

‘Fighting them every single step of the way’:

The Struggle for Reproductive Rights in the Republic of
Ireland

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Abstract

Abortion was criminalised throughout the Republic of Ireland from 1983, when the 8th Amendment was introduced to the constitution. The 8th Amendment recognises that the unborn child holds an equal right to life as the mother, and so abortion became punishable by up to 14 years' imprisonment. Continuing to this day, the 8th Amendment forces women to either travel outside of the Republic for terminations or to take the medical abortion pill illegally in their own homes. Women who seek abortions have become invisible and are kept in silence under the 8th Amendment, despite it ensuring Ireland's status as a pro-life nation. Since 2012 there has been a surge in pro-choice activism in Ireland and a renewed push to repeal the 8th Amendment. Through an examination of the new wave of pro-choice activism, this thesis considers how activists draw on current political and social events to break the silence on abortion and push to repeal the 8th Amendment.

Statement of Candidate

I certify that the work in this thesis entitled “Fighting them every single step of the way’: The Struggle for Reproductive Rights in the Republic of Ireland” has not previously been submitted for a degree nor has it been submitted as part of requirements for a degree to any other university or institution other than Macquarie University.

I also certify that the thesis is an original piece of research and it has been written by me. Any help and assistance that I have received in my research work and the preparation of the thesis itself have been appropriately acknowledged.

In addition, I certify that all information sources and literature used are indicated in the thesis. The research presented in this thesis was approved by Macquarie University Ethics Review Committee, reference number: 5201500926 on 15th December 2015.

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Introduction

Stepping into the hazy warmth of Kelly's pub, I felt sure I was mistaken. The tables were laid for dinner, with only two people huddled in conversation at one the bar. Standing just inside the door, ready to turn back out into the night, a waitress walked past and asked, "Are you here for the meeting?" I nodded uncertainly as the waitress directed me to a nearby staircase.

I descended the stairs and noticed a drop in temperature. The cosiness of the pub above faded away as I emerged into a dimly lit, rectangular room. Along one wall were stacked chairs and tables; along the other, a disused bar, the beer taps draped in dark cloth. At the end of the bar, the room opened up and a collection of mismatched chairs and a worn leather couch formed a circle.

People shed coats and gloves, claiming their seats. I approached Ailís, who seemed to be the host of the meeting, and introduced myself. I had emailed Ailís about attending this meeting and she welcomed me. Slowly, more people trickled downstairs, bringing with them the cold outside air. The latecomers nudged their chairs into the circle as the last of the conversational buzz died down.

Ailís gave the mandatory introductions, describing members of the organisation and their respective roles. I was quite obviously not the only newcomer to this meeting. Ailís then began her address. She spoke of the most recent developments in Ireland's pro-choice movement. With conviction and a sense of steely determination in her words, Ailís recapped the group's actions

over the past month. She spoke of the rallies they had organised and the implications of the two arrests in Northern Ireland. Two women had been charged for illegally taking medical abortion pills. Whilst the arrests had been made in the North, pro-choice activists had felt the tremors from this in the Republic. Finally, Ailís settled on a significant point of discussion: the organisation's plan of action for the upcoming General Election. Suggestions abounded from the twenty people filling the room, ranging from the abstract to the practical. How might the group ensure that the 8th Amendment, and its repeal, was a key election issue? What was the most effective way to spread awareness of the organisation's plight? Should the group co-opt the term 'abortion on demand' from pro-life organisations and make it their own?

These questions were discussed for the following two hours. Gradually, coats slid off the backs of chairs and onto laps, hands buried in the sleeves for warmth. The room beneath the pub had grown colder as time wore on and the chill forced an end to the meeting. With the details of the organisation's next protest arranged, the meeting dissolved into a flurry of movement as the activists moved back upstairs and into the light of day.

This meeting took place in Dublin in January 2016. The organisation, Reproductive right, against Oppression, Sexism and Austerity (ROSA), is an eminent pro-choice activist group based in the Republic of Ireland. They are part of the current surge in pro-choice activism dominating public discussion on the issue of abortion access in Ireland.

In 1983, the Republic of Ireland held a referendum that made abortion a criminal offence. Abortion became punishable by up to fourteen years' imprisonment as a consequence of the introduction of the 8th Amendment to

Ireland's constitution. The 8th Amendment recognised that the right to life of the unborn foetus was of equal value to the right to life of the woman (Bunreacht na hÉireann, 1983, 8th Amend., vi). The 8th Amendment remains a part of the Republic's constitution; forcing women to either travel outside of the Republic for terminations or take medical abortion pills illegally in their own homes. The conditions created by the 8th Amendment have ensured that abortion access is an issue that has been left unaddressed politically, legally and socially.

Since 2012, Ireland has experienced a surge in pro-choice activism with activists pushing to repeal the 8th Amendment. This research considers how activists draw upon Ireland's changing political landscape to put pressure on the Irish Government into addressing the issue of reproductive rights. The topic of abortion was historically considered an issue of morality, ethics or religion. Abortion is now accepted as an issue of politics, social justice, and human rights – the lens through which pro-choice activists frame their fight for reproductive rights. This research aims to respond to the overarching question: how are pro-choice organizations involved in the current surge of abortion activism fighting for social awareness and legislative change in the Republic?

