

Ireland's Tragic Abandonment of Catholic Teaching

[The Catholic Church] ...can therefore only count on the support of the ignorant Irish Catholics, and not even them if birth control information penetrates to them ...Rome has made no concessions ...the State cannot lawfully forbid the marriage of the poor or the physically or mentally defective. Sterilisation is absolutely forbidden, and even segregation for the purpose of preventing marriage ...Rome is fundamentally and unalterably opposed to eugenics.¹

Charles V Drysdale, OBE.

Independence

During the mid-nineteenth century, Catholicism in Ireland experienced such a remarkable period of growth that Irish identity became closely linked with the Catholic faith. This association became even stronger following the division of Ireland in 1922 along denominational lines with Catholics making up 95 percent of the newly created Free State. Deprived of almost all of Ireland's heavy industry by partition, the Free State was economically handicapped from the very beginning and struggled to meet the considerable costs of replacing the infrastructure destroyed in the country's Civil War (1922-1923). In these circumstances, the State was dependent upon the services of Catholic teaching and nursing orders to provide education and healthcare to large sections of the population. The 1929 stock market collapse and the subsequent depression meant that this situation would not change significantly in the years ahead. It was, therefore, inevitable that the Church would be a major influence on Irish civil and political life.

According to Father Vincent Twomey, a professor of moral theology, Catholicism in Ireland largely lacked the theological structure which underpinned the Church in other nations.² Instead, Catholic practice of this period was, he argues, identified with popular devotion and moral legalism. A strict social code among the laity was enforced by the threat of social exclusion for those who failed to adhere to it. In particular, women who became pregnant outside of marriage faced stigmatisation.³ In some areas of rural Ireland, separate facilities were established to cater for unmarried mothers when their respectable married counterparts refused to share maternity services with them. In Tuam, Co Galway, separate facilities were set up in spite of the opposition of the local clergy.⁴

Notions of respectability, and the division of the poor into the deserving and undeserving, defined attitudes in Irish society long before independence and remained central to the welfare reforms implemented in the Free State. Workhouses were closed. Some were recast as county homes while others were set aside to accommodate unmarried mothers disowned by their families. Although taken over by religious orders, the conversion of workhouses into 'mother and baby homes' was State policy and government authorities were involved in the committal and financial maintenance

¹ Charles V Drysdale "Roman Catholic Methods of Birth Control by Marie Stopes" *Eugenics Review* October 1933, p190.

² For further discussion of this important question see D. Vincent Twomey, *The End of Irish Catholicism?* (Dublin, Veritas, 2003).

³ Illegitimacy rates in Ireland were low, below 3 per cent until the 1970s (and still only 4.5 percent in 1979), but the mortality rate for illegitimate children was double that of legitimate infants. See Lindsey Earner-Byrne *Mother and Child: Maternity and Child Welfare in Dublin, 1922-60*. (Manchester, Manchester University Press, 2007) p173.

⁴ *The Connaught Tribune*, 17 July 1926, reported that paying patients in the Galway Hospital had raised objections to sharing a ward with unmarried women. On 1 September 1928 the paper reported that the County Galway Home and Home Assistance Committee decided to attach a maternity ward for unmarried mothers to the Children's Home in Tuam, Co Galway. The reasons given were economic. The plan was opposed by a local priest on the committee, Canon Ryder, who wanted to find accommodation for the unmarried mothers in existing facilities.

of women sent to them.⁵

Conditions in such institutions were often harsh, and the lack of adequate facilities, as well as the personal failings of some of those who staffed them, would later be exploited to attack the Church, but at the time these homes, and so-called industrial schools, were the only institutions providing even a basic level of care for individuals who would otherwise have been destitute.

Infant mortality in Ireland during this period was poor, particularly in urban areas.^{6,7} And this was even higher in welfare institutions than the Irish average. In 1923, children born to unmarried mothers, mostly living in institutions, were six times more likely to die than children living at home with married parents. Even by 1940, it was still four times higher.⁸

The 31st International Eucharistic Congress

In 1932 Dublin hosted the 31st International Eucharistic Congress. This offered the Free State an opportunity to host a major international event in which it could present itself in a positive light both to its own citizens and to foreign visitors. While the Congress focused the attention of the universal Church on Ireland, it also reflected the impact which the Irish diaspora had on the Church in America, Australia and in Africa. This generated a sense of pride among Irish Catholics at a time when their standard of living was below that of many of their European neighbours. It was also accompanied by a genuine increase in Catholic devotion, vocations, and the widespread erection of Marian shrines and other religious monuments across the country. The Congress also allowed politicians, such as Eamon de Valera, the head of the Free State government, to publicly demonstrate their loyalty to the Church. As the political leader of the anti-treaty faction in the Civil War de Valera had been excommunicated 10 years earlier.

Following the Congress, de Valera prepared a new Constitution to replace the Irish Free State with the sovereign state of Éire. This was adopted by referendum the same day he was re-elected. The preamble of this new Constitution, which is still in effect today, invokes the authority of the Holy Trinity, acknowledged the "special position of the Catholic Church" but stopped short of making Catholicism the established religion. It also recognised other denominations and Jewish congregations. These provisions were deleted with the approval of Church authorities in 1973. Nevertheless, at the time Church structures were so closely associated with those of the secular authorities that Catholicism was seen as the *de facto* State religion.

⁵ See Donnacha Seán Lucey *The End of the Irish Poor Law? Welfare and Healthcare Reform in Revolutionary and Independent Ireland* (Manchester, Manchester University Press, October 2015).

⁶ For the first half of the twentieth century tuberculosis was the third leading cause of death among Irish children, eclipsed only by gastroenteritis and pneumonia. Anne MacLellan, *Dorothy Stopford Price and the Irish tuberculosis epidemic. The 1916 Diary of Dorothy Stopford Price*, <http://dh.tcd.ie/pricediary/about-dorothy-price-her-family/dorothy-stopford-price-and-the-irish-tuberculosis-epidemic/>. [Accessed 5 September 2017].

