills.

The first bill would remove a five-year sunset clause for advance declaration of a patient's willingness to undergo euthanasia. Thus a document written 20 or 30 years before would still be considered valid, no matter if patients had subsequently changed their minds. The second bill would force doctors to give a rapid turnaround to requests for euthanasia. They would have to answer within seven days. If they refused, they would have to transfer the patient's file to a doctor who would be willing to give a lethal injection. If enacted, the physician's right to conscientious objection to euthanasia would be removed. The third bill would remove the right of institutions, like hospitals or nursing homes, to refuse to allow euthanasia on their premises.

In March, a spanner was thrown into this Belgian drive for euthanasia. Dr Catherine Fonck, a Member of Parliament and a renal physician, asked a pertinent question of the Belgian Health Minister, Maggie De Block. Why, she enquired, has the full text of the country's euthanasia law never been published?

The answer given displays a mixture of indifference and incompetence. It turns out that the original text of 2002 was amended in 2005 with the intention of improving the control of the lethal drugs used in euthanasia. Both chambers of Parliament agreed that extensive information about the drugs and the pharmacist should be included in the official report submitted by the attending physician. The amendment received royal assent. It was therefore the law of the Kingdom of Belgium.

But it was never published in the *Moniteur Belge* (the Belgian official gazette) of 13 December 2005, so no one knew about it. Corrections were published in the gazette of 25 September 2006, but the amendment did not appear there, either. Why not? Is Belgian euthanasia legislation regarded as trivial? Because the practice is so successfully steaming ahead, does it really matter that such legislative loose ends are not tied up? The irritated Health Minister agreed to correct the *Moniteur Belge*.

The BMA and assisted suicide

On 21 June, at the Annual Representatives' Meeting of the British Medical Association (BMA) held in Belfast, delegates voted against changing its opposition to assisted suicide. Motion 80 stated, 'That

this meeting believes that the BMA should adopt a neutral stance on assisted dying.’ It was rejected by 198 votes to 115.

Dr Mark Porter, the chairman of BMA Council, noted that the debate marked the eighth time in 13 years that the BMA had considered the matter, and stated that, ‘Nobody can credibly say this issue has been suppressed or obfuscated.’ This significant vote by doctors, and that of the Marris Bill in the House of Commons last year, when the proposal to legalise assisted suicide was heavily defeated by 330 votes to 118, should settle the issue in the UK for the foreseeable future.

Assisted Dying Bill [HL] 2016-17

In view of the previous item, it is surprising that Lord Hayward has introduced this new Bill in the House of Lords. In summary it is, ‘A Bill to enable competent adults who are terminally ill to be provided at their request with specified assistance to end their own life; and for connected purposes.’ It had its first reading on 9 June. It is similar to the Marris Bill. It deserves to be similarly defeated.

USA

Will it be Trump or Clinton?

One Republican governor called Donald Trump, ‘an egomaniac who has no principles.’ Hillary Clinton is regarded by many as, ‘out-of-touch, greedy and even corrupt.’ What a choice the American people face as they vote on Tuesday 8 November for their new President. Does it matter? Yes. Does it matter bioethically? Yes. For a start, few conservative bioethicists will mourn the departure of Barack Obama from the White House. He has turned out to be the most anti-life, pro-abortion President ever.

But what about the incomers? Clinton is easy to read. She is undeniably a progressive liberal. A vocal supporter of a woman’s right to choose and a staunch backer of Planned Parenthood, the leading abortion organisation in the US. Trump is harder to read. As a business man he has no particular political record by which to judge him. He is also something of a slyboots. One day he is pro-life, the next day he is a fan of Planned Parenthood. Let the people decide!

The Planned Parenthood saga

Like all sagas, it plods on and on. It started in July 2015, when the Center for Medical Progress released undercover videos of Planned Parenthood officials evidently offering to sell tissue samples from aborted foetuses. A Congressional panel was set up to investigate the foetal tissue research company StemExpress, which was implicated in the illegal trafficking. In June 2016, the panel found that StemExpress and its transacting abortion clinics had violated federal patient privacy and informed consent regulations.

The chairwoman of that panel, Marsha Blackburn, said, ‘The contract [between StemExpress and the clinics] changes the way both entities view the young woman: her baby is now a profit-center. This betrayal of a young woman’s trust should disgust us all. It takes financial advantage, obtains consent through coercion, and deceives the woman, all in violation of federal privacy laws.’

In the meantime, Planned Parenthood is also under fire from different quarters. For example, Kansas has voted to defund Planned Parenthood permanently. In May, a bill to prevent the abortion provider from accessing the state revenue stream was passed by both houses, 87 to 34 in the House of Representatives and 32 to 8 in the Senate. The Kansas state Governor, Sam Brownback, a pro-life Republican, is expected to sign the measure soon. See, the saga rolls on.