I conducted ethnographic research in the Republic of Ireland between December 2015 and March 2016. A large majority of activists groups are based in Dublin and so it is the centre of abortion access campaigning. Most of the events that I attended occurred in and around Dublin. I predominantly undertook participant observation, with multiple pro-choice groups consenting for me to participate in their actions and observe both the planning phases and

execution of these actions. I also conducted semi-structured interviews. Interviewees were predominantly individuals involved in pro-choice campaigning. Only one participant wished to discuss her personal experience of having an abortion under the current legislation

Ireland's abortion rights and the 8th Amendment are frequently discussed as legislative and political issues, and in relation to human rights. Whilst the information collected by ethnographic research is essential to understanding Ireland's current situation, minimal research of this type on the experiences of women and activists' exists. By conducting ethnographic research, I could both observe and participate in current pro-choice activism, providing me with a unique insight into how activists view the issue of abortion access and how they are fighting for change. Participant observation also allowed me to see the shifting attitudes of activists over the course of three months as they campaigned for the General Election.

This research focuses specifically on abortion access in the Republic of Ireland, and does not address the current situation of reproductive rights in Northern Ireland. While abortion is illegal in both States and considerable communication exists between activist organisations in the North and south, the laws that make abortion a criminal offense differ. Northern Ireland does not have an equivalent of the 8th Amendment and so does not recognise a foetus as having a right to life equal to that of a woman. The Republic's struggle for independence has played a significant role in shaping current social and political attitudes regarding abortion. As a consequence, the politics, social understanding and cultural influences regarding abortion access in the North

and south differ, and considering the situations of both the North and south would fall outside the scope of this project.

This research focuses exclusively on pro-choice organisations. The issue of abortion access in the Republic is expansive and complex, and so the scope of the project was limited to the pro-choice perspective given its timeframe and word limit.

This research aims to provide a valuable insight into the passionate groundswell of pro-choice activism that is currently occurring in the Republic of Ireland. The perspectives and experiences of pro-choice activists who are the driving force behind the fight for reproductive rights shape this research. This research aims to examine how the Ireland's pro-choice movement is breaking the silence surrounding reproductive rights by drawing on current social and political events.

Chapter One:

Niamh

On the third day of the first time I had the medical abortion, I started bleeding exceptionally heavy, way heavier than I thought I should be. And I was losing a lot of blood and I was so lightheaded and Peter, my fiancé, was terrified. There was part of me that wanted to go to the Accident and Emergency because I didn't know if this was normal or not. Now, I emailed the people (who provided the medication) but they're in the Netherlands so obviously it would take a couple of hours to get back to me. Just being that afraid of literally bleeding incredibly heavily, having your fiancé with his head in his hands being like 'I don't know what to do, I want to take you to the hospital but I don't know if I can'. Thinking to yourself, there's no one here to reassure me. For all I know I could be dying and I don't know what to do because I'm so afraid.

As Niamh spoke, her words were in contrast to our cosy setting. We were sitting in the living room that was washed in warm gold from the afternoon sun. Niamh sat with her feet tucked beneath her on the couch holding a cup of tea between her hands as she recounted her experience of

taking the medical abortion pill. My Dictaphone lay between us on the coffee table, blinking, silently recording Niamh's experience as she spoke.

It makes me so fucking angry that anybody out there has to experience that. Luckily like, the Women Help Women got back to me within a couple of hours. But you know when you're in a situation like that, a couple hours is like days. They were like 'It is ok. This is normal, I know it's scary but you will be ok.' Then they told me if you do need to go to Accident and Emergency, they won't know that you've taken anything, because it simulates the symptoms of spontaneous miscarriage. The fact that I didn't know that, you know, and how many other people don't know that? How many other people are doing this?

Last year Niamh, an Irish woman, became pregnant. The pregnancy was unplanned and Niamh decided that she was not ready to have children, explaining that it just wasn't the right time in her life to have a child. In addition to this, Niamh suffered from severe antenatal depression. She said she and her fiancé could have "winged it" but could not justify that. Niamh explains:

I did kind of beat myself up a little bit about the fact that I was twenty-nine. I wasn't 17, you know? If I really had put my mind to it I could have had the baby and could have struggled through not having any money and that kind of thing. But at the same time, I don't think that's good enough.

As an Irish woman Niamh legally had two options: continue with the unplanned pregnancy or travel from Cork to the United Kingdom for an abortion. A third, but illegal, option was the one Niamh took. Niamh chose to have medical abortion pills sent into the Republic from a pro-choice activist group called Women on Web based in the Netherlands. Getting the pills sent into the Republic is illegal and is a risk as often they are confiscated by Customs. Initially Women on Web were reluctant to send the pills to Niamh's address in Cork and tried to persuade her to provide a Northern Irish address to which she could travel to in order to pick them up. This is the most common way to get medical abortion pills into the Republic, by smuggling them across the Irish border. Niamh did not know anyone living in Northern Ireland and so could not provide an address in the North. Reluctantly, Women on Web posted the pills to Niamh in Cork and she received them without complication.

Before taking the pills Niamh discussed having an abortion with her family. She explained that while she grew up in a Catholic household, her parents had educated them on contraception and expressed pro-choice attitudes. When Niamh told her family that she was considering having an abortion, their reactions were not as she expected.

I think what personally happened for my mum and for my brother is that they are pro-choice but it's almost like they're pro-choice up to a point when it comes into their own family. I think they looked at me as someone who is twenty-nine, you know.... had a roof over her head had a loving supporting fiancé and they thought 'oh that's fine, everything is perfect'.

My mother pulled out the big guns and was like, 'Peter, he will leave you, his friends will have babies and he'll resent you for that for the rest of your life, you'll never forgive yourself'.

Despite her family being unsupportive of her choice, Niamh remained sure that she wanted to have an abortion. Niamh explained that while Peter would have liked to continue with the pregnancy, he respected and supported her choice.

He was 100% behind me the whole time. Was he sad about it? Yes. But he never once tried to change my mind about it. I did it 100% for myself. I did it at the risk of losing my fiancé because when I decided to do it I was 100% set on it. There was a very real chance that I would tell him that I don't want to have a baby and he will leave me. But I was prepared to do that and that's how I know I made the right decision. I did what was right for me.