⁷ Between 1941 and 1950 the mortality rate in Éire for children under one year of age was 66 deaths per 100,000 compared with 60 in Northern Ireland, 57 in Scotland and 43 in England and Wales. An Phríomh-Oifig Staidrimh (Central Statistics Office) Report on Vital Statistics 2010 Chpt 4 Infant Mortality, Stillbirths and Maternal Mortality 2010, p95. <http://www.cso.ie/en/media/csoie/releasespublications/documents/vitalstats/2010/chapter42010.pdf> [Accessed 5 September 2017].

⁸ Annual Report of the Registrar General, 1923, p xviii and the Annual Report of the Registrar General, 1940 (Dublin 1941) p viii. Cited by Lindsey Earner-Byrne, *Mother and Child: Maternity and Child Welfare in Dublin, 1922-60*, (Manchester, Manchester University Press, 2007) p7.

Divorce

In the Free State divorce was illegal but the new Constitution prohibited the Oireachtas, the Irish parliament, from enacting legislation for the dissolution of marriage without a referendum. This ban on divorce was to remain in place until 1995.

Contraception

Before the adoption of the Constitution, the importation and sale of birth control products were proscribed by section 17 of the Criminal Law (Amendment) Act 1935. By 1951, however, the government announced its intention to introduce free universal healthcare for pregnant women and nursing mothers. The scheme made no mention of birth control, but a lack of trust in gynaecologists trained in British medical schools, and the potential prospect of the nationalisation of Catholic hospitals, led the Church to oppose it. With the backing of doctors who wanted to maintain the existing arrangements, the proposal was withdrawn and the health minister resigned.

The Impact of Vatican II

Prior to the Second Vatican Council, Irish Catholics were fiercely loyal to the pope and dissent within the Church was exceptionally rare compared to other European nations. The renewal promised by the Council was, therefore, greeted with enthusiasm by the clergy, particularly women religious and missionary orders.

Despite this, the effects of the Council were not immediately apparent. In 1965 a magazine published by seminarians in Maynooth College observed that the winds of change blowing like a tornado across the continent arrived in Ireland "like a gentle breeze whispering such strange and uncanonical words as *encounter* and *dialogue*..."⁹ [emphasis in the original]

It was its abundance of vocations which was the most notable feature of Irish Catholicism. And it was the decline in vocations which gave the first indication of the problems which lay ahead. With relatively little focus on theology in the Irish Church, many priests and religious were eager to learn about the ideas of the Council promoted in lectures, seminars and courses. Many of those ideas are now recognised as deeply flawed, but were nonetheless accepted uncritically by much of the clergy and ultimately fostered doubts and confusion. For example, if Karl Rahner's theory of the 'anonymous Christian', was acceptable to Rome, then a lifetime commitment to a missionary vocation seemed to many to be futile.¹⁰ Missionary orders would continue with much-reduced numbers and without the aim of evangelization. Instead, they emphasised the alleviation of poverty, the promotion of social justice, equality (particularly the empowerment of women) and eventually environmentalism.

With the domestic clergy, the decline was seen first in teaching and nursing orders and then among secular priests. In 1962/63 the total number of seminarians in Maynooth was 546, of which nine percent left before ordination. By 1973/74 the number had fallen to 280, with 15 percent departing.¹¹

The introduction of the new liturgy was accepted without protest, while the clericalism of the laity meant that architectural changes made to well-loved churches (the removal of shrines or high altars often paid for by the parishioners themselves) were carried out regardless of objections. (Critics of

⁹ *The Silhouette*, Easter 1965, quoted by Patrick J Corish in "Maynooth College 1795 – 1995", (Gill & Macmillan, Dublin, 1995) p371.

¹⁰ See Twomey, D Vincent *The End of Irish Catholicism?* p37,

¹¹ Maynooth College 1795 – 1995, p377.

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the Church's political influence observed that working-class Catholics, even when they ceased practising the Faith, never became anti-clerical.)¹²

Confraternities and sororities faded away and public devotions, such as Benediction, were sidelined in the belief that an undue emphasis had been placed upon them in the past.

In 1973 the Bishops' Conference decided to update religious education in primary schools across the island of Ireland. The resulting programme "Children of God" was introduced in 1976. As might be expected this was greatly influenced by the aspirations of Vatican II. In 1993 this was re-presented under the title Alive-O. The "spirit of the Council" was even more apparent in this programme. For example, Term 1, Lesson 9 of Alive-O 7 (for children aged 10-11), "The Garden Story", warns teachers that:

The story of the Garden of Eden is not to be taken literally. It is a symbolic story, which is an attempt to explain the human condition and the circumstances of the human race.

Term 3, Lesson 2, "The Risen Jesus is Present at Mass", places the Blessed Sacrament on a par with Christ's presence "in the body of believers," "In the Word," and "in the celebrant and other ministers, sharing through Baptism and Holy Orders in the Priesthood of Christ."

The final year includes an optional sex-education component.¹³

Humanae Vitae

By the time *Humanae Vitae* was published, the change in attitude to birth control in Ireland had already begun. In 1969 West German author Heinrich Boll noted this development with regret:

...Limerick is no longer Limerick of 1954. Very well, then to my regret but not to that of most Irishmen, nuns have practically disappeared from the newspapers: other things have disappeared too...And a certain something has made its way to Ireland, that ominous something known as The Pill---and this something absolutely paralyzes me: the prospect that fewer children might be born in Ireland fills me with dismay. I know: it's all very well for me to talk, it's easy for me to want them in large quantities: I'm neither their father nor their government, I'm not required to part from them when many, as they must start out on the road to emigration. Nowhere in the world have I seen so many, such lovely and such natural children, and to know the His Majesty The Pill will succeed where all the Majesties of Great Britain have failed---in reducing the number of Irish children---seems to me to be no cause for rejoicing.¹⁴

Outside the Church, *Humanae Vitae* was met with scorn. However, Rome's unwillingness to face down open dissent within the Church undoubtedly caused great damage, even where dissent was initially weak. Throughout the universal Church, theologians faithful to the Magisterium struggled to

¹² "You see Ireland in my opinion is not a clerical-ridden country, but it's a yahoo-ridden Church! and it's the black bastards of the laity who are the trouble in Ireland. And you don't get an anti-clericalism movement among workers. They may stop practising their religion like many of the Irish who go to England, but they are not anti-clerical. Anti-clericalism is a middle class manifestation." Peadar O'Donnell, author and socialist interviewed by Nusight magazine "Peadar O'Donnell talks to the Monday Circle", *Nusight*, editor Vincent Browne (Dublin, September 1969) p80.

