

The fight to keep Irish abortions in England

It is an issue of conscience, but only one side actually gets to exercise its conscience, writes Gene Kerrigan



May 13 2018 9:39 PM

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Carol Nolan, Sinn Fein TD from Offaly, is campaigning tirelessly to keep the Eighth Amendment in the Constitution. Many of us strongly oppose that view, yet we cannot deny Nolan's sincerity.

"I was bound by my conscience", she told The Irish Times. "I am acting on my conscience and my beliefs."

She was suspended by Sinn Fein for acting against party policy, which is to repeal the Eighth.

I think Sinn Fein is wrong in suspending her.

Similarly, in 2013, when Fine Gael condemned Lucinda Creighton for opposing the party line on abortion, many believed that to be wrong and said so at the time.

Fine Gael effectively expelled Creighton and others for acting on their conscience, and that was vindictive.

There's a wide consensus in society on what's right and what's wrong. There are some issues where that consensus doesn't exist - and abortion is one of them. In such cases, we each depend on our conscience to inform our decisions.

And that's where Carol Nolan and others like her puzzle me.

They demand freedom to act on their conscience on abortion. Yet they deny that freedom to those who take a position with which they disagree.

They are sincere in their opposition to abortion. It follows, therefore, that they should not make a decision to have an abortion, or to personally procure one. And they have a right to seek to convince others to share their beliefs.

But Ms Nolan, her fellow Sinn Fein TD Peadar Toibin, and those campaigning to "save the Eighth", go much, much further.

They demand that there be no other lawful choice except the one they have made. They want to keep in place a Constitutional ban that applies to all women - now and forever - whatever the circumstances those women face.

Amid the complexity of life, people are on occasion faced with difficult choices. One of these is to terminate a pregnancy or to go through with it. Either is a major decision. Two women, in precisely the same circumstances, might make opposing decisions.

Carol Nolan and her side demand that no woman should be allowed make her own choice, that by law and Constitutional imperative it must accord with theirs.

Let's leave aside the frantic circumstances of 1983, when politicians fearful of being denounced from the pulpit hurried to insert the Eighth Amendment, regardless of consequences.

Some of the "save the Eighth" people would allow an abortion to save a woman's life. But if the pregnancy threatens "only" to wreck the woman's physical or mental health, they demand that the Constitution ensures she must see it through.

Medics treating such a woman must, amid an unfolding crisis, judge exactly when a risk to her health turns into a risk to her life. Make a mistake, and it's a crime with a 14-year penalty. They must work with one eye on their patient, the other eye on their legal position.

The "pro-life" forces have nothing to say to raped and pregnant children, or to raped and pregnant women.

And if a woman knows that the foetus inside her will at best live just long enough to lose the fight to breathe they nevertheless demand that she see the pregnancy through.

In this stark view of the world, there's no place for a woman's intellect or conscience. The choice, whatever circumstances she might face, has already been made. By Carol Nolan and her "save the Eighth" comrades, sincerely substituting their own consciences for the consciences of all women in Ireland, forever.

There is not another measure implemented in the history of the state that is so intrusive, so authoritarian in personal matters, so cruel in its effects as the Eighth Amendment.

But, wait.

We all know the truth. All this "pro-life" stuff is nonsense. We all know that the supposed Constitutional ban on abortion is a fraud.

There's a reality that we know exists. The state, with the quiet acquiescence of the "pro-life" forces, have - how shall we put it? Made arrangements.

In today's Ireland there's an abortion infrastructure availed of by about 4,000 women a year. That infrastructure was carefully constructed by the political parties, with a nod from the Catholic Church and a wink from the allegedly "pro-life" forces.

In May 1992, a news report said the next day's Guardian newspaper, from the UK, would carry an advert for abortion facilities. Gardai were on hand when the newspaper arrived at Dublin Airport, but they weren't required to act, as the newspaper was withheld from sale. All 2,000 copies were taken to the newspaper distributor's premises and shredded.

When this was revealed, the Irish establishment was red-faced. Three months earlier, they were embarrassed internationally by the notorious X Case, in which the Attorney General got an injunction to stop a 14-year old pregnant rape victim from going to England for an abortion. The AG was enforcing the Eighth Amendment.

That November, two new clauses were inserted in the Constitution - the 13th and 14th Amendments. One clause prevents politicians, judges or servants of the state from doing anything to stop women getting information about abortion facilities abroad.

The other clause prevents politicians, judges or servants of the state from acting to prevent any woman from travelling abroad for an abortion.

It's still bemusing that a modern state put in place Constitutional barriers specifically designed to prevent its politicians, judges and public servants from interfering with the abortion trail to a neighbouring jurisdiction.