In addition to having Peter's encouragement, Niamh told three of her close friends who supported her. With the decision made, Niamh took the abortion pills at home. In the end Niamh did not tell her family that she had an abortion but rather, as she explains:

I told them I had a miscarriage...I almost didn't want to give them the satisfaction. I knew it would probably be something that would be thrown in my face if we had an argument or something like that, you know?

Three months later Niamh became pregnant again. She explained that once again, she and Peter discussed the possibility of continuing with the pregnancy but decided that their circumstances had not changed, nor had Niamh's reasons for having the first abortion. Once again Niamh decided to contact Women Help Women and had the abortion pill sent to her. The second time Niamh did not tell her family or any of the three original friends, but chose only to tell one friend who had had two terminations as well.

When Niamh became pregnant the second time, she was worried about the possible physical repercussions of taking the medical abortion pill again and so contacted her general practitioner. During past visits to her doctor, the 8th Amendment and the restrictions it imposed on women's reproductive rights were discussed, with Niamh's GP expressing definite pro-choice attitudes. When Niamh contacted her GP for information about taking the pill a second time she was taken aback by his cold reaction. The doctor told Niamh that he would have to do some research about it and told her to call back tomorrow.

I called him back the next day and he was saying, 'Oh, I looked online, and I don't think there should be a problem taking whatever the name of the pill is'. That's the kind of information I got. 'Oh look just give me a call if you need anything'. In my head I was thinking 'you're a doctor, you should...'. I thought his reaction would be different. I thought he'd kind of talk me through it a little bit more.

It wasn't until Niamh read a news article on the 8th Amendment that explained the restrictions imposed on doctors by the 1995 Regulation of Information Act that she understood her GP's hesitancy to provide information. Doctors working in Ireland are only legally permitted to give out information about abortion services in other countries, not Ireland. Since Niamh was taking the abortion pills in the Republic, her GP was breaking the law by giving her any information. This was something Niamh had not considered and was shocked to find out how much her GP was risking by giving her that information.

Unsatisfied with the lack of information provided by her GP Niamh did some research of her own and discovered that the government funded sexual health clinic in Cork did post abortion check ups.

I figured if I took the pills in our home I could then go to the doctor and that way if anything was wrong I'd find out. Of course that raised other issues of how unbelievably fucking hypocritical, excuse my French, it is to outsource our problems but then provide post abortion check ups and to say to doctors, 'if you give information about abortion you could be sentenced to X number of years in jail' and then to then actually employ doctors to give post abortion check ups. If it happened in any other country we would be laughing at them or we would be saying 'God, how behind the times are they? Isn't it awful for their citizens? What an injustice.' It's happening on our own doorstep and nobody talks about it.

Once she had taken the abortion pills the second time, Niamh went to the clinic for a post abortion check up and said she felt like apologizing to the doctor.

I was like I know like I'm twenty-nine and I am engaged and you know, I felt very embarrassed in there because I thought she would be seeing sixteen, seventeen year olds and people who got pregnant from one night stands and here I was twenty-nine, in a committed relationship having an abortion. I thought she would judge me.

Niamh was by the doctor at the post-abortion clinic that it was overwhelmingly women like herself who were in their twenties or thirties for who it was just not the right time for them to have a child. Niamh was also told was common for women who already had children and did not wish to have anymore to have abortions. As Niamh explains:

It's not this stigma of that slut who got knocked up on a one-night stand. Or that teen who had sex and bam! She's pregnant. For all intents and purposes, it's normal women. You know, like you or me or whoever.

While having to go through such a tumultuous experience, Niamh remains confident in the decisions she made when choosing to have the two abortions. What has changed is the way Niamh views her country. After having to be incredibly secretive in obtaining the medical abortion pills and then having to go through the experience twice with no real guidance or support

from local medical practitioners, Niamh feels there is an inexcusable disregard for women and their health in Ireland.

*I saw so many of my friends leaving... I thought if no one ever stays, nothing ever gets better so I'm going to stay and I'm going to fight and I'm going to fight for marriage equality. After this happened, it was just the final nail in the coffin. I'm done. I **will not** stay here.*

Niamh and her fiancé have now applied for Canadian visas and plan to move there after they marry.

I met Niamh after submitting an online post about my research on a public message board. Niamh had then emailed saying that she had had two medical abortions the previous year and she was interested in participating in my research. While Niamh is involved in pro-choice activism, she contacted me specifically to discuss her experience of having abortions in the Republic. Niamh hoped that by voicing the lived reality of the 8th Amendment and the suffering it caused readers would be convinced that immediate legislative change is needed.

Niamh is the only woman I interviewed about negotiating Ireland's 8th Amendment to have an abortion. Niamh's narrative delineates why Ireland's pro-choice activists are fighting for change, to break the silence on abortion. Activists are laying bare the suffering endured by Irish women in order to find a way to an honest discussion about abortion access in the Republic of Ireland.

Chapter Two:

Not the Church, Not the State, Women Must Decide Their Fate

Smock Alley Theatre is located on the banks of the River Liffey in the centre of Dublin. The theatre was built in 1662 and during its lifetime has fallen into disrepair and ruin several times. Revived as many times, it has served as a playhouse, whiskey store and Catholic Church and was returned to its original use in 2012. I visited the theatre on a very wet night in March, to see 'The WIN', a play about the Women's Information Network. The WIN was a secret pro-choice activist group, which was created in the 1987 following the criminalisation of abortion under the 8th Amendment (Rossitor, 2009: 98). The WIN provided information to women living in Ireland about abortion and abortion services operating in the United Kingdom. The WIN's activities were illegal under the Censorship of Publications Act of 1929 (Rossitor, 2009:91). The Act banned any person from sharing information about procuring an abortion or referring women to healthcare services that carried out the procedure (Rossitor, 2009:91). Because the WIN were breaking the law and could not publicize their services, they advertised their existence to women by writing their hotline's phone number on the cubicle walls of public bathrooms around Ireland.

