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**THE 8TH AMENDMENT -
A LIFE-SAVING BEACON OF HOPE**

EXTRACTS FROM SUBMISSION TO THE CITIZENS' ASSEMBLY
FOR SESSION ON SUNDAY MARCH 5TH 2017

prolife
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“If I had listened to the pro-choice line when I discovered I was pregnant, I wouldn’t have my beautiful three-year-old daughter, Hollie. And those pushing for repeal of the 8th Amendment would have no words to console me for the loss I’d have suffered. I am so grateful that the 8th Amendment was there when I faced a crisis pregnancy. I dread to think what might have happened if there had been an abortion clinic just down the road from where I live.”

Mary Kenny, young mother from Limerick at launch of LoveBoth Project in Dublin, November 2016

THE 8TH AMENDMENT - A LIFE-SAVING BEACON OF HOPE

There are very few laws it can be said with certainty save lives. The 8th Amendment is one.

Mary Kenny’s story represents the experiences of countless families in Ireland today. There are so many stories of mothers and parents who contemplated abortion only to change their minds at the last minute. Many people involved in the pro-life movement today openly say they owe the life of their child to the 8th Amendment.

Having to travel to England meant a few extra days planning and gave them the time to think things through a bit more and decide against abortion. Today, they cannot believe they ever entertained the idea of ending the life of the son or daughter who now means the world to them.

Ireland’s life-saving 8th Amendment doesn’t deserve the criticism and ridicule it receives in certain quarters. It has served as a beacon at a time when other countries legalised abortion in wide-ranging circumstances. Ireland has shown it’s possible to prohibit abortion and still be a world leader in protecting the lives of pregnant women.

No country is perfect but we have every reason to be immensely proud of our pro-life laws. As a society, instead of dismantling the 8th Amendment, we should be pooling our energies and working together to create a more welcoming and life-affirming environment for expectant mothers and their unborn babies.

90% OF BABIES DIAGNOSED WITH DOWN SYNDROME IN BRITAIN ARE ABORTED

In Britain, 90% of babies diagnosed with Down syndrome in the womb are aborted.¹ Abortion is legal in Britain for any detectable disability through all nine months of pregnancy.² In Denmark there is a goal to make it a Down syndrome free country by 2030.³ In Iceland, shockingly, they have already reached that target.

Once the right to life itself is surrendered, it’s no surprise that the most vulnerable and dependent human lives are the first to be discriminated against.

In Ireland, we have a culture of equality and inclusion that we can be proud of. Nowhere is this more evident than in the work of the Special Olympics. With over 9,000 athletes and a network of 25,000 volunteers, it has become one of the largest and most successful voluntary organisations in Ireland.

Let’s extend supports to families and continue to improve outcomes and quality of life for people with Down syndrome and other disabilities, instead of following other countries down the destructive road of abortion.

IRELAND – A WORLD LEADER IN SAFETY FOR PREGNANT WOMEN

Ireland ranks in the top league in the world in terms of safety for pregnant women.^{4 5} So the argument that Ireland without abortion put women’s lives at risk simply doesn’t add up.

Since 2009, Ireland has adopted the methodology used by the UK’s triennium report Confidential Enquiry into Maternal Deaths (CEMD) for measuring maternal deaths.

The UK’s CEMD is in operation for over sixty years and is recognised as the gold standard for enquiries into maternal deaths worldwide. It provides the most comprehensive assessment of maternal healthcare anywhere in the world, including other developed countries.

Underestimates of maternal death rates are extremely common. The most recent Confidential Maternal Death Enquiry in Ireland published in 2015 says that in Europe alone underestimations of maternal deaths vary between 30% and 50%. It is important to keep this in mind when comparing Ireland’s maternal mortality rates to other countries, aside from the UK.

Based on the methodology used in Ireland’s Confidential Maternal Death Enquiry, Ireland has a safety record very close to the UK’s, indeed the 2015 Maternal Mortality Estimates by the World Health Organisation, UNICEF, UNFPA and World Bank Group, put Ireland ahead of the UK, with 8 maternal deaths per 100,000 live births, compared with 9 maternal deaths per 100,000 live births, in the single year.

A BABY'S HEART BEATS JUST 21 DAYS AFTER CONCEPTION

Each of us, as a vulnerable unborn child, completed the journey from conception to birth. In 1967, when the abortion law was introduced in Britain, people could have pleaded ignorance about the humanity of the unborn child. Today, we don't have this excuse. Most of us have seen the amazing ultrasound pictures of our own children or those of family members.

