



*Paper of*

# **Family & Life**

*delivered to*

# **The Citizens' Assembly**

*on*

**05 March 2017**

Miss Justice Laffoy, ladies and gentlemen of the Citizens' Assembly, good afternoon. I am here representing Family & Life, one of Ireland's largest pro-life organisations, with a network of supporters across the country. We are grateful for the opportunity to make this presentation. We hope it will assist you in your deliberations and that it will help you to see the importance of keeping the 8<sup>th</sup> Amendment.

I should say at the outset that Family & Life has always held grave reservations about this process. It has seemed to us that the government's purpose in establishing the Assembly was to facilitate a referendum on removing the 8<sup>th</sup> Amendment while insulating the government, and in particular Fine Gael, insofar as possible, from political damage. Thus when a pro-life constituent goes to the local Fine Gael TD demanding to know why they are supporting this referendum, the TD can reply, "sure you know I'm pro-life, but sure we couldn't go against what the Citizens' Assembly recommended". This wouldn't be the lamest excuse ever used by an Irish politician to hide his or her moral cowardice. In short, we believe that the government's intention is to use you as a scapegoat.

Despite our reservations, and somewhat reassured by the appointment of a judge of such unimpeachable character to chair the process, Family & Life decided to engage with the Assembly in good faith. We made a submission to the public consultation, which I hope you have had the opportunity to read. This lays out our main arguments for maintaining unchanged the 8<sup>th</sup> Amendment and addresses the issues which we believe you should take into account as you come to make your final decision.

As the process continued, however, our initial concerns about it were reinforced by the lack of balance in the presentations being made at the various sessions. This lack of balance was most visible at the last weekend session when representatives of the abortion industry were brought in to address you under the guise of independent experts. It would be difficult to interpret this in any way other than as evidence that the Assembly was being firmly guided towards a predetermined outcome.

You heard from Dr Patricia Lohr, Medical Director of the euphemistically titled British Pregnancy Advisory Service (BPAS), but you were not informed that BPAS is Britain's largest abortion business whose stated aim is to increase the numbers of abortions that it provides. The goals of BPAS for 2016/2017, as set out in its trustees' last annual report, include increasing the proportion of UK abortions that it provides, and "build[ing] on BPAS's position as internationally recognised thought leaders in reproductive and sexual health [in order to] influence public policy".<sup>1</sup>

BPAS's total income last year was more than £29 million (€34 million), most of it public money from NHS contracts for performing abortions.<sup>2</sup> So it is hardly a disinterested party.

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<sup>1</sup> BPAS Report and Financial Statements, 31<sup>st</sup> March, 2016, as submitted to the UK Charity Commission, p.5.  
[http://apps.charitycommission.gov.uk/Accounts/Ends45/0000289145\\_AC\\_20160331\\_E\\_C.pdf](http://apps.charitycommission.gov.uk/Accounts/Ends45/0000289145_AC_20160331_E_C.pdf)

<sup>2</sup> *ibid.* p.11

You also heard at the last meeting from Gilda Sedgh of the Guttmacher Institute. The Guttmacher Institute was founded by Alan Guttmacher, President of Planned Parenthood, and Vice President of the deeply racist American Eugenics Society, as the research branch of Planned Parenthood. While the two organisations now claim to operate independently, Planned Parenthood has, over the years, provided millions of dollars in funding to Guttmacher which continues to perform the function for which it was established: to produce research presenting abortion in a favourable light which can be used to promote it in the US and around the world.<sup>3</sup>

You will hear today from another branch of the Planned Parenthood behemoth, the Irish Family Planning Association, but today they come, fair and square, as an advocacy group. The problem is that their advocates have been here before.

But despite all of this, Family & Life has decided to come here today, because we hope that even now you may be persuaded not to give the government what it wants, but to defend the important human rights at stake, human rights that are very seriously threatened.

Family & Life believes that the 8<sup>th</sup> amendment should be retained because it affirms that the right to life is a fundamental human right belonging to all human beings, born and unborn, and re-affirms the basic equality of each and every human being.

