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Abortion struggle in Ireland

# October 1983 to October 2017 - The Irish State's Abortion War Against Women, the 'EurosoeUnmanageable Revolutionaries'

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**In October 1983 an abortion ban entered the Irish Constitution - the infamous 8th Amendment was born.** [1] The main conservative parties, Fianna Fáil and Fine Gael, promoted the ban, prompted by the Catholic Church hierarchy and members of the medical profession, most of them powerful male gynaecologists. [2]

In 2017 all was changed, changed utterly. On 30 September 2017 the Abortion Rights Campaign (ARC) brought over 30,000 people on to the streets of Dublin demanding abortion services in Ireland and repeal of the 8th Amendment. [3]

A main speaker was Bernadette McAliskey:

The third speech from the platform was given by civil rights leader, independent electoral politician, feminist, republican and anti-fascist Bernadette Devlin McAliskey. Speaking with her usual clarity and conviction she began by noting: *It is unbelievable that we're still here, demanding something we demanded almost fifty years ago.* She praised the diversity of the current campaign, noting a sea-change from previous activist scenes she had been a part of where the bad images of *sex workers, trans people, traveller women, migrant women* would not have been given any voice, and consequently denied any of the gains made by the movement. *The eighth amendment she said is not exclusively about abortion. It is the usurpation of the individual's right to have control over their own body. It is the right of each person to exercise first and last control over their own body, all day, and every day.* With such cognisance of the dynamics of power and political struggle, she made clear: *Repeal of the eighth amendment is not a favour we are asking, it is a fundamental defence of democracy for everybody and every citizen. Achieving our aims is decriminalising, and making accessible, abortion, here in the South will give courage to those in the North to continue their same struggle for the same ends.* [4]

In the 1980s the Catholic Church was politically and socially dominant. However, 33% of the voters defied the bishops in the 1983 referendum and voted No. By contrast the Dáil approved the 8th amendment wording by 85 votes to 11. The masses were more radical than the elected politicians. The No campaign lost, but it was not humiliated.

Looking back from 2017, it is clear that the religious right scored a pyrrhic victory - it overreached itself.

The religious right was dealt a body blow in the early 1990s as its incubator, the Catholic Church hierarchy, lost its suffocating grip on the minds of the Irish masses. Information about decades of child abuse rose to the surface.

High profile priests and bishops were publicly exposed as hypocrites. Father Michael Cleary and Bishop Óamonn Casey appeared mighty to millions of adoring worshippers on monstrous altar-stages with Pope John Paul II during his 1979 Irish pilgrimage: these men, Father Ted style rock stars, fell from grace in the 1990s.

Cleary was an active promoter of the Catholic nationalist gang *Youth Defence*. In the early 1990s two women *Annie Murphy and Phyllis Hamilton* - came forward exposing these gentlemen as hypocrites who preached one thing and practised another *both clerics were fathers of children who lived double-lives, breaching the celibacy vows of the Catholic priesthood.*

More universally, lies spread far and wide to carry the 1983 referendum caught up with their promoters. The Catholic right lost mass credibility – its halo lay on the ground, shattered in pieces.

In 1992 The X Case made world headlines: the Irish State, in secret, tried to intern a suicidal 14-year-old rape victim. Public anger quickly escalated. Huge mass protests forced the Fianna Fáil government to act: it handed the problem over to the Supreme Court. Humiliation followed for the religious right: the court ruled that the 14 year old could not be prevented from travelling outside Ireland for an abortion, and that censorship of abortion information was unconstitutional.

The Supreme Court injected a sting into the tail of the government: these judges ruled that abortion in Ireland was legal on the grounds of suicide. In 1992 and 2002 the state organised two referendums designed to overturn this ruling, and failed.

The pro-choice movement was on the winning side, defeating the anti-women forces in four abortion referendums: 3 in 1992 and 1 in 2002. [\[5\]](#)

Constantly, mass pressure to stage another abortion referendum getting rid of the 8th amendment has intensified. The 30 September 2017 pro-choice march in Dublin was not an isolated event.

Before 2011, almost all Dáil Deputies refused to initiate any practical legal measures to achieve a deletion of the 8th amendment. But in the February 2011 General Election the old conservative party structure was shaken badly by the results of the 2008 financial crash: a number of left-wing pro-feminist Dáil Deputies won seats. They regularly proposed legislation providing for deletion of the 8th amendment. They also introduced abortion law reform bills which were constitutional. Most of these deputies worked closely with a growing feminist/socialist mass movement: the annual Abortion Rights Campaign marches for choice in Dublin took off in 2012, attracting very significant numbers on to the streets, most of them young women.