The baby's heart starts beating at 21 days. At just six weeks, the baby's eyes and eye lids, nose, mouth, and tongue have formed. Electrical brain activity can be detected at six or seven weeks, and by the end of the eighth week, all the baby's organs are developing.

By ten weeks the child can make bodily movements. At 12 weeks the baby can be seen sucking its thumb and wiggling in the womb.

The amazing advances in ultrasound technology illuminate the truth that the unborn child is a human being – a human life with potential, not a potential human life.

Each human being, regardless of age, dependency, gender, disability or circumstance, possesses a profound, inherent, equal and irreplaceable value and dignity. If as a society we arbitrarily decide to pick and choose which human lives are worthy or unworthy of protection in law, we diminish respect for all human life, born and unborn.

COMPASSIONATE CARE IN CASES OF "FATAL FOETAL ABNORMALITY"

The debate about abortion where an unborn baby has a life-shortening condition is not a medical one. It is about how we look out for one another as a society. Anyone can have a disability, a handicap or a terminal illness and it can come in old age, middle age, in childhood or even before we are born. In each of these challenging situations we have to look after one another in a way that respects the dignity of every human life.

The term "fatal foetal abnormality" is a loaded term.⁶ It is meant to indicate how a number of conditions (e.g. anencephaly, Trisomy 13 and Trisomy 18) are necessarily fatal for children either in utero or almost immediately after birth. The reality is different. Doctors have no way of knowing how long a child diagnosed with one of these conditions will live.

They could live for months and even years after birth. Studies have found over 70% of children conceived with anencephaly have live births, with roughly a third of these babies living for at least two days.^{7,8}

Almost one in ten children born with one of the Trisomy conditions live for a year or longer, in rare cases even into adulthood.⁹ They have been reported to show awareness of people around them, to react to sound, and to learn and remember.

In Ireland today there are parents who have returned home after aborting their child with a terminal illness only to learn for the first time about the existence of perinatal hospice care as an alternative to abortion. It is tragic and unacceptable that this is happening. The primary reason is the sustained media focus on abortion in these situations.

Instead of pressuring parents to go down the road of abortion, health care professionals should be given additional resources to provide high quality palliative care and facilitate families in sharing those precious moments with their baby for whatever length of time he or she lives.¹⁰

WE'RE ALL WANTED BY SOMEONE

Ryan Bomberger is a human rights campaigner based in the US. He was born following rape and publicly thanked his birth mum for giving him life. Ryan has movingly said: "We're all wanted by someone." Heather Gemmen faced a horrendous situation when she became pregnant after rape. In her book *Startling Beauty* she tells how relieved she is that she gave birth to her daughter Rachael: "So much of my anguish was in deciding what to do with the pregnancy. Now I know that going through with it brings healing." Her daughter Rachael, she says, "is the epitome of joy." Every pregnancy following rape is a Ryan or a Rachael. Their stories and others like them deserve to be heard in the abortion debate. Each child conceived in rape is one of us, smaller and hidden from view like every unborn child, but equally a person. The child is absolutely innocent of their father's crime. They are not a part of their mother's body, or responsible for their father's character. Seeking stronger sentences for rapists and real justice for those who are victims of rape is surely a more just way to proceed than campaigning for the right to end the life of an utterly innocent child?

Ethical concerns apart, any legislation for abortion in the case of rape would be unworkable. How would an alleged rape victim prove that her pregnancy is a result of rape? A criminal trial could take years. Many of those pushing for abortion in the case of rape know that the law would be absurd in practice. The truth is campaigners the world over have used the same tactic to get wide-ranging abortion.

MEDIA COVERAGE OF ABORTION

The current media focus is almost exclusively on stories that push the case for dismantling the 8th Amendment, while stories that show abortion up in a bad light barely get a look in.

By way of example, in a one month period, RTÉ Radio 1, afforded 81 minutes to those campaigning for repeal of the 8th Amendment and just a paltry 4 minutes to the pro-life side.¹¹ During the same period, there were 23 articles in the national papers pushing abortion and just 2 pro-life articles. With this degree of bias, the public is getting a totally distorted presentation of the issue. It is virtually impossible to have a proper democratic discussion on the 8th Amendment until the issue of media bias is addressed.

A BETTER VISION FOR IRELAND

The 8th Amendment has had a hugely positive, humane and life-saving impact on society. Our abortion rates are a fraction of those in Britain, taking our different population sizes into account.¹²

Rather than look at ways to dismantle this life-protecting provision, we should be building on the life-affirming vision that is at the heart of the 8th Amendment. We should be focussed on issues that unite our society rather than divide it.

