

The 8th Amendment:
Ireland's Life-Saving Provision
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Introduction

TENS OF THOUSANDS of Irish people owe their lives to the 8th Amendment.

The 8th Amendment was designed to protect the unborn from abortion while also ensuring that women have access to all life-saving medical treatment. The Amendment was endorsed by two-thirds of the electorate at a time when international judicial activism was creating legal rights (including the right to abortion) in other countries and against a backdrop of lobby groups pushing for the introduction of abortion into Ireland.

Those who wish to repeal the 8th Amendment often argue that it has no effect other than to ensure that Irish abortions happen abroad. This is mistaken – the 8th Amendment is in fact a life-saving amendment. At a very conservative estimate there are tens of thousands of Irish people alive today precisely because of the protection that the 8th Amendment gives to the unborn. This is evident from an analysis of abortion rates internationally.

Comparative Abortion Rates

Ireland has a much lower abortion rate than most other countries in the Western world.¹ One simple way to understand abortion rates is to measure the percentage of pregnancies that end in abortion. Consider the following table showing the abortion rates of a range of Western and EU countries across recent years:

1: The Irish abortion rate is based on the number of abortions on women from Ireland that take place in England and Wales. There are a small number of Irish abortions in other EU countries (for example, 12 women from Ireland had abortions in the Netherlands in 2013). These abortions do not significantly change the abortion rate of 5.2%.

COUNTRY (YEAR)	% OF PREGNANCIES ABORTED
Sweden (2014)	24.4
England and Wales (2014)	21.1
France (2013)	21.1
United States (2013)	20.2
Denmark (2014)	21
Spain (2014)	18
Canada (2013)	17.7
Italy (2013)	16.7
Portugal (2014)	15.8
Belgium (2013)	14.1
The Netherlands (2013)	13.5
Ireland (2014)	5.2

This sample of Western and EU countries have abortion rates between *two and a half and five times higher* than Ireland's.

How many lives has the 8th Amendment saved?

The *Pro Life Campaign* has commissioned an actuarial report to estimate how many lives have been saved because of the 8th Amendment. It is obviously impossible to arrive at a precise figure as there are many variables involved. But this analysis indicates *the number of abortions that would have occurred in Ireland if Ireland had had the same abortion rates as a sample of other countries.*

A conservative approach was adopted at every stage of the analysis. A range of countries was chosen for comparative purposes. England and Wales were chosen as they are our closest neighbours – so much of our culture and history is shared and we have the same media influences. The analysis was also broadened to include culturally Catholic countries like Spain, Portugal and Belgium. The year 1994 was chosen as a start date for the analysis. There were two main reasons for this:

1. The 1983 Amendment prevented a growing pro-abortion political lobby gaining ground as it was doing elsewhere in Europe. We are presuming that a failure to pass the 8th Amendment would have resulted in the introduction of legalised abortion within ten years.
2. In the 1990s the Irish courts ruled on several cases regarding the issue of bodily integrity and the right to privacy. Without the 8th Amendment these cases would inevitably have touched on the right to abortion in Ireland.

The estimates below would vary depending on the start date of the analysis.²

There were 108,000 abortions on women from Ireland in England & Wales between 1994 and 2014. The following table shows the number of abortions there would have been in that period if Ireland had the same abortion rate as the countries listed, along with the number of lives saved over the period as a result of not having that rate.

Country	Irish abortions 1994–2014 if Ireland had had the same rate as country compared	Number of lives saved 1994–2014 by not having the same rate
England & Wales	304,000	196,000
Spain	229,000	121,000
Belgium	183,000	75,000

In Summary

- If Ireland had the same abortion rate as England & Wales from 1994–2014, 196,000 Irish citizens would not have been born (the same population as Cork city and suburbs).
- If Ireland had the same abortion rate as Spain from 1994–2014, 121,000 Irish citizens would not have been born (the same population as all of County Clare).
- If Ireland had the same abortion rate as Belgium from 1994–2014, 75,000 Irish citizens would not have been born (the same population as Galway city and suburbs).

2: Projections of 250,000+ lives saved by the Amendment have been made elsewhere. This estimate is also credible depending on the start date for the analysis and the comparative abortion rate chosen. In this analysis we have chosen more conservative figures and dates.

The analysis also looked at Portuguese abortion rates, examining figures from 2007 to 2014 (abortion was legalised in Portugal in 2007). There were 34,000 Irish abortions between 2007 and 2014.

Country	Irish abortions 2007–2014 if Ireland had had the same rate as Portugal	Number of lives saved 2007–2014 by not having the same rate
Portugal	92,000	58,000

In Summary

- If Ireland had the same abortion rate as Portugal between 2007–2014, 58,000 Irish citizens would not have been born (the same population as all of County Carlow).

