

Abortion Rights

The story so far

Workers Solidarity Movement

1992

IN 1983 anti-choice campaigners pushed the government into holding a referendum on abortion. The Eight Amendment was then passed by 33% of the electorate (the turn out was 54.6%). Abortion was already prohibited under the 1861 Offences Against the Persons Act. The Eight Amendment copperfastened this ban preventing any reforming legislation.

SPUC's next step was to take those clinics which provided non-directive counseling to court. In the Hamilton Judgement of 1987 the High Court placed injunctions on the Well Women Centre and on Open-Line Counseling prohibiting them from operating non-directive counseling services. The clinics failed in their appeal to the Supreme Court.

The ruling by Justice Finlay extended the Hamilton interpretation by declaring the imparting of any information relating to the procurement of abortion to be unlawful. It was this ruling that was then used to take the Student Unions to court. The Well Woman Centre and the Open-Line Counseling service then took their case to the European Court of Human Rights.

The Defend the Clinics Campaign attempted to get liberal/left Irish politicians to raise the issue but many like Emmet Stagg and Micheal D Higgins of the Labour party refused to give even paper support, frightened for their Dáil seats.

SPUC continued on the offensive, taking the Union of Students in Ireland (USI), Trinity College and UCD Student Union to court. SPUC lost the case initially on very dubious grounds. There was a large amount of publicity surrounding the case arising from student demonstrations outside the courts. At the last moment the Justice that was supposed to hear the case was replaced by Ireland's only female judge, Justice Mella Carroll.

She ruled that all the evidence against the students was hearsay and so could not be used. This is in spite of the fact that the students had widely said in newspapers and interviews that they would provide abortion information and had included it in Student Union guide books. The judgement seemed to be a cop out for the Irish ruling class who did not want to be seen to be sending students to jail for contempt of court.

This ruling was appealed by SPUC who won, a temporary injunction being placed on the Student Unions. The Student Unions are being brought back to court by SPUC on July 19th this year in order to have this injunction made permanent.

The student union campaign took two turns. The leadership within the Unions toned down the level of campaigning on the issue, concentrating solely on appealing to Europe. Those activists that argued that the law should be publicly broken were told that we would be jeopardising the case by angering the judges. In the end the European Court found that the Students Unions could not give out abortion information.

It is still illegal to give out information on abortion. Within the individual student unions, many anti-choice groups held referenda aimed at overturning the Unions' mandate to distribute information. These anti-choice groups only succeeded in reversing a pro-information policy in one of the universities, UCD. However they were defeated in all but one of the Regional Technical Colleges. Overall, more students voted for giving out abortion information than against.

While the Student Union leaders waited for Europe, the Abortion Information groups in most universities ceased to exist. Meanwhile the Censorship of Publications Act was used to ban books and sections of magazines which contained information on where to get an abortion. Cosmopolitan and other British magazines now carry a blank page where ads. for British abortion clinics should be. Recently the Guardian newspaper was not distributed because of an advertisement for the Mary Stopes Clinic.

In 1991 the Trinity College Right to Information Group held a public meeting in order to launch a Dublin group. Following from this the Dublin Abortion Information Campaign (DAIC) began to meet regularly. Initially they concentrated on defying the ban in order to draw more people into the campaign and to provide information. More public meetings were held to highlight the issue and information leaflets were distributed in O'Connell Street.

Dublin County Council voted to remove two health books from the library which contained abortion information. Though DAIC attempted to replace the book the issue got very little coverage. DAIC decided to slow down to one activity a month in order to try and maintain some interest over a very bleak period.

On Wednesday February 12th, some of the Irish papers carried a short piece about an injunction being granted against a 14 year old alleged rape victim to prevent her traveling to Britain in order to obtain an abortion. The case was not yet an issue. DAIC called a picket for the following Monday and a rally the following Saturday. Though furious about the case, given the present climate and the lack of advertising many felt no more than about 200 would turn up. However 1,000 people ended up marching to the attorney generals office.

Many of those on the march had not been involved in the campaigning since the 1983 referendum, and quickly jostling took place as to who would 'in charge' of any future campaigns. Secret meetings were called by separate groups of feminists and liberals. Both groups wanted to exclude the left as much as possible, when in fact, it was mainly left wing activists who had been attempting to keep the issue alive for the last 10 years.

Following the unexpectedly large turn out of the march, the press and politicians started to speak out about the case. One grouping held a silent vigil of the Dáil. DAIC realised that the turnout for the Saturday rally would be big enough for a march. We hoped for 4,000. It was this march that put the case right on top of the political agenda. At least 10,000, mainly young people, marched and chanted 'Right to Choose'. It was noticeable that there were only five banners present, indicating that many people had spontaneously come out. People were angry.

Pressure was kept on by almost continual protests the following week. The first item on the news was reports of scuffles at the Dáil. The Government was coming under huge pressure. On

Thursday February 20th. the 14 year old was granted her appeal. The injunction was lifted and soon after she traveled to Britain in order to get her abortion.

These days it's not often that you have such a good example of how far and how quickly public opinion can change. A delegate from the Cork Abortion Information Campaign commented at a recent conference, that before the "X" case had arisen, the Cork group met to consider seeking another referendum on abortion information in University College Cork.

Two years earlier UCC, an extremely conservative university had voted massively against giving out information. The Cork group felt they would probably lose but would attempt it anyhow. Then the 14 year old case happened, and the UCC referendum was won with over 70% supporting abortion information. A week later, Manooch, the university of the Irish Catholic Clergy also overturned their policy and voted to distribute abortion information.

Similarly, it's not often as a socialist involved in campaigns that you can see how your actions are changing society for the better. This case is one of the few exceptions. DAIC consisted of a small group of activists, perhaps 30 in all. Yet when things started happening, when the case arose, we were there, ready and capable of responding. Without DAIC, it is unlikely that the march would have been organised or that the protests would have continued for so long. Without that pressure, it's unlikely that the 14 year old would have been able to travel to Britain.

A section of the feminists called a conference in order to launch the Repeal the Eight Amendment Campaign. (R8AC). DAIC affiliated to it. The Conference itself was jumbled and frustrating. Those calling it had a fixed agenda and were very hostile to any democratic attempt to amend it through motions. Many activists found the actual conference demoralising and antagonistic. It did however lead to the setting up of a campaign, weakly based in the cities.

Most of the co-ordinating committee of REAC wanted to run a media campaign and set about getting sponsors and important speakers. They however ran into troubles. Besides Democratic Left, no other political party would come near it, expressing caution and wanting to wait and see.

Many of Ireland's women's organisations also refused to get involved. Despite efforts the media refused to pick up on press statements. At the moment the main weakness of the campaign is that it is still attempting to become an 'important' force at the expense of organising viable local action groups.

REAC needs to stop looking to the politicians and the media to fight the campaign for us. Stunts and theatrical events do have a place in a campaign but they should be a backup to establishing a mass basis on the ground throughout the 26 counties. REAC has failed to draw in new forces in Dublin to campaign against Maastricht.

If we are to put repealing the 8th amendment on the political agenda we need more than stunts. We need to involve huge numbers of people through activity in the unions and the community. We need to construct action groups based around activities in all areas. This must become the first priority of the campaign. We forced the government to overturn the injunction when 10,000 marched in Dublin. We need to get out similar numbers if we are to have any hope of forcing the government to hold a referendum scrapping the 8th amendment.

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