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Anti-choice extremists defeated in Ireland but new abortion legislation is worthless

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ended through the illegal selling of condoms initially by Student Unions and later and conclusively by the Virgin megastore.

Despite spending in the region of a million euro and getting the backing of the Catholic church, it's now clear that the anti-choice extremists of Youth Defence & the Pro-Life Campaign were resoundingly defeated when the Dáil finally voted though legislation implementing the X-Case judgment of 21 years ago. This time last year they were confident that they already had enough Fine Gael TDs on board to block the required legislation but they reckoned against the wave of public anger that followed the death of Savita Halappanavar after she was denied a potentially life-saving abortion in a Galway hospital.

In the last couple of weeks panic clearly set in culminating in yesterday's bizarre 36-hour rosary marathon at the gates of the Dáil. Increasingly these groups cut themselves off from the 'middle ground' they imagined they were cultivating over the last couple of years. It's hard to come back from having a huge crowd of young people chanting 'Go back to Craggy Island' at you. A chant provoked by a range of increasingly odd behaviors ranging from alternating between throwing salt at the pro-choice camp, shaking fetus porn and falling to your knees for another decade of the rosary. It would be hard to conjure up a better image of the Ireland 90% of the population want to pass into history, and quickly.

It's not because of some PR meltdown in Life house that it's ending like this. When you build such a massive, visibly expensive campaign to block the most restrictive abortion legislation imaginable, essentially around the demand of "Let Women Die" you expose the stone age patriarchal ideology you are based on for all to see. The strange bunch at the Dáil last night, a high percentage of whom seem to have been American who flew in for the protests, are what you are left with when everyone else backs away.

It's all a far cry from the modern, concerned-about-human-rights women that the main factions of the anti-choice movement have tried to astro turf themselves into in recent years. They worked hard on this, fronting women as spokespeople, herding whatever young women could be coaxed into turning out to the

front of demonstrations for that all-important definitional photograph, confiscating the giant cross off the red-robed weirdo's and telling their flock to stick to shouting "life" over and over rather than shouting about harlots, sluts & jezebels as they tend to slip into. All in the hope that if only they could look like something modern and concerned that they could somehow lure people in on that basis.

It was never very convincing. Saturday's annual anti-choice march was bigger than usual – about 10,000 people took part but seconds after the three rows of young people carrying the front banner had passed you were back in the familiar territory of priests, nuns, monks, and various wavers of crucifixes and rosaries. The organisers seem however to think if you simply repeat a lie enough then it will stick, no matter how ludicrous. So as well as claiming that an impossible 60,000 attended (the rally point could only hold a quarter of that number and it wasn't full) they bizarrely referred to their spittle-flecked display of hatred as the "Love Parade"!

The massive exaggeration of numbers may well have something to do with protecting their US funding stream. To keep the dollars flowing they have to keep US fundamentalists believing that Ireland is a winnable crusade because there really is a "pro-life majority". So all the recent demonstrations have seen anti-choice organisers quadrupling or further exaggerating numbers and exposing the journalists they still have to ridicule by requiring them to trot out lesser but still large exaggerations to make the organisers ones seem more reasonable. The *Independent* was still repeating "up to 50,000" long after video and other material was circulating online showing anything approaching that number was impossible.

Alongside exaggerating numbers was the commissioning of several polls, which sought the "pro-life majority" results required by asking the most extraordinarily convoluted and misleading questions. If all that isn't about keeping the Yankee dollars flowing, they must be hoping to fool Fine Gael TDs into worrying about losing their seats by defying the "pro-life majority". This seems less likely

There is a real danger that the legislation passing will copperfasten the ban on provision of abortion in the other 99%+ of circumstances women face. We are in a situation where some of the "worst case" circumstances that have generated anger in the past are now covered in the south. Only some, it is for instance outrageous that a way was not found to include the demands of TMFR (Terminations for Medical Reasons) that women who are carrying unviable fetuses should no longer have to travel to England to obtain abortions. Forcing a women to carry to term a baby that will die in agony moments after being born seems as cruel an example of the bureaucratic barbarism of Ireland's anti-choice culture as you can get.

With the opening of Marie Stopes in Belfast a large number of unwanted pregnancies will now be terminated through accessing medical abortion in Belfast. If it was the case that the relative accessibility of abortion in Britain made the absolute ban in Ireland "acceptable" (in the sense of people not mobilising to fight it) this effect will now be very much stronger. But it will still be the case that in the region of a couple of thousand women a year will have to travel and this will largely be the women who face the greatest difficulties.

Worse still, undocumented migrant women or those in the Asylum process without travel documents will be trapped without any legal access in most cases. It is this group which is particularly vulnerable to that 14 year jail sentence as such women will have no choice other than the use of pills ordered from organisations like Women on Web.