¹³ John-Paul Sheridan, "The Alive-O Programme -30 November 1999", *Catholic Ireland* <https://www.catholicireland.net/the-alive-o-programme/>, [Accessed 5 September 2017].

¹⁴ Heinrich Boll *Irish Journal, A Traveller's Portrait of Ireland* (Abacus, London, 1984) p112

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persuade others of the importance of the issues at stake. The response of the bishops in the face of pressure to legalise contraception could be characterised as “weakness or non-action”.¹⁵

The decisive battle on birth control came in 1973 in *McGee v Attorney General*. Mary McGee (27) a mother of four children, advised by doctors that her life would be at risk if she became pregnant, ordered contraceptive products from England which were seized by customs officers. The case was heavily influenced by the US case *Griswold v Connecticut* (1965). Finding that section 17 of the Criminal Law (Amendment) Act 1935 violated the “imprescriptible rights of the family” enshrined by Article 41 of the Constitution the Supreme Court ruled that these rights included access to contraception. In his judgement Mr Justice Walsh stated:

“Both Aristotle and the Christian philosophers have regarded justice as the highest human virtue. The virtue of prudence was also esteemed by Aristotle as by the philosophers of the Christian world. But the great additional virtue introduced by Christianity was that of charity, not the charity which consists of giving to the deserving, for that is justice, but the charity which is also called mercy. According to the preamble, the people gave themselves the Constitution to promote the common good with due observance of prudence, justice and charity so that the dignity and freedom of the individual might be assured.

“The judges must, therefore, as best they can from their training and their experience interpret these rights in accordance with their ideas of prudence, justice and charity. It is but natural that from time to time the prevailing ideas of these virtues may be conditioned by the passage of time; no interpretation of the Constitution is intended to be final for all time. It is given in the light of prevailing ideas and concepts.”¹⁶

This would not be the last time that appeals to Christian compassion would be used to undermine Christian morality in Ireland.

While high profile dissent from teaching on contraception of the kind demonstrated in the US, Canada and Europe was not seen in Ireland, the response of the Irish bishops to government plans to repeal legal restrictions on birth control was ambiguous, if not ambivalent. In November 1978, Monsignor Patrick Cremin, professor of moral theology at Maynooth noted that the hierarchy had been “suffering for many years from such a lack of moral courage.” He told the Irish Independent newspaper:

“The Statement of the Irish Bishops has been generally understood by the press, radio and television, and inevitably therefore by the public generally, as conveying that the Irish Bishops, without expressing any disapproval, accept that legislation will be enacted amending the Criminal Law of 1935 and legalising contraceptives.”¹⁷

He warned that the hard fact “must be faced, however incredible it might seem, that legislation legalising the availability of contraceptives was inevitably opening the door in due time to the

¹⁵ The opinion of Monsignor Patrick Cremin expressed in an Interview with Joseph Power, Religious Affairs Correspondent of the *Irish Independent*, 8th November, 1978. The text of the interview is available at *Lux Occulta* <https://lxa.wordpress.com/2013/12/17/the-irish-bishops-and-the-legalisation-of-contraception-1978-mgr-cremin-speaks-out-full-text-of-interview/> [Accessed 6 September 2017]

¹⁶ WALSH J: *McGee v Attorney General and Revenue Commissioners* [1971 No. 2314 P] 19 December 1973

¹⁷ Monsignor Patrick Cremin, *Irish Independent*.

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legalisation of abortion, of divorce, and even however far-fetched this might seem just now — of euthanasia after it has been introduced, if it is, in England.”¹⁸

Pope John Paul II

The visit of Pope John Paul II in 1979, the centenary of Our Lady's apparition at Knock, met with levels of enthusiasm similar to those of the Eucharistic Congress of 1932. Yet this was only two months after the passage of the Health (Family Planning) Act. The Pope's address in Limerick made reference to the confrontation with the forces of secularism that was becoming ever more apparent.

“Yes, Ireland, that has overcome so many difficult moments in her history, is being challenged in a new way today, for she is not immune from the influence of ideologies and trends which present-day civilization and progress carry with them. The very capability of mass media to bring the whole world into your homes produces a new kind of confrontation with values and trends that up until now have been alien to Irish society. Pervading materialism imposes its dominion on man today in many different forms and with an aggressiveness that spares no one. The most sacred principles, which were the sure guides for the behaviour of individuals and society, are being hollowed out by false pretences concerning freedom, the sacredness of life, the indissolubility of marriage, the true sense of human sexuality, the right attitude towards the material goods that progress has to offer.”¹⁹

For the next decade, it appeared that the people of Ireland would resist these ideologies. In 1983 they voted decisively, by 66.9 percent to 33.1 percent, to adopt the Eighth Amendment, which provides equal legal protection to unborn children and their mothers, and in 1986 they rejected the Tenth Amendment to legislate for divorce by 63.48 percent to 36.52 percent of the vote. Notably, the clergy, a large section of the pro-life movement and Fianna Fáil were all publicly opposed to a change in divorce law.

Mary Robinson

The election of Mary Robinson as the seventh President of the Republic (1990-1997) marks a decisive turning point in the history of Ireland. Robinson was well known to oppose the rights of the unborn child and to advocate the legalisation of homosexual acts but benefited from media attacks on her main rival. On her election, she acknowledged that she won the votes of people who were opposed to the social policies she had championed. Although as President she was without political power, she would, in fact, exercise considerable influence in altering the course of Irish society.