Three Catholic bishops spoke against the clauses - the rest said they were OK with a vote either way.

And, not once, in the 26 years since then have the supposed "pro-life" forces moved against those Amendments. Not one TD or Senator, loud in their "pro-life" pieties, has even verbally attacked those clauses, let alone sought to repeal them.

And no political party, group or "Institute" has campaigned to repeal the 13th and 14 Amendments.

Fianna Fail's Mary Butler is an outspoken "pro-life" TD whose anti-abortion beliefs are transparently genuine and sincere. Just two weeks ago, she was asked on Prime Time what she would say to the mother of a 14-year-old pregnant rape victim.

"I certainly, personally, wouldn't force her" [to see the pregnancy through], Mary Butler said. "If her mother decides she wants to take her daughter for an abortion, that's her decision... I know they have to go to England..."

Ms Butler seemed to think it completely unremarkable that there are abortion facilities available to Irish women - well-known, well-signposted and Constitutionally protected.

This outsourcing is now part of the infrastructure. It's recognised by the allegedly "pro-life" forces and it acts as a safety valve, reducing the pressure for abortion facilities here.

And it allows the extreme wing of "pro-life" forces to strike moral poses. It allows them to dismiss everyone

who requests the right to an abortion in Ireland, from Savita Halappanavar to Amnesty Ireland, as an agent of "a culture of death".

One current No poster is blunt: "Don't bring this to Ireland". Yes, we must keep Irish abortions where they belong - in England.

Abortion is a troubling issue, and the women of Ireland do not treat it frivolously. Like Carol Nolan TD, the women of Ireland like to act on their conscience and beliefs. To deny them this, we tolerate a nod and wink culture that tells us to nip across the road and use the neighbour's facilities.

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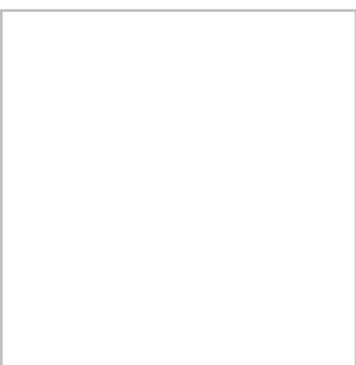
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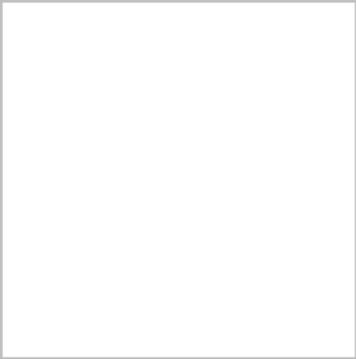
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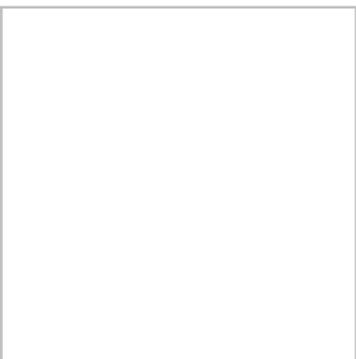
When victims sue, the bullying has to end

There are two parts to the cervical cancer scandal. One is medical. The other is what we can call policy or politics - very broadly speaking.



Bankers look hungrily at the trough again

Gene Kerrigan These days, the fairytales come in threes. Our Fianna Fail friends are currently pointing to Bertie Ahern's claim to have "cleared my name". And we'd be blessed if he allowed us make him President.



A cartel that puts the mock in democracy

It's entertaining, up to a point, to watch Fine Gael and Fianna Fail dancing around Sinn Fein.

But where were all the snow consultants?

The politicians did their job last week. Gene Kerrigan asks how come they so often fail in dealing with longer-term problems?



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Illustration by Tom Halliday

March 4 2018 9:30 PM

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Well, that was a memorable week. Some scary parts, many quiet acts of kindness and heroism, and a whole lot of dedicated public service.

The other side to all this, we'll get to later.

As the storm and the snow approached, various elements of the State behaved appropriately. The professionals - the National Emergency Coordination Group (NECG) - assembled the data and drew their conclusions. They have a huge technological advantage over those who tackled previous "weather events". And they set out to minimise casualties. It would be worth it, to save one life.

Leo Varadkar properly and usefully employed the high profile his office gives him, to amplify the professionals' message of caution.

Volunteers and professionals threw their energy and skills into protecting us. As usual, Joe Duffy's Liveline played an important role in these things - alerting us, informing us, making contact between people in need and others of good heart.

