


Critical actors and abortion law: a group of individuals in Northern Irish politics obstructs change

 democraticaudit.com/2018/04/06/critical-actors-and-abortion-law-a-group-of-individuals-in-northern-irish-politics-obstructs-change/

By Democratic Audit UK

6 April 2018

*There are various reasons why progress on legal abortion in Northern Ireland has been blocked over the years. Key among them is that individual politicians rule out any suggestion of change, writes **Jennifer Thomson**. She argues that more attention should be given to the actions of individual actors, considering their role can often be as important as that of political parties or institutions.*



Stormont, Belfast. Picture: [EHRENBERG Kommunikation](#), via a [CC BY-SA 2.0](#) licence

In a matter of months, the Republic of Ireland will hold a referendum on repealing the eighth amendment of the constitution and paving the way for legal abortion for the first time in the country. With both the Taoiseach, Leo Varadkar, and the leader of the opposition, Micheál Martin, declaring that they will campaign for repeal, and with the electorate broadly supportive of the move, change looks likely. Following only three years on from the country's historic same sex marriage referendum, Ireland appears to be moving from one of the more socially conservative countries in western Europe to one which is signalling a new, liberal dawn.

By contrast, Northern Ireland has not seen similar sea changes. Same sex marriage remains illegal and the 1967 Abortion Act, which legislates for the procedure in England, Scotland, and Wales does not apply. Abortion is only allowed in a very small number of cases in Northern Ireland, and is not automatically legal in instances of rape, incest, or fatal foetal abnormality. Although Northern Irish women can now access abortions on the

NHS in England, thanks to Stella Creasy's amendment to the Queen's speech, this does nothing to change the strict legal situation in Northern Ireland, nor does it help with the financial costs of travelling for the procedure.

The absence of policy movement in either of these areas is often chalked up to Northern Ireland's difference, especially the strength of Christianity (both Protestant and Catholic) within its population. Indeed, in the wake of the DUP confidence and supply arrangement with Theresa May's government, much was made of the DUP's social conservatism in the British press and Northern Ireland's variance from the rest of the UK.

Yet the restrictive situation in Northern Ireland can equally be explained through the politics and institutions of the region. Abortion in particular has long been a political football in Northern Irish politics following devolution. As early as 2000, the Assembly debated the motion that it was 'opposed to the extension of the 1967 Abortion Act to Northern Ireland', despite the fact that there was no attempt from Stormont or Westminster to do so. Following a 2004 ruling, the Department of Health at Stormont was ordered to produce guidance for medical professionals outlining the specific circumstances in which termination of pregnancy was legal. It took until 2016 for this guidance to be officially released, the intervening years seeing a period of legal and political blockades thrown at them. In 2012, a Marie Stopes clinic opened in central Belfast, operating under the strict legal parameters that Northern Ireland allows for, and has excited much political debate and energy at Stormont in the years since.

For much of Northern Ireland's devolved period therefore, abortion has been a political stumbling block. In particular, a handful of key individuals have driven this pattern of obfuscation and resistance. Jim Wells, who stepped down as Stormont Health Minister in 2015 following comments he made about homosexual parenting, has been a key critic of any attempts to change abortion law, and instigated a debate on the issue in Stormont in 2000. In the mid-2000s, Iris Robinson led the way in trying to ensure that proposed guidelines around abortion were obstructed via the Assembly. In 2013, Paul Girvan DUP MLA and Alban Maginness SDLP MLA attempted to outlaw any private abortion providers in Northern Ireland which would have closed down the newly opened Marie Stopes clinic in central Belfast. These individuals have come from very different political parties and from across the ethno-national divide. Although mostly men, this largely reflects the male-dominated make-up of the Northern Irish Assembly.

Feminist political scientists have long employed the concept of 'critical actors' to refer to key individuals who instigate positive change within political institutions. Stella Creasy's amendment, discussed above, is one such example of an individual politician working to enact huge change. Using the example of Northern Irish abortion politics following devolution, Largue for an understanding of conservative critical actors as well as progressive critical actors.

Over a period of years, movement on abortion has been stalled, not just by the male-dominated nature of the political institution, nor by party policy on the issue, but also, as detailed above, by a key group of individuals in Northern Irish politics. When considering

why some policies are difficult to change, or even to implement at all, consideration must be given to the actions of individual members of political institutions. The role that they can play in encouraging or obstructing policy change can be as important as the role of parties, formal rules or the nature of political institutions themselves. This has been the case in Northern Ireland, where a small number of critical actors have obstructed change on abortion for many years.

Attempts to change abortion policy at the moment are also not helped by the fact that Northern Ireland is facing one of its most challenging political periods in decades. With the Assembly suspended now for over a year, and talks to reinstate it failing in February, the hope for reform any time soon appears bleak. Should direct rule occur, Westminster will have the power to enact change on abortion in the region. With reform so long stymied in Belfast, the transfer of powers to London may open the door for abortion change in Northern Ireland.

*This post represents the views of the author and not those of Democratic Audit. It first appeared on the [LSE's British Politics and Policy blog](#). It draws on the author's [published work](#) in *International Political Science Review*.*

About the author



Jennifer Thomson is Lecturer in Comparative Politics at the University of Bath.

Similar Posts