In February 1992, the Supreme Court ruled that the abortion of a 14-year-old girl, known as X, pregnant as a result of statutory rape, was lawful within Ireland as she faced a real and substantial risk to her life (due to a threat of suicide) as article 40.3.3 of the Constitution required the State to have "due regard to the equal right to life of the mother". In her public comments on the case, Robinson presented the Constitutional ban on abortion as oppressive of women. This undoubtedly increased the pressure on the judges of the Supreme Court to circumvent the purpose of the Eighth Amendment. It was, however, the precedent of the McGee case and the principle that “no interpretation of the Constitution is intended to be final for all time” which allowed the Court to effectively reverse the meaning of the text. In a complete distortion of logic, the judges ruled that a measure intended to prevent the introduction of abortion by equating the right to life of an unborn

¹⁸ Monsignor Patrick Cremin, *Irish Independent*.

¹⁹ Homily of the Holy Father John Paul II, Greenpark Racecourse, Limerick, 1 October 1979

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child with that of his mother, had, in fact, legitimised abortion when a woman's life was threatened by her pregnancy, even if the threat was one of suicide.

1992 Abortion Referendum

In response to the X-case decision, the government sought to remove the threat of suicide as justification for an abortion but also hoped to legalise it on grounds of health, including mental health. It also introduced proposals to recognise a Constitutional right to travel outside the jurisdiction for the purpose of abortion and a right to information on abortion services in other jurisdictions. Both these amendments were passed, with 62.39 percent of the vote to 37.61 on the right to travel and 59.88 percent to 40.12 on information.

On the substantive issue of the rights of the unborn, the pro-life movement was divided on the implications of the proposal. Collectively the Bishops' Conference said Catholics were free to vote according to their consciences. Shortly before the referendum, however, five Bishops publicly declared their desire for a No vote. The Amendment was eventually rejected by 65.35 percent to 34.65.

Further challenges to sexual ethics

In 1993, Robinson, who as a lawyer had successfully challenged Ireland's criminalisation of homosexual acts before the European Court of Human Rights, as President signed legislation permitting them. No party in the Oireachtas opposed the change.

By 1995, continuing challenges to the law on abortion and contraception, scandals within the clergy and a subsequent media campaign against the Church had significantly changed the political climate. Just nine years after the legalisation of divorce was overwhelmingly rejected, Fianna Fáil withdrew its opposition when the Fifteenth Amendment was proposed. The hierarchy's defence of the indissolubility of marriage was now vacillating and members of the clergy who supported change received a disproportionate amount of media coverage. The Amendment was passed by 50.28 percent of the votes to 49.72 percent.

When Robinson resigned the Presidency in 1997 to take-up a post in the United Nations, it was clear that Ireland had changed significantly. She had also changed the perception of the Presidency itself. She was succeeded by Mary McAleese, whom she herself had succeeded as legal advisor to the Campaign for Homosexual Law Reform.

Developments in the IVF industry and the increasing availability of the morning-after pill led the government to make a second attempt, in 2002, to codify the ruling in the X-case. Again the proposal sought to remove suicide as grounds for an abortion but this time, it would also have removed protection for embryos prior to implantation, repealed sections 58 and 59 of the Offences Against the Person Act 1861 and even designated regional hospitals where abortions would be provided. Despite this, the Catholic hierarchy backed the government's plans. Although it lost the referendum (50.42 percent of the vote to 49.58) the government moved ahead with legislation which identified abortion outside the jurisdiction as one of a number of 'positive' options for women facing a crisis pregnancy.

Materialism and Multiculturalism

A period of sustained economic growth between the mid-1990s and mid-2000s also had a dramatic effect on the Republic. The "pervading materialism", which Pope John Paul II warned of in 1979, accelerated the pace of secularisation as did the sudden arrival of mass immigration. Large numbers

of people from countries where abortion was widespread undoubtedly led to an increase in the demand for both contraception and abortion (both legal and illegal), but more significantly it provided a pretext for abortion advocates in the media to attack the Eighth Amendment. In 2009 two Irish women and a third from Lithuania (known only as A, B and C), in coordination with the Irish Family Planning Association and the New York-based Center for Reproductive Rights, challenged Irish abortion laws in the European Court of Human Rights. Although the Court said that the law did not violate human rights, it nevertheless called for it to be liberalised. Then, in 2012 Savita Halappanavar, from India, died in a hospital in Galway from an antibiotic-resistant infection. She was seventeen weeks pregnant at the time, and the media reported that she didn't understand why she couldn't have an abortion, as she was neither Irish nor Catholic. The media's use of the case had a significant impact on public opinion at a time when the government was determined to legislate for abortion without any further referenda. The Protection of Life During Pregnancy Bill was essentially identical to the proposals rejected in 2002, although the new legislation no longer sought to remove the threat of suicide as grounds for an abortion.

Earlier the same year, Aisha Chithira (32) another foreign national who was 20 weeks pregnant, travelled from Dublin for an abortion in Britain. She died in a taxi after having the procedure at a Marie Stopes facility in London. News of her death was only disclosed in 2013 just days after the Dáil passed the Protection of Life During Pregnancy Act by 127 votes to 31. The media's treatment of Aisha's death was in marked contrast to that of Savita.

Same-sex Marriage

In May 2015 Ireland became the first nation to legalise same-sex marriage by referendum with 62.07 percent of the vote in favour and 37.93 percent against. The referendum campaign showed just how demoralised the Church in Ireland had become after suffering unrelenting attacks since the 1990s. While this hostility was at first predicated upon scandals more recently the focus has been to attack Catholic moral teaching itself. Even within the clergy, there are those who have adopted the criticisms of the Church's enemies, while disparaging Catholics seeking to defend the moral law. During the referendum campaign, a disturbing number of priests publicly supported the redefinition of marriage. A large section of the laity was persuaded to accept the homosexual agenda in what Mr Justice Walsh had referred to as "the charity which is also called mercy". These two factors can only be explained by a systematic failure of the Irish Church in a) the formation of its priests - demonstrated by the ongoing problems in Maynooth,²⁰ and b) the religious instruction provided by Catholic schools.