At one stage, Duffy abruptly left an item unfinished, to allow it be resolved off-air without our intrusion. Helping someone out of a jam, in a respectful manner, mattered more than getting a moment of "great radio".

There was a sense of a mature people hunkering down as a possible disaster crept up on us. This is how community and politics are supposed to work.

OK, there was some of the usual showboating - the Taoiseach was repeatedly flanked by a soldier and a garda as he addressed the nation. It was silly, yes, but if he does the job, I guess we have to indulge his need to be seen as Supreme Commander Varadkar.

There's a question here, about success in one kind of task, and repeated failure in another.

How come our politicians behave appropriately in dealing with a dangerous storm and relentless snow - yet seem so deeply incompetent when dealing with, for instance, the housing debacle and the hospital chaos?

There's a difference in scale, yes, but the length of time the problems persist is staggering.

This month, it's 11 years since Mary Harney declared a "national emergency" in hospital A&E departments. The figures are worse than ever.

Through the years, one loud, swaggering minister followed another, vowing to fix the housing crisis. Again, the figures are worse than ever.

How come politicians who recognise what needs to be done in one set of circumstances are bugger all use dealing with more complex problems?

The answer, I think, can be found within the detail of what happened last week.

The weather problem was confronted by a tight body of professionals, with State forces at their disposal.

The politicians had two roles. A) to set up the NECG structure (which was done in years past); and B) to convince the citizens to obey the advice of the professionals.

A range of volunteer groups weighed in. The media kept us informed of what was happening.

Meanwhile, as the professionals prepared urgently, the politicians went into the Dail and had two rows.

First, Fianna Fail accused the Government of using public money to mount a media propaganda campaign - Project Ireland 2040 - to benefit Fine Gael.

What followed was childish.

When accused of misusing public money, Varadkar raged that Fianna Fail did the same. He had adverts from their time in office to prove it.

"I thank the Taoiseach. His time is up," said Sean O Fearghail.

Varadkar ignored the Ceann Comhairle and continued offering his evidence that FF is as bad as FG. He and Micheal Martin exchanged puerile remarks.

"Time is up," repeated the Ceann Comhairle. But Varadkar had found a picture of Brian Cowen in an advert. And of Micheal Martin.

"The Taoiseach is not in order," said the Ceann Comhairle.

"...and on the next page we have a picture of Mr Bertie Ahern..."

"Can the Taoiseach restrain himself from..."

But, Varadkar had found another photo of Brian Cowen, in the Limerick Chronicle, and he had to tell the Dail about that.

The childishness was embarrassing. "Please," begged the Ceann Comhairle.

"On the back of this we have an article from the..."

"No, sorry, Taoiseach..."

But it went on, a child stamping his little foot.

Eventually, the Ceann Comhairle regained control.

So, in dealing with serious issues we first have to get past the incurable tribal bickering of FF/FG - the herpes of Irish politics.

We'll come to the other Dail row in a moment.

Another obstacle to solving crises such as the housing and hospital chaos is FF/FG's shared ideology.

In the 1930s, 1940s and 1950s, when conservative politicians were faced with huge housing problems, they asked a simple question: How do we build decent houses fast?

They used direct labour, they used private firms, whatever worked. And they built the great estates that housed the workers who built this country and took it out of poverty.

Varadkar and his like grew up into a political culture shaped by the 1980s sharp swing to the right - the legacy of Thatcher and Reagan. The market-first philosophy, transmitted through education, the media and the political parties, seems as natural to them as "A Catechism of Catholic Doctrine" seemed to me as a youngster.

For these politicians, housing isn't the primary problem. They must find ways to tweak the market, to get private capital to meet housing needs. It's not about housing, it's about satisfying investors (domestic or visiting vultures) and ensuring returns (for investors, for banks).

Pushing prices - whether buying or renting - out of the reach of people with jobs is not a bug in this system, it's a feature.

There's a similar problem in dealing with hospital chaos - there are interests to be looked after: investors,

again; consultants; geographic considerations, to keep Punch's marginal seat out of Judy's grasp.

And the right-wing view is not of a health system. It's a health market, and the public element is reduced to the skimpiest "safety net" they can get away with for those locked out of that market by poor wages.

The second Dail row last week arose from this ideology. Brid Smith TD spoke of hundreds of pensioners in a facility where "the council, as a matter of policy, turns off the heating every night". As the storm neared, she wanted a policy move on heating.

Meanwhile, FG's minister responsible, Jim Daly, advised old people to keep the heat on.

Varadkar would have none of it. He publicly smacked down his own minister. This would cost €6m or €8m, depending who spoke. Varadkar said there's no "blank cheque".

