

The Censorship of Abortion Information Act, 1995

Workers Solidarity Movement

1995

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In the autumn of 1992, the people of Ireland voted to legalise abortion information. More than two years later, the government has finally introduced a Bill to ‘regulate’ this information. Ray Cunningham examines it.

Even though a clear majority (60%) voted in favour of abortion information, the legal position on the distribution of this information remained confused. Counselling services and information groups, fearful of being taken to court, erred on the side of caution when it came to abortion, and so the news that a Bill was being introduced was welcomed in many quarters. At last, the threat of injunction would be lifted. As the Bill was published, however, it became clear that it was more restrictive than many could have imagined.

Conditions

Some of the conditions were expected, and had been part of Brendan Howlin’s widely leaked draft Bill in 1994. Bans on the advertising of abortion services, and the distribution of unsolicited information (eg., through posters and leaflets) were predictable. Though often covered by other laws, like the Litter Act, no political party wants to be seen as ‘soft’ on abortion, and these bans gave them some cover from the anti-abortion groups. The Noonan Bill, however, goes much further.

Doctors will be allowed to give women the addresses and phone numbers of clinics in Britain, in the context of counselling, but they will not be able to make an appointment or other arrangement for women with these clinics. This means that important medical information may not be directly passed on from the doctor to the clinic, with possibly dangerous consequences. This intrusion into the doctor/patient relationship is backed up with Gardaí powers of search and seizure and criminal penalties for breaking the law (previously, only a civil injunction could be used) in case any doctor is foolish enough to think that the health and welfare of his/her patients is more important than Des Hanafin’s Catholic morals.

Appeasement

The reasoning behind this legislative doublethink is very simple — there aren’t any votes in abortion. Politicians know that, apart from the relatively small groups at opposite ends of the pro-choice/anti-abortion spectrum, few people regard it as an important issue. Generally, all that is required is that they be seen to be neutral, and they will be praised for their statesmanlike qualities. In reality, they are far from neutral. The very publication of this Bill was seen as a boost for the progressive agenda, but its draconian measures received very little coverage.

Noonan is set to further appease right-wing Catholics. It was pointed out that, outside of Dublin, there are very few pregnancy counselling services, but this is to be remedied. With the only counselling requirement in the Bill being that abortion is not advocated, funding is likely to be approved for Cura, a Catholic anti-abortion counselling service, to train their counsellors and provide a national service. At least they have plenty of practice in not advocating abortion!

Democracy?

Noonan shouldn't be singled out, though. All politicians have become very skilled at not dealing with things. Not dealing with divorce, not dealing with contraception, not dealing, in fact, with anything that might offend those fabled 'grassroots'. It has reached the point where Maire Geoghehan-Quinn is praised for her "courage" in legalising homosexuality — 5 years after the European Court ordered it! The wait for abortion in Ireland will be even longer, at least if we wait passively for the government to do anything.

Since the 1992 Supreme Court ruling in the 'X' case that, in certain circumstances, abortion was legal in Ireland, the political parties have been praying desperately that everyone will just forget about it because they know that, on that issue at least, they can't please everybody — either abortion is legal, in whatever circumstances, or it isn't — there is no middle ground to find. Of course, the fact that in 1992, people voted against rolling back the Supreme Court judgement, and said that the threat of suicide was sufficient grounds to have an abortion, gives us more than an inkling as to the wishes of the people. Having a government that respected the wishes of the people, though, is too crazy a thought to be taken seriously.

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