

Guest editorial

Anomalous states: Ireland's abortion export problem

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Although the emigrant journey is deeply etched in the Irish consciousness, that of the abortion seeker arriving on these shores rarely features in migration lore, or in the histories of the Irish in Britain. It is a journey embarked upon by at least 125 women each week of the year. It is covert in nature and, more often than not, undertaken alone. Before arriving in Britain, the abortion seeker will have to overcome many obstacles. These include finding a clinic and making arrangements, a difficult undertaking in the past, but now facilitated by the Internet, the information highway. She will have to amass sufficient funds in a short period of time to cover the termination, which carries a price tag of between £600 and £1800. She will also have to cover the cost of travel and, if necessary, pay for accommodation unless she has sympathetic contacts, like the Irish Women's Abortion Support Group (IWASG), a group of London-Irish women whose history is reviewed in these pages.

The reason why Irish abortion seekers are forced to travel to terminate their pregnancies is that officially the two Irish states are more or less abortion-free zones. Nonetheless, north and south of the Irish border, abortion is a reality. According to official statistics, approximately 5000 women in the Republic choose to terminate their pregnancies each year; in Northern Ireland the figure is about 1500. The problem is that apart from a small number sanctioned by law to take place on native soil, Ireland's abortions are exported to other European countries, predominantly to Britain, but increasingly to Belgium and Holland. Furthermore, anecdotal evidence suggests that the figures are much higher, since a significant number of abortion seekers give false British addresses. In consequence, these abortions are included not in the statistics for Ireland, but in those for England and Wales. Also absent from the official statistics are the increasing number of women accessing the abortion pill on the Internet.

Ireland's abortion laws are among the most restrictive in Europe. In both states, the basic law remains the 1861 Offences Against the Person Act, introduced in the reign of Queen Victoria when Ireland as a whole formed part of the British state. The Act makes abortion

a criminal offence carrying a penalty of life imprisonment. In the southern state, the Republic, the law became even more restrictive in 1983 when the country's constitution was amended to make the right to life of the unborn equal to that of the mother. A pregnancy may be terminated legally only in order to save the life of the pregnant woman, or where she is suicidal. There is no right to abortion in any other circumstances, even where a woman or girl has been raped or abused, or where a foetus would not survive once born, as in the case of foetal anencephaly, for example.

In Northern Ireland, the 1861 Act has been updated somewhat by the 1938 Bourne judgement (Rex v. Bourne, 18 July 1938, 694–95), the acquittal of a doctor who in England had performed an abortion on a 14 year old teenage girl as a result of multiple rape. Although premised on the view that abortion is legal if continuing pregnancy would leave the woman 'a mental or physical wreck', the Bourne judgment is notoriously unclear. This means that Northern Irish doctors generally are unwilling to carry out abortions, resulting in between 70 and 100 only being performed each year. Opposition from politicians and religious leaders has meant that the British government failed to extend the 1967 Act which clarified the Bourne judgment in the rest of the United Kingdom. While other medical procedures unavailable in Northern Ireland can be accessed free of charge under the National Health Service, elsewhere in the United Kingdom, Northern Irish women, like their sisters from the Republic, are required to pay for their terminations.

The question of why it is that the two Irish states are an anomaly in the European context when it comes to human reproductive matters is frequently answered by citing the powerful influence of religion and its opposition to abortion, whether conservative Catholicism or evangelical or fundamentalist Protestantism. Scholars researching the underlying reasons for the strength of religion in the two Irish states point to the fact that as far as Catholicism is concerned, it has for centuries been popularly identified as a badge of resistance to Britain, the colonial power. Unlike France, Italy and Spain, where the Catholic Church acted in

cahoots with the feudal order by upholding the divine right of kings and emperors, or, in the modern period, by shoring up fascist states, Irish Catholicism has had no such history of collaboration to live down.

Another reason for the cementing of the relationship between priests and people was the Catholic Church's role in rebuilding a shattered Ireland after the Great Famine of 1845–50 in which, out of a population of about eight million, a million people died and another million emigrated. The Church's teachings, practices, and importantly, its material resources, whether in the form of schools, hospitals or social services, came to shape the lives of its adherents throughout the island. In consequence, while being a significant movement in other Western European Catholic countries, anti-clericalism and widespread questioning of the tenets of the Church did not take root in Ireland until recently. Such questioning as now exists has resulted from the modernisation and secularisation of society, the growth of the feminist movement, and, the exposure of the physical, psychological and sexual abuse of children and young people in their care by clergymen and the religious orders, male and female.

Equally, the teachings and practices of evangelical or fundamentalist Protestantism, such as the Free Presbyterians founded and led by Ian Paisley, have shaped the lives and belief system of the majority community in Northern Ireland, although many belong to relatively liberal denominations, such as the Church of Ireland (the Anglican Church). Northern Irish Protestants trace their origins to the plantations of Ulster in the 17th century when Scots and English settlers were planted on the confiscated land of the Catholic Irish inhabitants by the Crown and by

Cromwell. The Scottish settlers brought with them their strong Calvinist beliefs and the conviction of being a chosen people, people with an Old Testament biblical covenant with God, a concept also espoused by Afrikaners and Israeli Jews. Even after the partitioning of Ireland and the formation of the Northern state where they form a majority, Protestants have been uncertain of their national identity, whether British or Irish, and fall back on religion for symbolic support and affirmation of their uniqueness.

It is the explanatory power of fundamentalism and its capacity to exorcise doubt and uncertainty which makes it so compelling to Northern Irish Protestants across the board, especially in periods of political strife, not least during the 30 years of The Troubles. This belief system is based on a literal reading of the Bible, a rigid interpretation of the role of sex and sexual relations, and not least, resolute opposition to abortion on the grounds that a foetus is fully human from the moment of conception, a position shared by the Catholic Church. Despite considerable opposition from pro-choice activists and the stark reality of Irish abortion seekers '*crossing the water*' each day, it is also a position maintained by the politicians of the major parties, north and south of the border. While they may disagree over many other matters they are united in their opposition to abortion.

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