Conclusion

In 1933 Cardinal Eugenio Pacelli, Secretary of State of the Holy See and the future Pope Pius XII confided in his friend Count Enrico Pietro Galeazzi about the dangers he saw threatening the Church. He said:

"I am concerned about the confidences of the Virgin to the little Lucia of Fatima. This persistence of the Good Lady in face of the danger that threatens the Church is a divine warning against the suicide that the alteration of the Faith, in its liturgy, its theology, and its soul, would represent.

"I hear around me innovators who wish to dismantle the Sacred Chapel, destroy the universal flame of the Church, reject her ornaments, and make her

²⁰ John P McCarthy "The Latest Scandal at Maynooth College Seminary", *Crisis Magazine* 12 August 2016 <http://www.crisismagazine.com/2016/maynooth-controversy> [Accessed 11 September 2017]

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remorseful for her historical past. Well, my dear friend, I am convinced that the Church of Peter must affirm her past, or else she will dig her own grave.

“A day will come when the civilized world will deny its God, when the Church will doubt as Peter doubted. She will be tempted to believe that man has become God, that His Son is only a symbol, a philosophy like so many others.

“And in churches, Christians will search for the red lamp where Jesus awaits them, like the sinful woman crying out before the empty tomb: ‘Where have they taken Him?’”²¹

This is an accurate description of the crisis which has arisen in Ireland and across the universal Church. In *The End of Irish Catholicism?* Professor Vincent Twomey identifies the “revolution that was Vatican II” as one of three factors which contributed to radical changes in Irish society. The others are, a weak political class easily intimidated by the media, and the “long tradition of social conformity in this country, for which the Catholic Church must accept some of the blame.”²²

Monsignor Cremin’s warning of what would follow the legalisation of the importation and sale of contraceptives has also proven to be broadly correct. He can be forgiven for not listing same-sex marriage as one of its consequences as in 1978 the idea was unimaginable even in the most liberal nation in Europe.²³ Nor did he foresee the adoption of the Eighth Amendment and the roadblock it would present for the abortion lobby.

While the law on abortion has been liberalised, the failure of abortion advocates to remove or redefine the Eighth Amendment has ensured that Ireland remains one of the safest countries in the world for unborn children. The fact that it also has one of the lowest maternal mortality rates,²⁴ has meant that the Irish people have become the target of a multimillion dollar international abortion campaign. The US-based Center for Reproductive Rights and Atlantic Philanthropies are just two of the organisations whose activities have directly impacted Irish social policies. In 2016, an internal strategy document for the Women’s Rights Program of George Soros’ Open Society Foundation was leaked to the press. This document highlighted the significance the abortion industry attaches to its success in Ireland.

“With one of the most restrictive abortion laws in the world, a win there could impact other strongly Catholic countries in Europe, such as Poland, and provide

²¹ Georges Roche, Philippe Saint Germain “Pie XII devant l’histoire” [“Pius XII Before History”] *Archives de sociologie des religions* (1972) Vol 33 No 1 pp 292-293

²² Twomey, p115

²³ The link between the acceptance of birth control and the approval homosexual acts is widely acknowledged. For example, in 1989, Rowan Williams, later to become the Archbishop of Canterbury, addressed the Lesbian and Gay Christian Movement. In his talk, published as “The Body’s Grace,” he argued that it was untenable for the Church of England to accept the use of contraception as legitimate without accepting the legitimacy of homosexual relationships. The Body’s Grace is available at <http://www.anglican.ca/wp-content/uploads/2010/10/the-bodys-grace.pdf> [Accessed 11 September 2017]

²⁴ According to the World Health Organisation, the maternal mortality rate in the Republic of Ireland in 2015 was 8 deaths per 100,000 live births, compared with 9 in the UK and 14 in the USA. “Trends in Maternal Mortality: 1990 to 2015 Estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division,” November 2015. Available at http://apps.who.int/iris/bitstream/10665/193994/1/WHO_RHR_15.23_eng.pdf?ua=1 [Accessed 11 September 2017]

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much-needed proof that change is possible, even in highly conservative places..."²⁵

It is the combination of all these factors which has produced the grave danger now facing Ireland's unborn children. In the coming months, the people will be asked to decide if the Constitution will continue to protect their children or permit them to be killed. The result of this referendum will also reveal whether Charles Drysdale was correct when he predicted that even the Irish would turn away from the Catholic Faith and accept eugenics once they were exposed to birth control. One thing is, however, already clear. No country which has embraced a culture of contraception has been able to resist the advance of abortion for very long. This will be inevitable if the Eighth Amendment is altered or repealed. But even if we win this battle, we can never hope to win the war against abortion unless we are prepared to defend Christ's teaching on birth control. Today, Catholics in Ireland are faced with the same choice God gave to the Israelites in the book of Deuteronomy.

I call heaven and earth to witness this day, that I have set before you life and death, blessing and cursing. Choose therefore life, that both thou and thy seed may live..."²⁶

Let's pray that Ireland and nations across the world choose life.

Timeline

1922

Dec The Anglo-Irish Treaty partitions Ireland by establishing the self-governing Free State in 26 counties while the six northern counties, where the Irish Protestants are concentrated, remain in the United Kingdom but with a Parliament of their own.

1929

Jul The Censorship of Publications Act 1929 is enacted. The Act prohibits selling, publishing, distributing or importing any publication that relates to contraception or abortion.

1932

June The 31st International Eucharistic Congress is held in Dublin.

1935

Feb Criminal Law (Amendment) Act 1935 is enacted. Section 17 of the Act prohibits the sale, importation and advertising of any contraceptive, however, the Act does not specifically prohibit the use of contraceptives. The Act also makes it a crime to have "unlawful carnal knowledge" with girls under the age of 17, thereby raising the age of consent to sex from 16 to 17.

1937

Dec A Constitution establishing the sovereign state of Éire is ratified by referendum. The Preamble of the Constitution states: "In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred, We, the people of Éire,

²⁵ Dr Susan Berry "Leaked George Soros Plan to Turn Ireland into a Pro-Abortion Country" *Breitbart News*, 1 August 2017. <http://www.breitbart.com/london/2017/08/01/leaked-george-soros-plan-to-turn-ireland-into-a-pro-abortion-country/> [Accessed 9 September 2017]

²⁶ Deuteronomy 30:19

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Humbly, acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers through centuries of trial..."