Inside, Smock Alley was warm and suffused with a buttery yellow glow, with party lights strung across the pitched ceiling. The cosy foyer was crowded with people who were generating a loud buzz of conversation. I had originally missed the first run of performances but 'The WIN' had returned for further shows after receiving overwhelming support. This crowd was composed of people who were invested in the discussion about abortion access in Ireland, people who were interested and engaged with the issue. Such significant interest in a play was striking as this was neither a rally nor an activist meeting, a far less conventional form of activism, but it is indicative of how topical the issue of abortion access in Ireland currently is.

The irony of going to see a play about greater abortion access in a former Catholic Church did not go unnoticed. Nor did the fact that despite the theatre being renovated, the seating for the play were church pews, uncomfortable whatever their context. Smock Alley Theatre provides a good introduction to the role of the Catholic Church in Ireland's current abortion debate..

The Role of the Catholic Church in Ireland's Abortion Laws

It all goes back to the fact that Ireland just fucked up badly when they wrote Catholicism into the constitution. It all goes back to that one Adam and Eve moment. How can you separate Church and State when the Church is written into the State?

Niamh

While the Catholic Church was a major influence in the creation of Ireland's abortion laws, its role in society and politics has evolved and to some degree diminished. Ireland gained independence from England in 1922 following a three-year civil war, yet it was not until 1937 that Ireland introduced a formal constitution (Allen, 2016: 114). This constitution was written to definitively separate Irish social and religious identities from those of the English, and was heavily influenced by what was deemed to be uniquely Irish (Mullaly, 2005). The dominant faith, that of the Catholic Church, heavily influenced the Irish identity where there was distinct segregation of gender roles. This is evidenced in the inclusion of Article 41.2 in the Constitution. The article reads as such:

The State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved.

The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.

(Bunreacht na hÉireann, 1937, Article 41.2).

This Article remains in place and as Róisín commented, "You could take a really big red pen to the constitution".

After gaining independence Ireland's national identity shifted from republican to conservative Catholic nationalism (Mullaly, 2005: 82-3; Penet,

2008:144). As a free state, Ireland took its cultural cues from Catholicism, with particular resistance to liberalization and secularization (Dillion, 2002: 53, Penet, 2008: 146). The State's intense interaction with the Catholic church legitimized its position of power in the eyes of the citizens (Penet, 2008:146). This partnership between Church and State was solidified after Article 44.1.2 was added into the constitution. Article 44.1.2 states, "The State recognizes the special position of the Holy Catholic Apostolic and Roman Church as the guardian of the Faith professed by the great majority of the citizens" (Bunreacht na hÉireann, 1937, Article 44.1.2). Ninety three percent of Irish citizens identify as Catholic and live by its teachings and moral code and therefore the Catholic Church was therefore given this position of high esteem (Penet, 2008: 145; Allen, 2016: 114). This arrangement ensured that the Church and State had a mutually beneficial relationship where each other's involvement in nation building supported their respective institutions.

As a part of establishing an independent national identity, Irish, or Gaelic, was recognized as a national language in the constitution. The *Conragh na Gaelige* (Gaelic League) was responsible for the revival of the national language, culture and the "de-Anglicising" (Allen, 2016: 20) of Ireland. The Irish language itself demonstrates the extent of the influence of the Church throughout Ireland's history. To say hello in Irish is to say '*Dia dhuit*'. The literal translation of this is 'God be with you'. The response to this is '*Dia is Muire dhuit*' which means 'God and Mary be with you'. The words to indicate pregnancy are also reflective of the previously mentioned family-centered attitudes of the Church with the phrase used being '*ag iompar clainne*' which translates as 'to carry the family'. This is indicative of the length and strength

of the ties that bind Catholicism to the Irish State yet a parallel can be drawn between the use of Irish and the influence of the Church, particularly in light of the abortion debate. Irish remains a national language that is spoken and thought throughout the Republic yet it is not the language predominately spoken. Like the Catholic Church, Irish and the attitudes embedded in it remains a fixture of the modern State but is not reflective of the dominant attitudes expressed within modern society.

Ireland remained heavily influenced by the Church up until the “Liberal Dawn” in the 1960’s when the role of religion in everyday existence and society began to change (Penet, 2008: 146). In 1965, the Catholic Church announced a new declaration, *Dignitatis Humanae*, which emphasized an individual’s freedom and ability to establish their own understandings (Penet, 2008: 146). This allowed for a more flexible experience of Catholicism and the creation of a more liberal people (Penet, 2008: 147). In 1973, Article 44.1.2, describing the special position of the Church within the State, was removed from the constitution and replaced by the 5th Amendment that recognized other named religious denominations. The Labor Coalition was then elected into power in 1981 and began working towards creating a more secular society, which was especially noticeable in the heightened level of discussion surrounding abortion laws (Penet, 2008: 148). While early public discourse surrounding abortion law remained rooted in Catholic morality, the mere existence of the discussion demonstrated that Ireland was slowly becoming more secular (Penet, 2008: 148).

This shift is ongoing in Ireland and was brought up by a number of my informants. I attended a public meeting held by Diana O’Dwyer, a Socialist

party candidate for Dublin centre. After the meeting I was speaking to a woman about what had been said and she mentioned that she thought it was very bold of O'Dwyer to put the phrase 'pro-choice' on her election placards. She explained that such a thing would have been unacceptable in previous years. To advocate a pro-choice stance as a politician up for election would have been a sure way to lose the seat. This comment demonstrates how recent the shift in public awareness of this issue is and that it has taken a significant amount of time for discussion about abortion access to move from the sphere of religious issues to current political issues.