The response of successive right-wing governments (Fianna Fáil plus Green Party, Fine Gael plus Labour Party, Fine Gael minority government) has been : sit tight, play for time, hope the problem will go away.

On October 28 2012 Savita Halappanavar, a 31 year old woman who hailed from India, died in a Galway Hospital because she was denied an abortion. This made a huge national and international impact, and drew bigger mobilisations than the first ARC march. A Health Service Executive (HSE) Report on Halappanavar's death called for legislative and constitutional change. Inside the Dáil deputies Clare Daly, Ruth Coppinger and Bríd Smith proposed abortion reform bills which were regularly defeated. The government introduced very restrictive new legislation posing as abortion reform – the Protection of Life During Pregnancy Act 2013. Pro-choice deputies voted against it.

The above events occurred because an identifiable 31-year-old woman from India died in a Galway Hospital – a shocking commentary on Official Ireland .

It is useful to compare and contrast two issues : same-sex marriage and abortion reform.

During the lifetime of the 2011-16 Fine Gael/ Labour Coalition a referendum was held which resulted in the legalisation of same-sex marriage. This campaign demonstrated the political incapacity of the Catholic religious right to prevent social progress on this issue. However, there are very important differences between same-sex marriage and abortion reform. [\[6\]](#)

Drawing on the experience of the marriage equality referendum, which was effectively an uncontested campaign, the Coalition leadership may be thinking that a variety of leaflets can be produced (with little internal discussion) in the last month; and that groups around the main urban areas will distribute them.

This is a risky tactic: unlike the equality referendum, which had a simple and popular proposal to allow gay men and women to marry each other, the Abortion Referendum will be seriously contested. There will need to be a mass canvassing campaign - but so far there is no orientation to this and no material for use in mass canvassing in support of repeal - whatever the final referendum proposition is.

Most right-wing politicians are astute: they know that a full-frontal defence of the 8th Amendment is deeply unpopular, and that association with the Catholic hierarchy on this issue is a kiss of electoral death.

They couch their arguments against a Repeal Referendum with passive statements, claiming there is no appetite for abortion law reform. Believing their own propaganda, the Fine Gael/Labour government of 2011-16 set up a "Citizens' Assembly" to examine the case for abortion law reform. Members of the assembly were selected to represent an accurate sample of the Irish voting population.

This intended delaying tactic backfired spectacularly. The assembly made a series of recommendations calling for radical reform of the state's abortion laws. [\[7\]](#)

The assembly's report is now with a parliamentary committee that is due to issue recommendations in December 2017.

After that, according to Taoiseach [Prime Minister] Leo Varadkar, the Dáil will debate the issue and an indicative timetable means a referendum could occur in May or June 2018.

This is a very shaky agenda. This process has delayed in its DNA.

Having said that, the government will find it difficult back out of its commitment. The death of Savita and the various international and domestic human rights pressures, the outcome of the Citizens' Assembly and the mass pressure of the street activity are pushing the government towards a referendum to legally permit abortion but referendum wording remains unclear.

The Fine Gael government does not have a Dáil majority it governs thanks to a confidence and supply arrangement with its right-wing rival Fianna Fáil and could easily fall in the early months of 2018.

Ruth Coppinger TD outlines the policy of pro-choice activists:

The first question for the Oireachtas Committee on the 8th Amendment is to decide whether we think there should be a referendum and, if so, on what? In my opinion, having heard and read all the legal advice - and obtained my own - we should propose a referendum to simply repeal the 8th. We should then legislate to provide abortion rights in this country, rather than sending people abroad or criminalising them at home.

For that reason, the Committee needs to make a decision on the first question, then move on to the other. People have been campaigning for years for repeal. It's not new. The members of the Committee have known the Citizens Assembly proposals since April and have had six months to get their advice. We've also had hours of

testimony by legal experts. Next week, we will meet the Committee's legal adviser in private session and will then discuss this out in public and should then vote on the options.

So far, Solidarity-People Before Profit, the Civil Engagement Group, the Social Democrats, Ind4 Change, Labour and Sinn Fein have all backed motions for simple repeal. FG and FF are hesitating. Why? Is it because their large and well-funded parties haven't had time to get legal advice?

Or could it be that they want to, later on in the Committee, link a repeal referendum with restrictions on abortion legislation? [8]

The pro-choice forces are mobilising. The ARC has campaigning groups around the state, raises a lot of money and distributes its own propaganda.