Again, the ideological need to keep the costs of the "safety net" to a minimum, regardless of the consequences in misery or death.

Aware that this was part of storm protection, Minister Regina Doherty went about sourcing the money.

Give them a genuine all-in-it-together problem and Varadkar and Co can do a job.

Housing and health, though, are markets, with investors and providers and bankers, whose interests come before ours.

If they fought the storm as they do homelessness, they would have hired 26 snow consultants to spend six months assessing the tenders of 17 private firms specialising in storm attrition.

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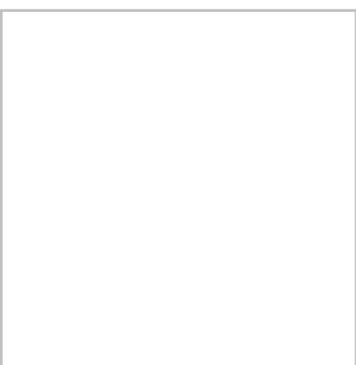
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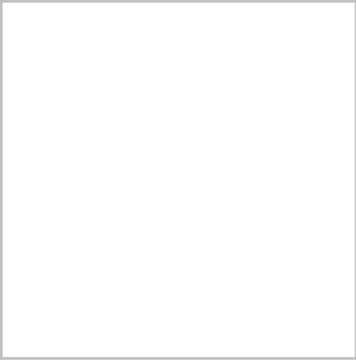
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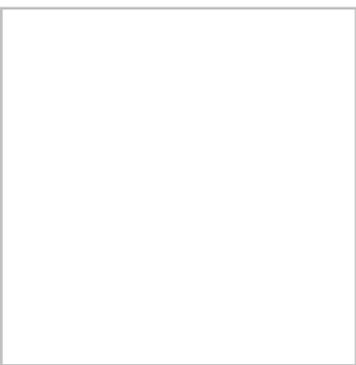
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Another summer, another long, long, long political holiday. It's nice to live in a country without urgent problems, isn't it?



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Maybe it's the heat. In recent days a whole lot of people have been getting pretty tetchy about religion. It's as though the referendum on the Eighth Amendment got people so riled up that some are now finding it difficult to settle back into normal life.

The young, the old, the lies and the truth

In this time of deceit, it is good to have young idealists, and an elder statesman, who speak out on what matters, writes Gene Kerrigan



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March 11 2018 9:19 PM

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There were dozens of young people on the steps of the Mansion House, in Dublin, one morning last week. Inside, there were more than 300, from a range of schools.

Eventually, as the Young Social Innovators tour traverses the country, about 7,000 young people will speak out on the issues that matter to them.

At the Mansion House, they presented pieces on a range of social issues, some familiar from the headlines, some less so: poverty, gender, consent, homelessness; the way that education can be stunted by the cost of books and uniforms. And they said what they want done about it.

And they questioned the mental pressures that increasingly afflict their generation - Mercy College in Coolock performed a vigorous piece, Worriers to Warriors, on girls being pulled every which way by anxiety.

It was impossible not to envy their energy and their idealism.

And it was impossible not to recognise that forces they never thought existed lie in wait to steal from them much of that energy and to kill off that idealism.

Waiting for the event to start, I remembered a speech by President Higgins that I meant to check out. It had, apparently, received a warm welcome in Greece last month.

I got the speech on my phone, and while the young idealists prepared to make their presentations I read the thoughts of one of Ireland's oldest public figures.

The speech ranged across culture and history, the things that bind Ireland and Greece. And Higgins mentioned the recent events that have sought to set peoples against one another - "negative invocations of fear, including fear of the stranger".

That fear of the stranger has acted against countless men, women, children and babies who fled war and oppression, seeking the refuge of our relative calm. And who were left to drown in the Mediterranean.

To discourage those who might follow.

Our navy worked hard to rescue people, to the credit of our sailors. And yet that same urge to discourage those who might follow led our government to set up "direct provision" camps, where we humiliate and disrespect those who seek our help.

One line in Higgins's speech pointed to a central fact in the world those young people are preparing to confront.

"Nine billionaires - all men - control the same wealth as the poorest half of humanity - 3.6bn people."

It was not the unfairness of this obscene wealth and immense poverty that Higgins stressed.

Those statistics, he said, point to "the location of the power to determine outcomes".

He spoke of "powerful speculative forces", with "the capacity to dislodge governments".

He spoke of the "unaccountable" policies that flow from "an insatiable search for profit for their investors". And he asked if this did not challenge democracy.

In other words, those nine men don't just sit there, drooling on their money. They, and their vast army of executives, professionals, strategists, marketeers, compliant media, bankers, strong-arm thugs and subsidised politicians are constantly at work, protecting that fortune and expanding it.