In any discussion about retaining or rescinding the 8<sup>th</sup> Amendment, it is necessary to be clear about the purpose of that addition to the Constitution. In simple terms, the amendment affirmed that the unborn child is a human being and consequently is protected by the law. While the word “abortion” is not mentioned in its text, it is acknowledged that the main purpose of the amendment, for which the people voted so strongly in 1983 was to prevent the legalisation of abortion in Ireland either by Act of the Oireachtas or by a decision of the Supreme Court.

It should also be recognised that, in the event of the 8<sup>th</sup> Amendment being repealed, the Supreme Court, in assessing the constitutional situation, could not simply revert to 6<sup>th</sup> September 1983. Rather the Court would be bound to take account of the fact that the Irish people would have deliberately chosen to strip a particular category of human beings of their rights – a quite extraordinary thing to do.

Those who are demanding repeal of the 8<sup>th</sup> have made no secret of what it is they want. The Labour Party and many left-wing independent TDs have openly stated that they would like an abortion regime similar to that which operates in the UK. A similar agenda is evident among the pro-repeal submissions to this Assembly’s public consultation. (Incidentally, the representative sample of submissions prepared for you at the last meeting suggests that 70% of those citizens who took the trouble to make submissions favour keeping the 8<sup>th</sup> Amendment unchanged. This very substantial majority would, no doubt, have been given much greater prominence had it been in the other direction.)

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<sup>3</sup> <https://www.guttmacher.org/guttmacher-institute-faq#5>

“How ‘independent’ is Guttmacher from Planned Parenthood?” Live Action News. March 17, 2016. <http://liveactionnews.org/how-independent-is-guttmacher-from-planned-parenthood/>

In 1776, the US Declaration of Independence stated that “all men are created equal” and are endowed with certain inalienable rights, including “Life, Liberty and the pursuit of happiness”. In 1947 the Universal Declaration of Human Rights spoke of the “rights and freedoms” to which every human being is entitled, regardless of “race, colour, sex, language, religion” and other features of difference (Article 2). In 1983, Ireland affirmed that the unborn child is a human being, to be counted as a member of the human family, sharing in that basic equality and dignity common to all human beings. The 8<sup>th</sup> Amendment to Ireland’s Constitution was a pioneering declaration of the fundamental equality of all human beings. This is something of which we, as a nation, should be proud.

The unborn child is equal in dignity to his or her mother and father, and indeed to all of us. However, the 8<sup>th</sup> Amendment recognises the unique relationship between the unborn child and the mother, and the fact that medical problems can arise during pregnancy. On rare occasions, a medical intervention necessary to save the life of the mother may result in the unintended death of the baby. This was foreseen by the 8<sup>th</sup> Amendment and claims that the right to life of the unborn is given priority over the mother’s are false.

Each one of us began life at conception. This is a straightforward scientific fact. Advances in technology over the last 50 years mean that we now know vastly more about life before birth than any previous generation. Every cell in your body today has the same genetic code as the single-celled zygote that you once were, and that code determined all the genetic traits, physical and mental, that make up the person you are today. That same organism develops from a zygote to a fully grown adult, and its life only ceases at death.

What is more, the zygote is self-directing, manifesting amazing energy in those first few weeks as it multiplies its cells, and interacts with the mother’s body. From day one a living, growing, human being exists. To quote one standard embryology textbook, “The scientific answer is that the embryo is a human being from the time of fertilization because of its human chromosomal constitution. The zygote is the beginning of a developing human.”<sup>4</sup>

Only in the 20<sup>th</sup> century, even as our knowledge and understanding of the unborn child grew, did societies begin to decriminalize abortion, initially for “hard cases” such as rape or incest. In 1967, the British government enacted an abortion law which, the authorities assured the public, was strict, with “rigorous safeguards” against abuse. The MPs who voted for it thought it would end “back street abortions” and so save women’s lives.<sup>5</sup> Fifty years later that legislation is responsible for about 200,000 deaths per year,<sup>6</sup> its alleged safeguards, nothing more than box ticking. Consciences

