

# Irish government to legalize life-saving abortion (Update)

December 18 2012, by Shawn Pogatchnik

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Ireland's government pledged Tuesday to pass a law soon that will allow women to receive abortions if continued pregnancy threatens their lives—including from their own threats to commit suicide if denied one.

The announcement comes after decades of inaction on abortion in Ireland, and just weeks after the predominantly Catholic country faced international criticism over the death of an Indian woman hospitalized in Ireland with an imminent miscarriage.

Health Minister James Reilly said parliamentary hearings on the issue would begin next month, lawmakers would receive a bill by Easter and they would be expected to vote on it by the summer. This would mark the first time that Irish lawmakers have ever voted on abortion, arguably the most divisive issue in a country whose constitution bans the practice.

The government of Prime Minister Enda Kenny promised a swift response after the Oct. 28 death of 31-year-old dentist Savita Halappanavar. Authorities did not make public the woman's death at the time, but her widower accused doctors at University Hospital Galway of refusing to terminate the pregnancy because the doomed 17-week-old fetus still had a heartbeat.

Halappanavar spent three days in increasing pain and illness before the fetus died and its remains were surgically removed. She then died from blood poisoning and organ failure three days after that. Her husband has refused to cooperate with two official Irish investigations into her death

and instead is planning to sue Ireland in the European Court of Human Rights.

For two decades, successive Irish governments have resisted passing any law in support of a 1992 Supreme Court judgment that abortion should be legalized in Ireland in exceptional cases where pregnancy endangers a woman's life. Ireland's highest court ruled that a 14-year-old girl who had been raped by a neighbor should be provided an abortion because she was making credible threats to kill herself if denied one.

In 1992 and 2002, governments asked voters to approve constitutional amendments that would permit abortions only in medically essential circumstances, and exclude suicide threats as valid grounds. Voters rejected the proposals on both occasions.

Catholic conservatives oppose the court's suicide-threat justification, arguing it could be used to expand access to abortion beyond relatively rare cases where a pregnancy endangers a woman's life.

Reilly said the government would ensure "that the issue of suicide is not abused as it has been perceived to be" in other countries.

Kenny, a Catholic conservative himself who rose to power in March 2011, has fiercely criticized the Vatican over its involvement in the chronic cover-up of child sexual abuse by church officials in Ireland. He said all lawmakers in his party must vote in support of the government's eventual abortion bill or risk expulsion.

The Catholic Church's four archbishops in Ireland issued a joint statement urging the government to exclude any threat of suicide as grounds for granting abortion—and called on lawmakers to resist Kenny's insistence on party discipline.

The government normally has an unassailable majority in parliament, but any abortion vote could threaten it. About a dozen lawmakers in Kenny's party already say they oppose voting in favor of any access to abortion. This means Kenny could require support from left-wing opposition lawmakers to ensure passage.

The archbishops said the Supreme Court judgment was flawed, and passing a law in support of that ruling "would be both tragic and unnecessary."

"The lives of untold numbers of unborn children in this state now depend on the choices that will be made by our public representatives," the archbishops wrote.

They said the government should afford lawmakers "complete respect for the freedom of conscience. No one has the right to force or coerce someone to act against their conscience."

Dr. Berry Kiely, spokesman for an Irish anti-abortion pressure group called the Pro Life Campaign, said the suicide clause would be exploited by pregnant women and represented a choice to kill an unborn baby, not a medical requirement to save a woman's life.

"A woman who says she's suicidal because of being pregnant with this baby, what she's saying is she doesn't want a living baby at the end of this procedure," Kiely said. "You're actually, in that situation, proposing to directly and intentionally ensure the death of her baby."

The Supreme Court judgment did legally empower Irish hospitals to begin providing such abortions, but doctors in practice have often refused to provide them anyway, citing the risk of facing lawsuits or criminal charges because of lawmakers' refusal to provide any definitive legislation on the matter.

Two years ago, Ireland lost a lawsuit in the European Court of Human Rights brought by three Irish women who said their health had been needlessly jeopardized by the lack of any explicit, clear Irish abortion laws.

The court agreed with litigants that Ireland failed to provide clear access to information on when abortions could be performed lawfully in the country. It also ruled that one woman, a cancer survivor in remission, should have received clear medical advice in Ireland as to whether her pregnancy posed a severe risk to her health. She ended up researching her medical circumstances on the Internet, then traveling to England for an abortion, but suffered severe medical complications because of the delay involved.

Approximately 4,000 women travel from the Republic of Ireland annually for abortions in England, where the practice was legalized in 1967.

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