It is of course impossible to predict with 100% accuracy what abortion rate Ireland would have without the 8th Amendment. But what we can say with confidence is that it would be considerably higher than the current rate of 5.2% – most western European countries have rates that are 3, 4 or 5 times higher than this and there is no credible reason to believe that Ireland’s rate would not evolve in ways similar to other EU countries.

How the 8th Amendment saves lives

Like all laws, the 8th Amendment plays an important role in shaping social norms. Perceived social norms are arguably the most powerful drivers of behaviours and attitudes. We all recognise the behavioural effects of simple public health measures such as drink driving laws and the workplace smoking ban. Laws of this nature would be pointless if they didn't influence individual behaviours. A particularly strong social signal is sent when laws are changed. Behaviours and attitudes relating to abortion are bound to evolve alongside a change in the law, just as they do in other areas of life.

Ireland still has a relatively low abortion rate – approximately 1 in 20 pregnancies are aborted. Each of these abortions is a personal tragedy for everyone involved. But the situation in our nearest neighbours England and Wales is so much more tragic. 90% of babies diagnosed with Down Syndrome are aborted and more than 1-in-5 of all pregnancies are aborted (and in 37% of these abortions the women had one or more previous abortions). This is a symptom of a culture where abortion is normalised. Those who want to repeal the 8th Amendment do not seem to be concerned that this will likely result in widespread abortion becoming socially acceptable.

Conclusion

All laws affect behaviour. Those campaigning for repeal of the 8th Amendment want the public to believe in the fiction that the law does not influence our behaviour and attitudes and that it will not result in more abortions. But if law has no impact on behaviour, why bother enacting any laws at all?

The effect of the 8th Amendment has been to help keep the Irish abortion rate at a small fraction of that of other western and EU countries. Removing constitutional protection for the unborn will inevitably result in more abortions by making access to abortion easier and by changing public attitudes towards the acceptability of abortion.

The reality is that there are tens of thousands of people alive today because of the 8th Amendment. Repealing this amendment will result in more lives being ended. This is a distasteful truth that cannot be denied.

Appendix

Actuarial Report

Actuary's Report

I am asked by VIE Ltd. trading as Pro-Life Campaign to advise regarding abortion rates in the Republic of Ireland.

In particular, I am asked to compare the actual number of induced abortions from 1994 to 2014 with the number of induced abortions that would have occurred had the abortion rates in England and Wales or Spain or Belgium applied.

I am asked to carry out a similar calculation in the case of Portugal in respect of the period from 2007 to 2014.

Summary of the Results

Comparisons with England and Wales, Spain and Belgium for the Period from 1994 to 2014 inclusive are as follows:

<u>Country</u>	<u>Number* of Induced Abortions if the Republic of Ireland's Abortion Rates Were Those of the Country Shown</u>
<i>Republic of Ireland (actual)</i>	<i>108,000</i>
<i>England and Wales</i>	<i>304,000</i>
<i>Spain</i>	<i>229,000</i>
<i>Belgium</i>	<i>183,000</i>

**Comparison with Portugal for the Period from 2007 to 2014
inclusive is as follows:**

<u>Country</u>	<u>Number* of Induced Abortions if the Republic of Ireland's Abortion Rates Were Those of the Country Shown</u>
Republic of Ireland (actual)	34,000
Portugal	92,000

** Rounded to the nearest 1,000.*

The data used in the calculations are set out in the Appendix.

Brendan Lynch A.I.A.

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year	abortion %				
	Republic of Ireland	England and Wales	Spain	Belgium	Portugal
1994	8.7	19.1	11.6	10.2	
1995	8.5	19.2	11.9	10.4	
1996	8.9	20.5	12.5	11.5	
1997	9.3	20.9	11.7	19.9	
1998	9.9	21.9	12.7	10.6	
1999	10.4	21.8	13.1	11.2	
2000	10.5	22.5	13.6	11.5	
2001	10.3	22.9	14.5	12.4	
2002	9.7	22.8	15.5	12.4	
2003	9.3	22.8	15.0	13.0	
2004	9.2	22.5	15.8	12.8	
2005	8.4	22.4	16.1	13.0	
2006	7.3	22.4	16.9	13.2	
2007	6.2	22.3	18.1	13.5	6.6
2008	5.9	21.6	18.0	13.2	14.7
2009	5.6	21.1	18.1	13.4	16.2
2010	5.6	20.8	18.8	13.2	15.7
2011	5.3	20.8	19.7	13.6	17.0
2012	5.3	20.2	19.6		17.0
2013	5.1	21.0			17.4
2014	5.2				15.8

Source: Johnston's Archive at johnstonsarchive.net

The abortion % is the number of abortions on residents divided by the total number of pregnancies among residents.

The last recorded abortion % is for 2011 in Belgium, for 2012 in Spain and for 2013 in England and Wales.

Percentages not yet available for 2012, 2013 and 2014 have been assumed to be at the same rate as the latest recorded