

Irish face new abortion row over brain-dead woman

December 18 2014, by Shawn Pogatchnik



A Saturday, July 6, 2013 file photo showing Stephen and Pauline O'Brien, foreground, holding Catholic rosary beads as they march through Ireland's capital, Dublin, in an anti-abortion protest. Ireland is debating its constitutional ban on abortion again because of a case involving a brain-dead pregnant woman on life support. Irish media reported Thursday, Dec. 18, 2014, that family members want to turn off the woman's life support systems but doctors are refusing because the law requires them to defend the right to life of her 16-week-old fetus. Fetuses typically cannot survive outside the womb until around 24 weeks. (AP Photo/Shawn Pogatchnik, File)

Ireland is debating its ban on abortion again as doctors keep a brain-dead pregnant woman on life support, awaiting a judge's verdict on what to do with the living fetus.

Irish media reported Thursday that relatives want to turn off the woman's life support systems but doctors are refusing because the law requires them to defend the right to life of her 16-week-old fetus. Fetuses typically cannot survive outside the womb until around 24 weeks.

An expert on Irish medical law, Dr. Adam McAuley, said Dublin High Court most likely would determine whether the woman will be kept alive artificially until the baby can be delivered. The case is scheduled for Tuesday.

"The law isn't clear, and when there is conflict, the matter will have to come before the court," said McAuley, a Dublin City University law lecturer.

Such disputes have become increasingly frequent in Ireland, a predominantly Catholic land from which more than 4,000 women travel annually to receive abortions in neighboring England. That option doesn't exist for ill women medically unable to leave the island.

Last year after bitter debate, lawmakers amended Ireland's abortion ban to make terminations legal if doctors deem the woman's life at risk from continued pregnancy. That step had been delayed for two decades. It finally happened after an Indian woman died from blood poisoning linked to her own dying fetus; the Irish hospital had refused her abortion pleas, citing the fetus' heartbeat.



A Saturday, July 6, 2013 file photo showing thousands of anti-abortion protesters filling Dublin's major thoroughfare, as they march against Ireland's abortion bill. Ireland is debating its constitutional ban on abortion again because of a case involving a brain-dead pregnant woman on life support. Irish media reported Thursday, Dec. 18, 2014, that family members want to turn off the woman's life support systems but doctors are refusing because the law requires them to defend the right to life of her 16-week-old fetus. Fetuses typically cannot survive outside the womb until around 24 weeks. (AP Photo/Shawn Pogatchnik, File)

An increasing number of legislators say Ireland should legalize abortions in cases involving rape, fatal fetal abnormalities, or long-term health risks to the woman.

On Tuesday, lawmakers overwhelmingly rejected an opposition motion

to legalize abortion outright. But to the surprise of government colleagues, Health Minister Leo Varadkar criticized existing law as unreasonably restrictive and cruel.

Varadkar said the ban exerts "a chilling effect on doctors. Difficult decisions that should be made by women and their doctors, a couple or the next-of-kin where there is no capacity, and on the basis of best clinical practice, are now made on foot of legal advice. That isn't how it should be."

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