The Constitution prohibits the legislation for the dissolution of marriage and acknowledges "the special position of the Catholic Church." It does not, however, make Catholicism the religion of the State and recognises other named Christian denominations and Jewish congregations.

1946

Feb Censorship of Publications Act 1946 is enacted. The Act gives the Censorship Board the power to prohibit the sale and distribution of any book deemed to be obscene or indecent and also any book that "advocates the unnatural prevention of conception or the procurement of abortion or miscarriage or the use of any method, treatment or appliance for the purpose of such prevention or procurement".

1962

Oct Second Vatican Council opens.

1963

Pharmaceutical companies succeed in introducing the contraceptive pill in Ireland as a cycle regulator.

National Maternity Hospital opens a marriage guidance clinic giving advice only on the Rhythm method.

1965

Dec Second Vatican Council closes.

1968

Jul Publication of *Humanae Vitae*.

1969

Mar The Fertility Guidance Company Ltd (later to change its name to the IFPA) is established in Merrion Square, Dublin. The organisation sidesteps the law by providing contraception for free to clients who then make a "donation".

1970

Sep Doctors at the Fertility Guidance Company begin fitting IUDs for the first time in the Irish Republic.

Trinity College becomes the first Irish medical school to include family planning in its curriculum.

1971

May Members of the Irish Women's Liberation Movement travel by train to Belfast to purchase contraceptives. On their return to Dublin, they challenge the customs officers at Connolly Train station to arrest them for illegal importation. The customs officers allow the women to pass.

Jul Senators Mary Robinson, John Horgan and Trevor West attempt to introduce a Bill to amend the Acts preventing the sale and import of contraceptives. The bill is refused a reading and even denied publication.

Dec The Fertility Guidance Company publishes Family Planning - A Guide for Parents and Prospective Parents.

1972

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The Rotunda becomes the first Irish Maternity Hospital to set up a family planning clinic that prescribes the contraceptive pill. Clients are referred to the Fertility Guidance Company if they prefer to be fitted with an IUD.

1973

Jul The Fertility Guidance Company Ltd changes its name to the Irish Family Planning Association.

Dec Heavily influenced by the US case of *Griswold v Connecticut*, the Supreme Court rules in *McGee v Attorney General* that Customs Officers acting in accordance with the Criminal Law Amendment Act 1935, violated the Constitutional right to privacy in marital affairs of Mary McGee (27) and her husband when they seized contraceptive products she had ordered from England.

1974

Feb The IFPA and a similar company, Family Planning Services, face charges alleging the companies had sold, offered or advertised contraceptives. The case is dismissed in the District Court.

1975

The IFPA becomes a full member association of the International Planned Parenthood Association.

1976

Nov The Censorship Boards bans the IFPA family planning guidebook, originally published in 1971.

1977

Jul The IFPA wins its High Court challenge to the banning of IFPA family planning guidebook and the booklet becomes available to the public again.

1979

Jul Health (Family Planning) Act 1979 is enacted under Charles Haughey, Minister for Health. The Act legalises the importation and sale of contraception but specifies that contraception, including condoms, are only available on prescription from a doctor and the doctor must be satisfied that the person is seeking the contraceptives for *bona fide* family planning purposes. This is largely interpreted to mean that only married couples are legally entitled to access contraception.

Sep John Paul II becomes the first pope to visit Ireland.

1983

Sep Referendum on the Eighth Amendment to the Constitution is passed with 66.9 percent (841 233) votes in favour and 33.1 percent (416 136) against.

Dr Andrew Rynne is fined £500 for selling 10 condoms to a patient, the first case to be taken under the (Health) Family Planning Act 1979.

1985

Mar The Health (Family Planning)(Amendment) Act 1985 is enacted under Barry Desmond, Minister for Health. The Act allows for the sale of condoms and spermicides without a prescription to people aged 18 and over. However, condoms can only be sold in chemists, doctors' surgeries, health boards, family planning clinics and hospitals providing maternity services or treatment for sexually transmitted infections.

1986

Jun A government proposal to legalise divorce is rejected by referendum by 63.48 percent to 36.53 percent.

Dec The High Court finds that Open Door Counselling and Dublin Well Woman Centre in making abortion referrals abroad are in breach of Article 40.3.3 of the Constitution, as it undermines the

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right to life of the 'unborn'. The Dublin Well Woman Centre and Open Door Counselling are ordered to cease their counselling and information service that provides information on abortion and also to cease assisting women to obtain abortions abroad.

1988

Feb The IFPA opens a counter selling condoms at the Virgin Megastore in Dublin.

Mar The Supreme Court rejects the appeal from Open Door and Dublin Well Woman to overturn the High Court injunction on abortion referrals.

Oct The European Court of Human Rights rules in *Norris v Ireland* (Application no. 10581/83) that the prohibition of homosexual acts under Irish law violates the right to privacy. Council for the applicant Senator David Norris is Mary Robinson, legal advisor to the Campaign for Homosexual Law Reform, a position previously held by Mary McAleese.

1990

May IFPA is convicted by the District Court for selling condoms without a license in the Virgin Record Store. A fine of £400 imposed.

Dec Mary Robinson becomes the seventh President of the Republic

1991

Feb The IFPA appeals its conviction for the illegal sale of condoms in the Virgin Megastore in Dublin. The Court rejects the appeal and increases the fine to the maximum under the law of £500 for a first offence. Richard Branson, CEO of Virgin Megastores, testifies on behalf of the IFPA. Dr Malcolm Potts (IPPF) appearing as a defence witness, is reported to say that since contraception was legalized in Romania last year, Ireland is looked upon as one of the most backward nations in the world with regard to health and family planning. On 7 February 1993, Potts told the Cambridge Evening News that "As people turn to contraception there will be a rise, not a fall in the abortion rate." Pop group U2 pays the fine on behalf of the IFPA.