The main statewide umbrella organisation is the Coalition to Repeal the 8th Amendment which describes itself as 'The Coalition to Repeal the Eighth Amendment is a growing alliance of over 100 organisations including human rights, feminist and pro-choice organisations, trade unions, health organisations, NGOs, community organisations and many others. Our members agree that the Eighth Amendment to the Constitution must be repealed in order to respect and protect the lives, health and choices of women in Ireland. Together we are raising awareness of the urgent need for a referendum to repeal the Eighth Amendment.' [9]

Many organisations are working intensively on the issue within the broad coalition. For example the Trade Union Campaign to Repeal the 8th Amendment has worked consistently with trade union activists promoting Pro-Choice and Repeal the 8th policies. The result is that most large Irish Trade Unions now have progressive policies on this issue.

The anti-choice forces are using all their resources to attack the Citizens' Assembly recommendations, and are attempting to squeeze the public debate into a narrow box.

The full picture will emerge in early 2018.

October 17 2017

PS:

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[1] What is the Eighth Amendment?

Article 40.3.3, known as the Eighth Amendment, was voted into the Irish Constitution by referendum in 1983. The amendment states:

'The state acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and as far as practicable, by its laws to defend and vindicate that right.'

The amendment equates the life of a pregnant woman\* with that of an embryo or foetus and has created an unworkable distinction between a pregnant woman's life and her health. From the Coalition to Repeal the Eighth [site](#).

[2] The feminist historian Margaret Ward used the title *Unmanageable Revolutionaries* in her history of women's involvement in the Irish national

struggle. Politicians Áamon de Valera and John Dillon had a jaundiced view of the women's suffrage movement, historians recounted at a lecture in Belfast.

Women's suffrage will be the ruin of our western civilisation, Dillon, an MP and deputy leader of the Irish Parliamentary Party, told a suffrage deputation 100 years ago, according to Dr Rosemary Cullen-Owens, in her talk in the series, A Decade of Anniversaries 2012-2023.

Áamon de Valera once remarked to a researcher that women were 'the boldest and most unmanageable revolutionaries', added Dr Margaret Ward in the lecture on Wednesday night, at Stranmillis College, on the women's movement from 1910-1922.

Was he haunted by the fact that women from Cumann na mBan had assembled for service outside his Boland's Mill outpost in 1916, only to be told by him, the commander of the outpost, to go home as this was no place for women? asked Dr Ward, director of the Women's Resource and Development Agency in Belfast. *Irish Times*, 27 April 2012 [De Valera, Dillon's Jaundiced View of Women's suffrage](#) .

[3] See [Abortion Rights Campaign](#) .

[4] For a report and video see [ARC Time to Act - March for Choice Dublin September 30 2017](#). Bernadette McAliskey's speech 1 minute and 15 seconds into the video.

[5] The Alliance for a No Vote (ANV) campaigned successfully against the 2002 Abortion Referendum on a broad pro-choice platform :

We are a broad umbrella for political and civil groups to come together to oppose the passing of the 25th Amendment to the Constitution

(Protection of Human Life in Pregnancy) Bill, 2001. Our membership is open to individuals, small groups and large organisations.

ANV believes that the proposals

• Restrict the right to life of the pregnant women by excluding the risk of suicide

• Reverse the X case

• Criminalise vulnerable women and those who seek to assist them in their plight

• Restrict the rights of women whose freedom to travel is inhibited

• Place further pressure on suicidal women and women with psychological illness

• Perpetuate social and economic inequality by entrenching the present unequal access to services in England

• Fail to provide for the rights of women whose health is endangered by continuing with pregnancy

• Put the health of women in danger through late abortions

• Are legally flawed, constitutionally cumbersome and not recommended by the Oireachtas Committee

• Ignore the real issue of the 18 women who travel to England each day, today, tomorrow and every day

• Are insulting to the integrity of the medical profession

• Are hypocritical by exporting the problem and refusing to deal with abortion in Ireland as a sovereign independent Republic

• Discriminate against women living in poverty

• Are more extreme than the current 1861 legislation

• Are unsupportive of women in crisis pregnancy and undermine the objectives of the Crisis Pregnancy Agency

• Ignores the real experiences of 75,000 Irish women who have had abortions since 1983

• Repeats the mistakes of the proposal on the substantive issue already defeated in 1992 .

[6] See [Ireland's victory for marriage equality - the birth of a new political imagination?](#). Sinéad Kennedy is the secretary of the Coalition to Repeal the 8th Amendment.

[7] See [Citizens' Assembly recommends abortion to be allowed without restrictions up to 12 weeks](#).

[8] A Facebook post, her page is [here](#).

[9] See the Coalition's [site](#).