John Ling

Latest news of significant individual cases

The following are summaries of the story so far in some of the significant recently-resolved or still unresolved cases involving Christians responding to a wide range of legal, police or disciplinary action against them. Seeking a remedy by means of litigation can be a lengthy process – sometimes taking several years for a closure to be reached. The Christian agency handling these cases is indicated in brackets at the end of each item.

Victoria Wastenev

Victoria Wastenev, a senior NHS occupational therapist, who was disciplined for giving a Christian book to a Muslim colleague has been granted permission to appeal an Employment Tribunal ruling against her. Judge Eady QC recognised the significance of the case in raising points of law of public importance. She said that the Employment Appeal Tribunal should consider whether the original ruling had properly applied the European Convention on Human Rights' strong protection of freedom of religion and expression. (Christian Legal Centre)

Barry Trayhorn

Barry Trayhorn was forced to resign from his job at a sex offenders' prison after a complaint was received after he quoted bible verses about homosexuality Bible verses that he used while leading a service for inmates, in the context of the forgiveness that God offered to those who repent. He has lost his claim for discrimination and constructive dismissal and is seeking leave to appeal to the European courts. (Christian Legal Centre)

Aisling Hubert

Aisling Hubert, the 21-year-old pro-life campaigner who launched private prosecutions against two doctors filmed offering 'gender-abortion', has been ordered to pay £25,000 in costs. The Christian Legal Centre is committed to supporting Aisling and the case has now gone to the European Court of Human Rights. (Christian Legal Centre)

Ashers Baking Company

Ashers Baking Company is currently appealing against a county court ruling which said that the business broke sexual orientation and political discrimination law by declining in May 2014 to ice a cake with a pro-gay marriage campaign slogan. The McArthur family, who own and run Ashers, turned down the order because it conflicted with their Christian belief that marriage is between a man and a woman. The company own eight bakeshops in Northern Ireland.

The appeal hearing took place in the Court of Appeal in Belfast in May. The hearing, which lasted four days, was presided over by the Lord Chief Justice of Northern Ireland, Sir Declan Morgan, who sat with two other Lord Justices of Appeal.

The Attorney General for Northern Ireland, John Larkin QC, was present in person at the hearing and made submissions in support of Ashers' appeal. He also challenged the constitutional validity of the legislation under which Ashers were sued. Mr Larkin had been given permission by the court to intervene in the case following a hearing in March when the court decided that he raised an arguable case for the appeal raising constitutional issues. At that earlier hearing, the Office of the First Minister and Deputy First Minister were also represented.

This case raises important concerns about compelled speech and freedom of thought, conscience and religion. The Christian Institute is funding Ashers' appeal. The case against Ashers continues to be funded by the Equality Commission for Northern Ireland. Judgment is expected at any time. (The Christian Institute)

Named Person scheme

In 2014 the Scottish Parliament legislated for every child in Scotland to have a 'named person' – a state official tasked with looking after their 'wellbeing'. There is no provision in the legislation permitting parents to opt-out of this scheme.

A legal challenge to the blanket nature of the Named Person legislation continues, spearheaded by The Christian Institute, CARE, TYMES Trust and the Family Education Trust. These organisations also formed the NO2NP campaign, which is active in the media, including highlighting how the named person scheme is already undermining parents' responsibility for their children in the areas where the scheme has been piloted. It has become a high profile campaign organisation with tens of thousands of supporters.

On 8 and 9 March, the petitioners took their case to the United Kingdom Supreme Court in London, where they appealed an earlier judgment of the Court of Session in Edinburgh which held that the legislation does not conflict with the right to a private and family life or data protection laws. This appeal was heard by a panel of five Supreme Court justices.

Clan Childlaw, a charity which provides advice and representation to young people, intervened in the appeal and were allowed to make submissions at the Supreme Court hearing, in support of The Christian Institute and the other petitioners. Clan Childlaw are concerned that the ease with which the legislation permits sensitive personal data to be shared between professionals and officials will discourage young people from seeking help and advice when they need it.

It was highlighted in the appeal hearing that the lower courts had wrongly assumed that the aim of the named person scheme is the promotion of child protection. It is in fact all about promoting child *wellbeing* (which is defined in the 2014 legislation by reference to some very wide, vague and low threshold indicators. The Scottish Government has indicated it means 'happiness'.) This allows for a level of interference in family life which is not permitted under human rights law. It was further submitted in the appeal that the Scottish Government had failed to consider less intrusive and more targeted ways of meeting their policy objectives. In passing this legislation, the Scottish Parliament had exceeded its constitutional powers.

At the conclusion of the appeal hearing, the Deputy President of the Supreme Court, Lady Hale, described the case as 'extremely interesting' and said that the justices would deliver their decision 'in due course'. A judgment is due at any time. As it currently stands, the named person legislation is due to take effect in August. (The Christian Institute)

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