

15 March 2018

STATEMENT ON THE PROPOSED REFERENDUM TO REPEAL THE EIGHTH AMENDMENT AND TO GRANT THE OIREACTHAS ABSOLUTE AUTHORITY TO ENACT LEGISLATION ON ABORTION

Summary

We see the State's protection of the life of unborn children primarily as a core Human Rights issue rather than as a matter of religious dogma or of reproductive health. Such a view is in accordance with both international Human Rights treaties and Irish Law. As a Human Rights issue, it is appropriate that it is guaranteed by the Constitution.

We support the Eighth Amendment as a positive Human Rights measure that marks us out as a forward thinking and progressive society. By adopting a broader and more generous interpretation of the scope of Human Rights it is consistent with the historical development of Human Rights worldwide. It enshrines the equal right to life of all and helps make our society more meaningful, more diverse and more compassionate.

Full Statement

We are opposed to the imposition of religious dogma through State compulsion or legislation. However, the protection of unborn children is a Human Rights issue and should not be viewed as simply a matter of Church and State separation or of religion versus secularism.

Similarly, we recognise that women have been subjected to oppression and discrimination for generations, and that religious institutions have all too frequently been active and complicit in this process. That should provoke all religious leaders to profound reflection and repentance. Human Rights for all, and the elimination of gender-based discrimination and violence is something we should all be working to achieve. But we do not progress the cause of Human Rights by depriving others of the most basic Human Right of all – the right to life.

Evangelical Christians have a long and cherished tradition of advocating and championing Human Rights legislation. We celebrate achievements such as the abolition of slavery, the recognition of the rights of children that raised the age of consent from 13 to 16, and Martin Luther King's successful opposition to racial segregation. These campaigns all faced vocal and derisive opposition from those who wanted to restrict the extent of Human Rights. But history has vindicated their positions. It is ironic, therefore, that many of those today who profess to support Human Rights are exerting pressure on Ireland not to take a broader and more generous interpretation of Human Rights by extending them to a group (unborn children) that others would wish to exclude.

The protection of the unborn child, the weakest and most vulnerable member of our society, is a Human Rights issue of similar import to those campaigns mentioned above. Choice is important and to be cherished, but we also have an obligation to protect those who are powerless and unable to make choices that directly affect their futures. There is no provision under International Law or any major Treaty for anyone to have a Human Right to an abortion. However, the Preamble to *The Convention on the Rights of the Child* (one of the core international Human Rights instruments) states that the child needs special safeguards and care, including appropriate legal protection “before as well as after birth”.¹ It further states, within its Articles, that *pre-natal* medical care is a basic Human Right (thereby implicitly recognising that Human Rights start before birth).

We suggest that Human Rights are too important to be left to the mercy of political expediency, and should be enshrined in the Constitution. The proposal to insert a clause in the Constitution giving the Oireachtas unlimited powers to legislate for abortion both now and in the future is, in effect, asking the Irish people to relinquish any say on this vital Human Rights issue and to give career politicians an unlimited number of undated legislative blank cheques.

Some have wrongly suggested that the Eighth Amendment primarily impacts upon rape victims or parents whose children suffer from gross and rare abnormalities. In reality, history demonstrates that such cases are a tiny fraction of abortions that result once a nation legalises abortion. It is notable that the current Referendum proposals have refused to address these tragic and rare cases and have instead advocated abortion on demand for any reason.

We would strongly argue against any proposal to repeal the Eighth Amendment. We would see the Eighth Amendment as a positive Human Rights measure that is in keeping with Ireland’s growing reputation as a modern and compassionate democracy. In years to come, we believe, it will become a model for other nations to treat all of their people, including those suffering from disabilities, as citizens possessing an equal right to life and an equal opportunity to contribute to the good of society.

Evangelical Alliance Ireland
Ulysses House
22/24 Foley Street
Dublin 1

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¹ Lawson, Edward. Encyclopedia of Human Rights (Second Edition). Washington,DC: Taylor & Francis, 1991. 227