The Catholic Church's influence in the abortion debate is often relegated to the past. Pro-choice activists often express the idea that the current legal and political disputes about abortion access may stem from the Catholic Church's role in the creation of an Independent Ireland but do not have any place in the current debate. One activist group in particular, Speaking of I.M.E.L.D.A (Ireland Making England the Legal Destination for Abortion), addresses this idea. Speaking of I.M.E.L.D.A is a pro-choice performance activist group composed of Irish women living in England. One member, Aoife, explained how the group addresses the issue of Catholicism in relation to abortion:

We do clearly lay the blame for a lot of this (the criminalization of abortion) at the door of the Catholic Church and the way the Catholic Church was instituted in Ireland's constitution, government and policies over the years. So we like to dress up as female bishops because obviously

it's totally illegal and as women we can't do that. We ordain our own rights and we give power to ourselves.

Aoife explained how Speaking of I.M.E.L.D.A drew attention to the issue when they staged performances during the last two St. Patrick's Day Parades in London.

You know those big St. Patrick puppets? St. Patrick is the patriarch of Ireland and obviously the religious patriarch and our slogan was "Down with Patrick our King", as in "Down with patriarchy" and we confronted this big green puppet with all of us dressed in red with bishops hats on going "No! We're the female bishops and we say 'no more'".

Aoife explained that Speaking of I.M.E.L.D.A take the stance that Catholicism no longer has a place in the abortion debate. Like the stained glass windows of The Smock Alley theatre, the Catholic Church remains a fixture of the abortion access debate but due to the gradual push for secularisation, it no longer dominates the discussion.

The 8th Amendment

Prior to Ireland becoming independent, abortion was classed as a criminal offence under the 1861 Offences Against the Person Act (Mullaly, 2005:89; Ward, 1994: 387). A person charged with having or providing an abortion faced life imprisonment. This same act remained in place after Ireland

became a republic and it wasn't until the early 1980s that there was a substantial push to alter the constitution to include the criminalization of abortion, preventing any legislation reform (Mullaly, 2005: 89).

In 1981 the Pro-Life Amendment Campaign (PLAC) in was created. PLAC aimed to maintain the Catholic ideologies embedded in Ireland's laws, with a particular focus on the recognition of life begining from the moment of conception, thus ensuring abortion remained outlawed (Mullaly, 2005: 90). PLAC constituted of 15 separate Catholic organisations that head pro-choice attitudes. PLAC lead the pro-life movement to ensure that abortion remained a criminalized practice by having it entered into Ireland's constitution (Mullaly, 2005: 90) and these views reflected attitudes at the time. Activist efforts by the PLAC won out and in 1983, a referendum was held in which abortion was criminalized and the right to life was entered into the Constituion by popular vote.

The 1983 referendum on abortion resulted in the creation of Ireland's 8th Amendment. The amendment is worded as follows:

The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.

(Bunrecht na hÉireann, 1937, 8th Amend., vi).

As a consequence of the 8th Amendment, abortion became a criminal offence punishable by 14 years' imprisonment. It also led to heavy state

censorship and it became illegal to not only provide information about abortion and abortions services, but also to travel outside of the state to have an abortion (Oaks, 2002: 316). Despite these laws, Irish women continued to travel abroad to have abortions in secret. One activist, Róisín, described the level of censorship during this period.

Before the Abortion Information Act, there was Irish state censorship going on and the Society for the Protection of Unborn Children took a case against university students, and they [the students] were kind of worried they would be prosecuted for handing out information about abortion. Somebody I know was one of those Union of Students Ireland elected officers at the time and he describes kind of bundling up all their office supplies and office equipment into somebody's banger van and driving it around Dublin, trying to find somebody with a shed and a willingness to hide it for them. This was the 90's.

It was not until February 1992, when the case of the *Attorney General v. X* became heavily publicized that there was a push to change abortion access (Oaks, 396: 92). A 14-year-old girl sought an abortion after becoming pregnant as a consequence of rape by her friend's father (Oaks, 2002: 396). This case became known as the infamous *X Case*. The Attorney General refused the young women access to an abortion by stepping in when the young woman travelled to England with her parents for the procedure (Oaks, 2002: 396). Under the 8th Amendment, the State was able to prevent the young woman from having the abortion in order to protect, or "save", the life of the unborn child (Oaks, 2002:

316). The young woman threatened to commit suicide on her return to Ireland. This outcome tested the strength of the supposed “due regard to the equal right to life of the mother” (Bunreacht na hÉireann, 1937, 8th Amend., vi). Regardless of the young woman’s distress, the State ordered that she not leave Ireland until after the end of her pregnancy (Oaks, 2002: 316). The verdict was appealed stating that there was ““a real and substantial threat to the life as distinct from the health of the mother,” which could “only be avoided by the termination of the pregnancy”” (Reid, 1992: 27–28). The young woman was allowed to return to England where she had a miscarriage during a procedure that intended to provide DNA evidence against the accused rapist (Oaks, 2002: 317). This concluded the unwanted pregnancy, but ignited the abortion debate within Ireland once more (Oaks, 2002: 317).