On any given night, there are more than 20 homeless pregnant women living rough on the streets of our cities.¹³ This is a national scandal. It could be resolved and suitable sheltered accommodation found, if the political will existed. Likewise, we should be working together to make Ireland a pioneering centre of excellence for perinatal palliative care facilities to help families of babies with a life-limiting condition. And as a country, we should be putting resources in place to conduct research with organisations like the Lejeune Foundation to enhance the lives of children with Down syndrome and improve their quality of life and outcomes.

These are just some of the areas we should be focussing our energies on as a society, rather than following other countries down the road of abortion.

When we are welcoming a pregnancy as a community, we talk about “expecting a baby” but when a child is unwanted we talk about aborting a “foetus”. The corruption of language and the betrayal of both mother and baby are inescapable in the abortion debate.

We can do better than abortion for mothers and babies. The sign of a truly caring society is not one that corrupts language to exclude – rather it is one that welcomes everyone in life and protects everyone in law.

CONCLUSION

The debate surrounding the 8th Amendment presents two radically different visions of society and human rights. When a particular group of human beings is singled out as undeserving of legal protection, we undermine respect for all human life, born and unborn.

Once abortion is introduced in certain circumstances, it's only a matter of time before the grounds for abortion are expanded. That's the undeniable international experience of legalised abortion.

We cannot sanction abortion and also claim to defend human life. The right to life is the first and most important right. Without it, all other rights are meaningless.

We call on you as members of the Citizens' Assembly to take a comprehensive look at the positive effect the 8th Amendment has had on Ireland and the lives of its citizens. When you do, we are confident you will conclude that it should be retained and not repealed.

Thank you for taking the time to consider our submission.

FOOTNOTES

¹ Parliamentary Inquiry into Abortion on the Grounds of Disability, UK, 2013

² The Abortion Act 1967 as amended by the Human Fertilisation and Embryology Act 1990.

³ <http://cphpost.dk/news/down-syndrome-heading-for-extinction-in-denmark.html>

⁴ Trends in Maternal Mortality: 1990 to 2015, Estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division

⁵ - Confidential Maternal Death Enquiry Ireland.

⁶ Fatally flawed? A review and ethical analysis of lethal congenital malformations. Wilkinson DJ1, Thiele P, Watkins A, De Crespigny L. BJOG. 2012 Oct;119(11):1302-8

⁷ "Incompatible with Life": Does Article 40.3.3 Permit Abortion for "Fatal Foetal Abnormality"? Simons, Caroline, BCL LLM Medico-Legal Journal of Ireland, 2015, 21(1), 11-4

⁸ Monika Jaquier, Report about the birth and life of babies with anencephaly' (2006), www.anencephalie-info.org/e/report.php, M Jaquier, A Klein, E Bolthausen, 'Spontaneous pregnancy outcome after prenatal diagnosis of anencephaly' (2006) 113(8) British Journal of Obstetrics and Gynaecology 951-953.

⁹ Zoler, Mitchel L. (2003) "Trisomy 13 survival can exceed 1 year", OB/GYN News.

¹⁰ EVALUATION OF THE CHILDREN'S PALLIATIVE CARE PROGRAMME (CPCP) A jointly funded programme of work arising from Palliative Care for Children with Life-limiting, Conditions - A National Policy, SUMMARY REPORT, Dr Joanne Jordan GEN Research & Deirdre Fullerton Insights Health and Social Research, 2016

¹¹ Abortion related coverage, RTÉ Radio 1 (9th June 2016 – 8th July 2016) The breakdown of the 81:4 ratio refers to the airtime given to those making the case for repeal of the Eighth Amendment versus those putting forward the pro-life argument for its retention. There were other references to abortion made on the programs listed below, some for example referring to the political debate around the issue. The ratio quoted above does not include that. It only refers strictly to the time given to either side to make what were clearly "campaigning" points on the issue.

The programmes included Morning Ireland (two programmes), the News at One (three programmes), Drivetime (three programmes), the Ray D'Arcy Show (two programmes), the Marian Finucane Show (two programmes). This just refers to one month. It's not saying that this month was unique but refers to one month when the coverage was monitored to show how slanted the debate has become.

¹² Department of Health, Abortion Statistics, England and Wales, 2015. These statistics show that 1 in 19 pregnancies end in abortion in Ireland, 1 in 5 pregnancies end in abortion in England and Wales.

¹³ Source: Anew Dublin, registered charity providing sheltered accommodation to homeless pregnant women