1992

Feb The Supreme Court rules in *Attorney General v X* that the abortion of a 14-year-old girl, known as X, pregnant as a result of statutory rape, was lawful within Ireland as she faced a real and substantial risk to her life (due to a threat of suicide) as article 40.3.3 of the Constitution requires the State to have "due regard to the equal right to life of the mother".

May Eamonn Casey, the Catholic Bishop of Galway, resigns after newspapers reveal that he has a teenage son by a woman now resident in the US.

Jul Health (Family Planning) (Amendment) Act 1992 is enacted. The Act lowers the age at which a person can buy condoms from 18 to 17 without a prescription. Condoms can be sold outside of pharmacies but not in vending machines or areas where young people under 17 are unsupervised.

Oct In the case of *Open Door and Well Woman v Ireland*, the European Court of Human Rights rules that Ireland violated the European Convention on Human Rights. The Court finds that an injunction against Open Door and Well Woman from receiving or imparting information on abortion services legally available in other countries contravenes Article 10 of guaranteeing freedom of expression. However, judges draw a distinction between the provision of information and abortion referral.

Nov As a result of the X case judgement and the issues relating to travelling and information on abortion, the Government puts forward three possible amendments to the Constitution in a referendum. The three amendments include:

1. The freedom to travel outside the State, including travel for the purpose of having an abortion in another jurisdiction where it is lawful - Passed
2. The freedom to obtain or make available information on abortion services outside the State, subject to conditions - Passed
3. To weaken the status of the unborn child but to remove suicide as a grounds for abortion in Ireland - Rejected

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The pro-life movement is divided on the implications of the proposal. Prior to the referendum, Church authorities are reported as saying that Catholics are free to vote according to their consciences but five Bishops publicly declare their desire for a No vote.

1993

May Department of Health launches TV and Radio campaign advocating condom use as a defence against HIV transmission.

Jun Health (Family Planning) (Amendment) Act 1993 is enacted. Condoms are no longer defined as a contraceptive and are deregulated. This means virtually no restrictions on their sale or supply, including vending machines. The Act also removes any age limit.

Jul Relevant sections in the Offences against the Person Act 1861 (criminalising “buggery”) and the Criminal Law Amendment Act 1885 prohibiting acts of “gross indecency” are repealed by the Criminal Law (Sexual Offences) Act. No party in the Oireachtas opposes the change.

1994

Jan The Health Promotion Unit in the Department of Health publishes its first contraception leaflet. This is replaced later in the year by a contraception guide produced by the IFPA with Department of Health funding.

May Labour Party Minister for Health, Brendan Howlin, launches the Department of Health's national strategy *Shaping a Healthier Future*. The strategy includes a commitment to ensure a comprehensive and accessible family planning service in all health boards by the end of 1995.

Dec The coalition government collapses after the Labour Party withdraws its support for Fianna Fáil following the failure to extradite Fr Brendan Smyth to Northern Ireland on child sex-abuse charges. This is the first in a series of high profile scandals. A number of enquiries reveal the widespread cover-up of allegations by both Church and State authorities going back decades.

1995

Jan Labour Party Minister for Education, Niamh Bhreathnach announces the introduction of Relationships and Sexuality Education for all schools at post-primary level.

May The Department of Health issues family planning policy guidelines to all health boards which:

1. require the Health boards to evaluate the current level of family planning services and the extent to which these meet current needs;
2. specify that it is the responsibility of each Health Board to ensure the family planning needs of people living in remote areas are met;
3. expands the eligibility criteria for free contraceptive service under the medical card scheme, including abortifacients.

May Regulation of Information (Services outside the State for the Termination of Pregnancies) Act 1995 is enacted. This allows doctors, advisory agencies and individual counsellors to give information on abortion services abroad should a woman request it. However, the Act requires any information on abortion services be provided along with information on parenting and adoption and may only be given in the context of one to one counselling. The Act also prohibits service providers (including doctors) from making an appointment for a termination abroad on behalf of their client. Advisory agencies, doctors and counsellors who do not provide information on abortion services abroad but do engage in pregnancy counselling are not subject to the provisions of the Act.

Nov The public narrowly votes for the Fifteenth Amendment introducing divorce by 50.28 percent to 49.72 percent. Prior to the referendum, Church authorities are reported as saying that Catholics are free to vote according to their consciences and a Yes vote is not a sin.

1997

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Nov A 13-year-old girl, known as Miss C, becomes pregnant following alleged rape. The Eastern Health Board takes C into its care and in accordance with what it said were the girl's wishes, obtains orders from the District Court to take C abroad for an abortion. C's parents challenge these orders in the High Court case *A and B v Eastern Health Board*, District Court Judge Mary Fahy and Mr Justice Geoghegan rule that as Miss C was likely to take her own life if forced to continue with the pregnancy, she was entitled to an abortion in Ireland by virtue of the Supreme Court judgement in the X Case. The Health Board's claims about the girl wanting an abortion were later exposed as a gross distortion of the truth.

Nov Mary McAleese is elected eighth President of the Republic.

1999

Sep Cabinet Committee chaired by Brian Cowen, Minister for Health and Children, publishes a Green Paper on Abortion prepared by an Interdepartmental Working Group. The Green Paper aims to set out the issues surrounding abortion, provide a brief analysis and to consider possible options available.

2000

Jun The Irish Medicines Board refuses to license the Levonelle morning-after pill, because it considers it to be an abortifacient. Ireland and Greece are the only EU countries where such products are not licensed.

Nov All-Party Oireachtas Committee on the Constitution publishes its Fifth Progress Report: Abortion. The 700-page report is a political assessment of the issues raised in the Green Paper on Abortion, submissions received and hearings conducted. The Committee fails to reach a political consensus on the substantive legal issues of abortion but agrees on a strategy to reduce the number of crisis pregnancies. The report further recommends the establishment of a dedicated agency under the Department of Health and Children to implement the strategy. The report is sent to a Cabinet Subcommittee chaired by Minister for Health and Children Micheál Martin for consideration. The UN Human Rights Committee expresses concern over Ireland's restrictive abortion laws and constitutional entrenchment of gender inequality during the consideration of Ireland's second report under the International Covenant on Civil and Political Rights.