In response to the incendiary *X Case*, a second referendum concerning abortion was held in November 1992. The referendum proposed to alter three aspects of the 8th Amendment: the right to access information about abortion, the right to travel to seek an abortion, and the right to a lawful abortion under *X Case* grounds (Oaks, 2002: 317). *X Case* grounds refers to a legalisation of abortion where the woman’s life is at risk of suicide. All three aspects were succesful in the referendum and the right to information and travel were legislated for while the Irish Government failed to give legislative effect for the *X Case* grounds. Despite these changes, the laws were specifically designed in order to keep abortion limited and under strict control rather than supporting women’s reproductive rights (Taylor, 2015:1, Westeson, 2013: 175). Oaks argues that no government wanted be the one to “[open] the door to abortion in Ireland” as it continued to negotiate its Catholic heritage (Oaks, 2002: 317;

Taylor, 2015: 2). These changes to the 8th Amendment have also allowed Ireland to 'export' the issue with women seeking legal abortions by travelling outside of Ireland; yet this freedom was and continues to be capped by economic circumstance (Oaks, 2002: 317). It is currently estimated that 12-15 women leave the Republic every day for the procedure (Oaks, 2002:316).

Further cases concerning Ireland's 8th Amendment became catalysts for additional policy change in 2010. The cases of *A, B, C v. Ireland*, concerned three women who had travelled from Ireland to the United Kingdom in order to have abortions (Westeson, 2013: 175). Woman *C* was suffering from cancer but she could not sufficiently prove whether it was her life at risk or merely her health when she chose to have the abortion (Westeson, 2013:175). *C's* defense was based on human rights: her right to life, freedom from degrading treatment, and a right to a private life under the European Human Rights Convention (Westeson, 2013: 175). Yet, the Court dismissed these arguments. The cases of *A* and *B* were different in that they cited a violation of their basic human rights of health and wellbeing when the Irish Government banned access to abortion services (Westeson, 2013:175). The Irish Government conceded that its abortion laws encroached on women's rights to health, wellbeing and a private life yet the Government countered that under Ireland's 8th Constitutional Amendment the unborn's right to life was recognised. This meant that this violation of rights could be deemed justifiable for the sake of preserving the life of the unborn children (Westeson, 2013:175). Despite this, the European Court of Human Rights ruled that Ireland's failure to give legislative effect to the 'X Case' grounds infringed upon the European Convention on Human Rights to which Ireland is party (Taylor, 2015:2). The contradictory nature of this

argument has been noted by my informants. Ellen noted “This is a human rights issue and we’re really far behind on human rights. We’re part of the EU, we’re supposed to have some kind of a standard”.

Savita Halappanavar

It wasn't that Savita died and suddenly people woke up. People had started to wake up and Savita was a good tipping point.

Maeve

Abortion Support Network

On 28th October 2012, Savita Halappanavar died from organ failure in Galway University Hospital. Savita had been admitted into hospital suspecting that she was experiencing a miscarriage 17 weeks into her pregnancy. It was confirmed that Savita was indeed miscarrying and was told there was no chance of saving the fetus. Savita requested an abortion to speed up the process and to ease her discomfort and in response was told Ireland was a Catholic country (Mullally, 25th May 2016). Savita was denied an abortion as there was a foetal heartbeat and it could not be proven that there was real and substantial threat to Savita’s life, as distinct from her health. Three days after being admitted, the fetus died and Savita underwent surgery to remove it. Four days following this, Savita herself died. An autopsy was conducted and it was found that the organ failure had been caused by the inadequate treatment of septicemia, a consequence of the poorly managed miscarriage.

The Health Service Executive lead an investigation into the medical treatment of Savita and found that Savita's death was caused by three main factors: (1) inadequate assessment and monitoring of Savita's condition as she deteriorated from infection caused by the miscarriage, (2) a failure to offer treatment or management options during the miscarriage, and (3) failure to adhere to clinical guidelines to effectively manage and treat sepsis after it was diagnosed (Health Service Executive, 2013). The mismanagement of Savita's miscarriage and failure to provide adequate medical care, including inducing an abortion, created a national scandal. Savita's death was widely publicized and prompted a surge of pro-choice activism throughout Ireland. Ellen, a pro-choice activist, explained people's reaction to Savita's death:

I remember when Savita died and I was down at the Dáil protesting and there was such a horrible sadness and shame that we had, in a sense, let the country continue like this to the point where this woman died. And it's so horrendous. I think people are really sad that we weren't able to do anything about it.

Activists overwhelmingly described the sense of anger and outrage at Savita's death. It prompted a wave of discussion about Ireland's 8th Amendment and abortion legislation. Suddenly, Ireland was faced with the terrible, and very real, consequences of restricting access to abortion.

The case of Savita Halappanavar galvanized something. I think a woman died and that made it real for a lot of people and parliamentarians in a way that just hadn't been before.

Orlaith

The Republic was experiencing a resurgence in pro-choice activism prior to Savita's death. Ireland's first annual March for Choice was held in Dublin just one month before Savita died. This was the largest pro-choice march since 1992 with around three thousand people in attendance. At the same time, the Abortion Rights Campaign was in the process of being formed. As Maeve described, momentum in the pro-choice community had already been building and Savita's case was the final straw. The injustice of her death prompted an unprecedented and widespread public discussion about abortion access.

The marches around the time Savita Halappanavar died, it was the first time that you had this mass mobilization, people coming out in a way that they hadn't had an opportunity to, in a way they hadn't been called on to but people have come out and stayed out, it wasn't a once off thing.

Orlaith

In previous notable cases, like the 'X Case', there had been a peak in activism and discussion on the topic of abortion rights but eventually interest in the topic would fade again. Savita's case was unique -- after her death, there was an overwhelming surge of pro-choice activism and focus on abortion

access but instead of interest in the topic fading, momentum continued to grow. While Savita's death may have sparked this fresh wave of interest, multiple factors added to the growing awareness. From the time of the 'X Case' to Savita's death in 2012, public opinion had shifted and legislative changes had been made. Orlaith explained:

I think that these layers and layers and layers of things that have kind of converged and you get the big surge and the volcanic thing when something as appalling and unacceptable and just offensive to people's sense of what's right in the world as the death of Savita Halappanavar... the X Case was a once-off spike that went against what was part of people's thinking at the time whereas now they are part of what people are thinking and they surge up in that way.