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<sup>4</sup> Keith L. Moore, T.V.N. Persaud, Mark G. Torchia, *Before We Are Born: Essentials of Embryology*, 8<sup>th</sup> edition. Philadelphia, PA: Saunders, 2013. p. 327

<sup>5</sup> See e.g. Hansard, House of Commons Debate, 22 July 1966, vol 732 cc1067-165, [http://hansard.millbanksystems.com/commons/1966/jul/22/medical-termination-of-pregnancy-bill#column\\_1071](http://hansard.millbanksystems.com/commons/1966/jul/22/medical-termination-of-pregnancy-bill#column_1071)

<sup>6</sup> Abortion Statistics, England & Wales. UK Department of Health. <https://www.gov.uk/government/collections/abortion-statistics-for-england-and-wales>

are dulled to the horror of killing on such an industrial scale by the dehumanisation of the unborn child. This is why abortionists refer to the child to be killed as just a “bunch of cells” or an “inert lump of tissue”. It is easier to approve the killing of a foetus than that of a baby.

Those who may be tempted to think that Ireland could abandon the 8<sup>th</sup> Amendment and yet adopt a more restrictive abortion law than Britain’s should consider the example of France. The law there contains many of the restrictions that might be proposed as being preferable to the British model such as a much lower time limit and (until 2015) a mandatory waiting period. Despite its greater apparent restrictiveness, this French law results in an abortion rate which by some measures is even higher than Britain’s.<sup>7</sup> If Ireland had an abortion rate comparable to Britain’s that would translate to well over 12,000 abortions every year.<sup>8</sup>

And who would perform these abortions? Abandoning the life-affirming culture underpinned by the 8<sup>th</sup> Amendment will create great difficulties for many medical professionals who are committed to the two-patient model of care that has prevailed in Ireland and has contributed to the development of medical techniques aimed at saving both mother and baby. These will face growing pressure to become complicit in actions they believe to be gravely unethical, particularly in smaller maternity units where there may be only one obstetrician. The need to respect the conscience rights of medical professionals (and others who may be impacted) should be carefully considered by the Assembly. It would be helpful to be aware of the experience of other countries in this regard, where conscience rights are also being trampled upon.<sup>9</sup>

The basic starting point of the pro-life movement is that the unborn child is a human being, and consequently an abortion is the taking of a human life. This is an assertion based on overwhelming scientific evidence, and is not dependent on any particular religious belief.

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<sup>7</sup> Code de la santé publique, Articles L2212 – L2223, <https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006171542&cidTexte=LEGITEXT000006072665&dateTexte=20170301>. See e.g. United Nations Department of Economic and Social Affairs, Population Division, World Abortion Policies 2013, showing the abortion rate for the UK as 14.2 (per 1,000 women aged 15-44), compared to 17.4 for France. <http://www.un.org/en/development/desa/population/publications/policy/world-abortion-policies-2013.shtml>

<sup>8</sup> In 2015, 3,451 women from the Republic of Ireland had abortions in England & Wales. The same year there were 65,909 live births in the Republic of Ireland (CSO). Women resident in England and Wales, in 2015, had 185,824 abortions for 697,852 live births (ONS). Leaving aside stillbirths, miscarriages etc., if the ratio of abortions to live births for Ireland equaled that of England and Wales that would translate to 14,585 abortions in 2015.

<sup>9</sup> See e.g. “Catholic midwives must supervise abortions, Supreme Court decides”, The Telegraph, 17 December, 2014, <http://www.telegraph.co.uk/news/uknews/law-and-order/11298385/Catholic-midwives-lose-Supreme-Court-case-over-objection-to-abortion.html>; “Swedish Court rules pro-life midwife must perform abortions”, LifeSiteNews, 16 November, 2015, <https://www.lifesitenews.com/news/swedish-court-rules-pro-life-midwife-must-perform-abortion>

Family & Life comes before you today as an advocate for the thousands of unborn children who will die as a direct result of your decision, if you recommend repealing or eviscerating the 8<sup>th</sup> Amendment. The choice before you is a straightforward one: life or death. I ask you, please, please, choose life. Thank you.