2001

Oct Taoiseach, (Prime Minister) Bertie Ahern, announces his intention to hold a referendum to address the ruling in the X case.

Oct The Department of Health and Children establishes the Crisis Pregnancy Agency to prepare and implement a strategy to address the issue of crisis pregnancy in Ireland as recommended by the All-Party Oireachtas Committee on the Constitution's Fifth Progress Report on Abortion. The strategy is to provide for:

- 1 a reduction in the number of crisis pregnancies by the provision of education, advice and contraceptive services;
- 2 a reduction in the number of women with crisis pregnancies who opt for abortion by offering services and supports which make other options more attractive;
- 3 the provision of counselling and medical services after crisis pregnancy.

2002

Mar Voters reject the Twenty-fifth Amendment of the Constitution (Protection of Human Life in Pregnancy) Bill, 2001 which would strip Constitutional protection from embryos prior to implantation while removing the threat of suicide as a ground for abortion. It also designates a number of hospitals which would be authorised to carry out abortions deemed lawful. With some pro-life groups supporting the government's proposal while others oppose it, public confusion is widespread. Again Church authorities are reported as saying that Catholics are free to vote Yes or No

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according to their consciences but later give their support to the government's plan. Uncertainty over the interpretation of the proposal means the turnout is only 42.89 percent of the total electorate, nevertheless, 50.42 percent vote against. 49.58 percent vote in favour.

2003

May The Labour Party formally adopts a policy supporting legislation to allow for abortions where there is a risk to the life or health of the pregnant woman, or where there is a foetal abnormality. The Irish Medicines Board grants a license for the first the morning-after pill in Ireland on a prescription-only basis.

2005

Jul The UN Committee on the Elimination of Discrimination Against Women criticises Ireland for its persistent stereotypical views of the social roles and responsibilities of women and restrictive abortion laws during the consideration of Ireland's combined fourth and fifth report under the Convention on the Elimination of all forms of Discrimination Against Women.

Aug With the aid of the US-based Centre for Reproductive Rights and the IFPA, three women living in Ireland bring a case to the European Court of Human Rights (A, B & C v Ireland) challenging Ireland's abortion ban. The complaint alleges breaches of Articles 2 (protection of the right to life), 3 (freedom from inhuman and degrading treatment), 8 (the right to privacy and family life) and 14 (protection from unjust discrimination) of the Convention.

Aug Safe and Legal in Ireland campaign forms to demand legal abortion services within the Republic.

Nov RTE, the Irish State broadcaster removes its ban on adverts for condoms.

2006

Jul European Court of Human Rights (ECHR) rules D v Ireland inadmissible having failed to exhaust domestic remedies. She alleged that Ireland's ban on abortion in the case of "fatal foetal abnormalities" violated Articles 1, 3, 8, 20, 13 and 14 of the European Convention. The government argued that D should have taken her case to court in Ireland as a foetus with a potentially fatal anomaly may not have constitutional protection from abortion.

2007

Apr The Department of Justice, Equality and Law Reform launch the National Women's Strategy 2007 - 2016 which recognises gender as an essential determinant of health and commits to improving the reproductive and sexual health status of women in Ireland.

May A 17-year-old woman known as Miss D with an anencephalic pregnancy goes to the High Court to force the Health Service Executive to allow her to travel to obtain an abortion. The High Court rules that she has a right to travel. (Note, this is a separate case to that of D v Ireland.)

Jun The Fianna Fáil, Green Party and Progressive Democrat coalition government publishes its Programme for Government 2007 - 2012. Policy promises include the "develop[ment of] a national sexual health strategy, update the sex education programme in schools, and involve community health professionals in the delivery of the programme."

Oct Mr Justice McKechnie rules that the lack of provision for recognising transgendered people was incompatible with the European Convention on Human Rights. This is the first declaration of incompatibility of Irish law with the European Convention in Ireland made by a domestic court.

2008

Jan Minister for Finance, Brian Cowen, announces that the VAT rate on condoms will be reduced from 21 percent to 13.5 percent as set out in the 2008 Finance Act.

Apr Council of Europe Commissioner for Human Rights, Thomas Hammarberg, publishes a report on his visit to Ireland. In his report, the Commissioner expresses concern over the absence of legislation and guidance on when abortion is legally permissible in the State.

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2009

Dec Three women known as A, B & C are granted an oral hearing before the 17 Judge Grand Chamber at the European Court of Human Rights. Legal representatives for the women argue that the criminalisation of abortion services in Ireland jeopardised their health and well-being.

Dec Law Reform Commission publishes a report on medical treatment for young people and proposes that 16- and 17-year-olds should be allowed to consent to and refuse medical treatment including surgery and contraception. It also proposes that 14- and 15-year olds should be allowed to make their own decisions about medical treatment provided they understand the nature and consequences of the treatment.

2010

Jul The Civil Partnership and Certain Rights and Obligations of Cohabitants Act is enacted. The Act provides for legally recognised same-sex relationships.

Dec In the case of A, B & C v Ireland, the European Court of Human Rights rejects the claims of two of the applicants but rules that C was denied her constitutional right to an abortion when she believed her life was in danger. The absence of procedures to guarantee her rights was, therefore, a violation of Article 8 of the Convention.

2011

Jan Morning-after pills are available directly from Boots pharmacies nationwide.

Feb Irish Medicines Board grants over-the-counter status to the morning-after pill Norlevo. This means that the pill can be purchased directly from pharmacies without a prescription.

Mar Fine Gael and the Labour Party form a coalition government.

2012

Oct Savita Halappanavar, an Indian immigrant dies in Galway after doctors fail to identify that she has an antibiotic-resistant strain of E-coli. The media blame her death on Ireland's prohibition of abortion. The Irish Times breaks the story on 12 November the same day the government confirms that an expert group examining abortion law reform delivered its report to the Department of Health the night before.

2013

Jul The Dáil passes the Protection of Life During Pregnancy Bill by 127 votes to 31.

2015

May A referendum to approve same-sex marriage is passed by 62.07 percent in favour to 37.93 percent against.