Savita's death is a recognizable point of change in the discussion of abortion access in Ireland. While speaking with activists, Savita's death was frequently used as a way to mark a shift in perception and activism. It was used to mark a point in time when abortion became something people were willing to talk about publicly and something politicians were beginning to address without hiding behind arguments of morality and ethics. Savita's death marked the beginning of frank and open discussion, the breaking of silence on the issue, which I will discuss later on.

Protection of Life During Pregnancy Act

Following Savita's death the Irish Government announced further changes to abortion legislation in December 2012. This led to the signing of the Protection of Life During Pregnancy Act in July 2013, which came into effect on 1st January 2014 (Taylor, 2015:2). The Protection of Life During Pregnancy Act is the first instance of legal abortions in Ireland. Under its legislation, a woman can seek an abortion on the grounds of a non-emergency physical threat to life, medical emergencies, and risk to life from suicide (Taylor, 2015:2). The woman who is attempting to claim legal grounds for abortion must prove her circumstances are legitimate. A medical doctor must validate the claim, asserting that there is a "real and substantial" risk to the life of the woman (where threat to life is considered different to a threat to the health of the woman) (Taylor, 2015:2). Medical practitioners must then confirm that abortion is the only possible way to preserve the life of the woman (Taylor, 2015:2). If a woman is refused a lawful abortion, she may appeal this decision by seeking a second medical opinion, where the woman must be subjected to assessment (not treatment) by two obstetricians and four psychiatrists (Taylor, 2015:2). Westeson argues that the Act aims to restrict access to and expresses concern regarding the "'perceptibly misogynistic' view that women would fake suicide intent" (Taylor, 2015:2).

While the Protection of Life During Pregnancy Act is often perceived as a reaction to Savita's death, this is not the case. This legislation had already been underway and contributed to the current surge of discussion on abortion access.

I think that if it had just been Savita Halappanavar dying that'd be the only thing. There would've been this peak and this surge and that would lead to nothing else. I often get a little bit angry when they attribute the Protection of Life During Pregnancy Act and the openness, attribute that to her death, as if the Government had been that responsive because it's not that. The government would not have been that responsive.

Orlaith

The introduction of this new legislation came at a time when abortion rights were a heated topic and came under scrutiny. Instead of appeasing pro-choice activists this new legislation had the reverse effect. There was a fierce reaction by the pro-choice community at the impractical and restrictive nature of this legislation. The introduction of the Protection of Life During Pregnancy Act demonstrated just how much work pro-choice activists had to do before there could be any meaningful access to abortion in Ireland.

Ms. Y

As the first case under the Protection of Life During Pregnancy Act, the case of *Ms. Y* obtained a large amount of media attention. This particular case came to public attention in August 2014, when *Ms. Y*, who was pregnant as a consequence of rape, sought an abortion (Fletcher, 2014: 10, Taylor, 2015: 3). *Ms. Y* was seeking asylum in Ireland and at 21 weeks of pregnancy, she

attempted to visit the United Kingdom in order to have the medical procedure, but was denied entry into the country and sent back to Ireland (Taylor, 2015: 3). Once back in Ireland, *Ms. Y* was admitted to hospital and reviewed for her eligibility to fulfill the Protection of Life During Pregnancy Act's criteria for suicide risk (Taylor, 2015:3). It was found that *Ms. Y's* life was indeed at risk of suicide so she *should* have been allowed a lawful abortion within Ireland, yet it was determined that it was possible to perform a cesarean section and deliver a live neonate and so this is what the Health Service Executive sought (Taylor, 2015:3). *Ms. Y* went on a hunger strike and the Irish governmental health service obtained grounds to forcibly hydrate and sedate her yet it did not come to this. *Ms. Y* ended her strike and consented to the surgery at 25 weeks of pregnancy (Taylor, 2015:3). If she had not consented, the hospital was prepared to seek further clearance to perform the cesarean against *Ms. Y's* wishes in order to preserve the life of the unborn (Taylor, 2015:3).

PP v. Health Service Executive

We had Savita, then we had the Ms Y case then we had the cadaverous incubator case.

Maeve

Abortion Support Network

A similar issue arose in the case of *PP v. HSE* in December 2014 when *PP*, who was 15 weeks pregnant, experienced brain stem death (Taylor,

2015:3). Following the brain stem death of *PP* the medical practitioners were bound by strict law concerning foetal rights to life and so facilitated artificial life to *PP*'s body in order keep the foetus viable (Taylor, 2015:3). This sustainment of artificial life went against the express wishes of *PP*'s family yet the medical practitioners felt they had no choice but to maintain the life of the foetus for fear that that may be committing a criminal offense (Taylor, 2015:3). Following this, the father of *PP* appealed to the High Court to take his daughter and the foetus off life support, and was successful as the court ruled that it was not necessary that the state preserve foetal life "at all costs" (Taylor, 2015:3). Throughout both cases of *Ms. Y* and *PP* it is obvious that the rights of the foetus are being held at greater value and privileged above those of the woman.

In the cases of *Ms Y* and *PP* the women's bodies are simultaneously regarded as a vessel for and a threat to the foetus. Consequently, the woman and the unborn are placed in direct opposition. Armstrong terms this the "maternal-foetal conflict" where the interests and health of the woman and the foetus are irreconcilable despite existing within the same body (Armstrong, 2005: 47). The unborn is elevated to status of 'baby' and is the vulnerable life in need of protection. Simultaneously, the woman's bodily autonomy is disregarded as she is demoted to the role of 'mother' (Reid, 1992:9). Róisín argued this point:

You don't really have the right to your own body in Ireland if you're pregnant. The health authorities and the people caring for you medically can always refer to the fact that your foetus is equally important to you, if

not more important. Therefore the foetus belongs to the State and it doesn't matter that it's in your body.