Those statistics, and that army of servants of wealth, determine how we live. They affect the state of the public service, the cost of a roof over our head and the length of the hospital queues.

They affect the depth of the anxiety being forced onto the young who are about to inherit our questionable legacy.

We have allowed sickening work practices to become the norm - where poorly paid workers, many of them barely older than some of those in the Mansion House last week, are bullied and deliberately kept on edge. As the trade union movement withers, the young and the poor have few protections against the whims of employers.

Our politicians are careful to construct employment protection law; and even more careful to ensure it's weakly enforced.

Bogus "self-employment" is forced onto workers, so that employers can evade tax.

We have accommodated to this kiss-up, kick-down way of life. When Greece was on its knees, six or seven years ago, our then Minister for Finance threatened to print T-shirts with the legend, "Ireland is Not Greece", to emphasise our superiority. He mocked their paltry exports: "Apart from feta cheese, how many Greek items do you put in your basket?"

The grinding humiliation of Greece helped create the alienation from the EU now widely felt across Europe.

And that alienation received a boost on the two occasions on which our referendum vote was rejected by the EU, and by our own political parties, who insisted we vote again, as instructed.

Brexit, the dead end solution, is one of the consequences.

The rise of neo-fascist parties across Europe is another.

The energy and idealism last week in the Round Room of the Mansion House, where the first Dail of the new State assembled in 1919, was encouraging. My generation largely failed, winning the occasional advance, watching some of the gains of the past pushed back. A new generation steps up.

Many will find their idealism sidelined by the business of living; of jobs and rent and ambition, getting their hearts broken and getting over it, doubting themselves and getting over that, too.

They face more deceptive codswallop than any earlier generation. There are whole regiments of highly paid people whose 24/7 job is to distort reality.

Much of what we see - in politics, in business, in international affairs - is the acceptable cover story, a sanitised version of the reality it conceals.

Some young idealists will be drawn into contrived "policy disagreements" between Tweedle Fail and Tweedle Gael. Some of us regard with sympathy the journalists who spent decades getting "exclusives" on the "inside story" of things that never mattered - and then were genuinely startled when one supposed hero or another was accidentally found to have hidden bundles of money.

As someone once said (it sounds like Orwell, but it wasn't) "in a time of deceit, telling the truth is a revolutionary act". And one of the benefits of having [Michael D Higgins](#) in the Aras is that his experience and scepticism have shown him how things really work.

This is indeed a time of deceit. The spin doctors have spin doctors; the people employed to fool us have "special advisers"; the politicians don't care how many people can see through the play-acting - they know their followers want to believe, so they give them stuff to believe in, and that pumps up the figures. And those who aren't paying attention see the puffed-up figures and say, Hey, that guy looks like he knows what he's doing.

In such circumstances, it's good to have a President who's aware of the machinery grinding away under the surface.

Scrupulously avoiding party politics, he speaks of the business of living in a society where much of what affects our lives is unacknowledged.

I didn't vote for him in 2011. I voted for David Norris, despite having reservations about his politics. For decades Norris stood for human rights, when it took real guts, and that deserved a vote.

I hope Michael D Higgins runs again, and I hope someone runs against him, so I get to vote for him this time.

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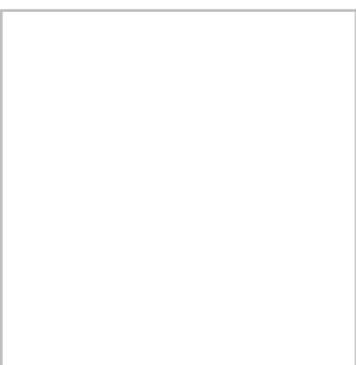
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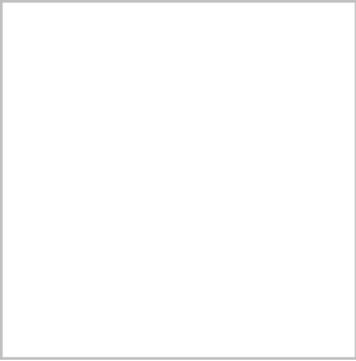
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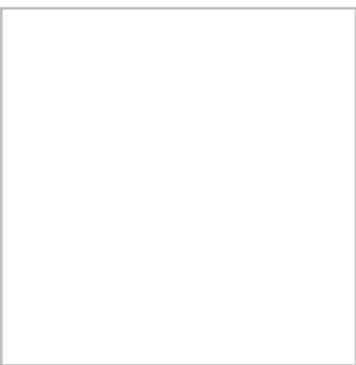
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