The popular anger around the failed attempt to block legislation on X and C and the lobbying activity of YD and PLC should now be used to build popular support and mobilisation for an open and by necessity illegal provision of medical abortion in the republic. Such provision will make the 14-year penalties in this new law unenforceable. We have been here before; it used to be that you had to have a prescription to buy condoms. That ludicrous situation was

4. Generally what has collapsed prohibitive laws against abortion in other countries is not lobbying or legislation but direct action through the provision of abortion. In particular in Ireland it is almost impossible to envisage any other route by which we would see the introduction of abortion provision that was accessible to at least a very large majority of women who didn't want to continue with a pregnancy. Otherwise we would have to believe we could lobby Fine Gael or Fianna Fáil into introducing a bill to not only repeal the 8th Amendment but provision for abortion at a woman's request as part of our standard healthcare. It is impossible to imagine any of the significant political parties moving to introduce such legislation through a process of education and lobbying TDs in any timeframe that is not measured in generations. Therefore we need to find a way to make it impossible for the 14 year jail terms to be taken seriously.

Where we are

The current legislation and the reaction to that legislation by the anti-choice brigade is creating a moment of opportunity for change. The question is what sort of change. The attempt to block legislation for X case generated a good deal of popular anger but a lot of that anger was simply steered into getting that legislation passed. I was surprised by the number of otherwise solid pro-choice people on twitter who reacted very negatively to the announcement by some of the technical group TDs that they would be voting against the legislation on pro-choice grounds. Even allowing for the fact that some of these tweets may have been gross opportunism by Labour Party members wanting to smear their electoral rivals it was clear that there had not been enough critical debate about the legislation within the pro-choice movement.

as although TDs are useless at everything else, self-preservation means they generally keep their ear to the ground on their constituent's feelings. And as all genuine polls have shown the "Let women Die" position is now only supported by (a still shocking) 10-15% of the population.

It's unlikely this defeat will see Youth Defence or the Pro-Life Campaign go away but hopefully it will demoralise their remaining small base in Ireland and wake their US funders up to the fact they are funding the careers of a couple of families rather than any crusade that has a chance of winning. The pressures of defeat are already showing: PLC failed to do much to build the YD bigot-fest last weekend and YD has seen a significant split with the departure of the "we want more gory fetus porn and house pickets" SSPX contingent.

A defeat for them but not much of a step forward for us

All this however is a long way from winning any sort of pro-choice health care in this country. There is a danger that the defeat of the extremist anti-women organisations will lead to a sense that slow incremental progress is now being made. Indeed Labour Party supporters are attempting to present the incredibly restrictive "Protection of Life During Pregnancy" Bill as just such a thing despite the fact that in several ways, including its precise definition of the previously meaningless term "unborn", and its 14-year jail terms for women who obtain abortions outside the law, e.g. through the use of abortion pills, it is a step backwards.

Under the legislation women who are suicidal will have to prove this to a panel of three doctors, all of whom have to approve her request for a termination. Obviously any woman able will not subject themselves to such a process but instead head for England. The right to travel is protected so the entire bill would better be titled

the “Forcing Women in Desperate Situations to Travel for Political Gain” Bill. As the Abortion Rights Campaign statement says “The contents of the Bill, distinguishing as it does between mental and physical health for which there is no basis in medicine, are so restrictive that it is even doubtful that X, as a suicidal pregnant teenager, would under this bill be able to safely access a legal abortion in Ireland. The best defence that Labour can offer is that they were restricted by the 8th Amendment — but that is rather undermined by the fact they don’t even have party policy to bring a referendum to remove it.”

The defeat of Youth Defence represented by the passage of the bill may allow for a moment of celebration but only a brief moment. It’s worth refreshing once more the argument as to why lobbying around the requirement to legislate for the X and C cases was always going to offer very limited results.

1. The legislation on offer would be so limited as to be next to worthless. This law in particular is very restrictive, meaning it will be worthless for 99%+ of women who want to choose abortion. In fact it may well make things harder for many of those women.
2. There is evidence of a significant shift in attitudes to abortion. Not so much in terms of opinion polls, that happened in the ‘90s and has been solidifying since. People, particularly women, are very much less willing to be bullied or shamed by the moral bigots into silence. In the campaigns of the early ‘90s practically no women identified as having had an abortion either internally to the campaign or externally. Most people took the “I wouldn’t choose for myself but it should be available...” route of argument. This has rapidly changed and its part of the reason for the scale of the reaction to the YD shaming ad campaign last spring — that campaign massively backfired for this reason.

This is one basis for the struggle for abortion provision way beyond the X and C cases in the short term. What many try and avoid as an abstract difficult debate about moral absolutes becomes very much more concrete when they realise how women they know have been and continue to be effected.

3. The scope for direct action on the provision of abortion itself has massively expanded with the arrival of RU484 and similar pills. Indeed direct action is already happening in the sense that perhaps a thousand medical abortions or more are now happening every year in the republic through the use of pills. The exact figure is unknown but the number of women using Irish addresses for abortion in England and Wales has fallen by 2,000 a year since these pills started to become available. These pills can be used up to 9 weeks after the start of the pregnancy and health statistics from the women in Ireland travelling to England and Wales in 2012 for abortions showed 2/3 of them were 9 weeks or fewer pregnant.

Pro-Choice activists have discussed providing the pills as a way of directly challenging the law but previously felt that we lacked the necessary organisational ability to do this properly. Such a challenge, if it were not simply a stunt like the contraception train, would need to include medical safeguards and preparation for support for people committing what would be a very serious legal offence. The new law, with its 14-year prison penalties, would have to be taken on directly. The campaigns against the attempts to block the law have produced a very much larger and well organised pro-choice movement with the resources to seriously look at open defiance of the law in a responsible way.