Medical practitioners are then cast as protectors of the vulnerable, defenders of the unborn and enforcers of Ireland's laws. This role has been designated by the State and it ensures that physicians work within the confines of the law or fall afoul of it. This imbues physicians with the power to forcibly coerce women into medical care that favours the welfare of the unborn over their own.

These heavily publicised cases are sensationalised but are important plot points in the narrative of current pro-choice activism. Each of these cases has continued to build on the momentum generated over years of activist work to achieve the level of attention abortion is currently seeing in Ireland. To understand the significance of the current pro-choice activism that is occurring in Ireland an understanding of Ireland's history with abortion is necessary.

Chapter Three:

See no, Hear no, Speak of no Abortions

Turning a blind eye

I think the general public opinion would be that it [abortion] just wasn't talked about and it wasn't recognized as a hiccup or perceived as an issue. Whereas now, it is becoming a source of embarrassment.

Aoife

Speaking of I.M.E.L.D.A.

De Certeau posits two modes of resistance: strategies and tactics (1984: 34). Strategies are deliberate movements of power directed by those in a position of dominance (1984:34). In this chapter I describe the Irish Government's deliberate ignorance of the pro-choice activism as a way to enforce State hegemony as a strategy. Tactics then, are the "weapons of the weak" (1984:37) where resistance remains within the sphere of the dominant power's influences (1984:36). This chapter will explore the tactics employed by pro-choice activists as they resist the Irish State's ban on abortion and push for change.

On October 23 and 24, 2015, ROSA organised a bus dubbed the 'Abortion Pill Bus' to tour Ireland. The bus was to start and end its two-day journey in Dublin with stops in Galway, Limerick and Cork. ROSA was assisted by Dublin Socialist Party *Teachta Dála* (TD), Ruth Coppinger¹, and Women on Web. On board the bus, ROSA members had medical abortion pills to distribute to those requiring a termination, and a doctor from Women on Web was available via a Skype in a small consultation room for women considering abortion.

ROSA's Abortion Pill Bus action was entirely illegal. Distributing information about abortion referring women to abortion services, and providing unlawfully imported medical abortion pills showed a brazen disregard for Ireland's laws. Those on board the Abortion Pill Bus each risked a 14-year gaol sentence. Yet, neither the *Garda* (Police) nor Government impeded ROSA's action. One ROSA activist explained that the worst rebuke they received was from some pro-life people who received the bus in Limerick by throwing holy water on the ROSA members. Social media allowed ROSA to distribute information to those following the route of the bus. ROSA communicated the locations and times of stops that meant that people could visit to show their support of the action, receive information about abortion or obtain medical abortion pills.

The Abortion Pill Bus was by no means incognito, decorated so that its purpose was obvious with 'Repeal the 8th' written along the side. The media covered the action heavily, generating significant attention especially because

¹ Ruth Coppinger is a TD for the Socialist party and is a long-term advocate for repealing the 8th Amendment. Coppinger is frequently partners with ROSA and other organizations to carry out pro-choice actions.

no legal action had been taken. The Abortion Pill Bus action is indicative of how willing both the *Garda* and Government are to turn a blind eye to the issue of the 8th Amendment and abortion rights. Ellen explained:

The Garda and the Government, they're happy to let the Abortion Pill Bus go but in a way that's them...that's part of the 'turning a blind eye' thing. That's part of the 'We're [the Government] just going to pretend like this isn't happening. If we go in and start arresting these women, they're just going to get more publicity and we'll just leave them be'. It's like they think 'What could this group really do? Let's just let them on', you know? I think they're wrong about that. I think that there's real power in it. I think there are people who really want this to be changed and people who are willing to give anything for it to change.

Ellen's argument presents an interesting dichotomy. By refusing to acknowledge ROSA's action and not exercising their overt power of the law the Government minimised the effectiveness of the action and its message. In one way, the Government is acknowledging the power in ROSA's activism as a threat. Simultaneously, the Government think that activists and the public cannot make material change alone. By remaining uninvolved in the action, the Government is preventing the sympathies of the public from being divided between themselves and the activists.

ROSA's action was intended to raise awareness of Ireland's abortion laws and increase impetus for a referendum to repeal the 8th Amendment. ROSA was deliberate in the timing of the action. It was executed in the lead up

to Ireland's 2016 General Election. ROSA's intention was to send a message to politicians that the 8th Amendment is a problem that cannot be ignored any longer. Niamh explained why she thought the Government was so willing to turn a blind eye on the issue:

This is not a sugar coated issue and I think that's why any government will shy away from being the government that does the abortion referendum because that's what they will be tarred with by the Church, by the conservatives. 'Look at the Government, they're the ones who did this' you know? And they're too afraid.

At the end of the day, we're tiny, corrupt, foolish, little Ireland. We're run by people who don't listen to us, who, in any other country, would be ousted but we put up with it. Why? Because ah sure, nobody wants to ruffle any feathers.

Niamh's argument ties back into the discussion of Chapter Two of the role of the Church in the formation and the running of the State. The current Government does not wish to address the issue of abortion, as historically the issue has been considered untouchable and divisive. As Smyth writes:

Women's real life needs do not suit the image of Ireland preferred by our legislators and by our religious police so they effectively deny the very existence of those who do not fit. If it's not visible, it's not there.

(Smyth, 1992: 21)

Abortion laws have remained unchanged as the Government takes the position that “it [abortion] is a moral issue, it is an ideological issue, it is a religious issue” (Orlaith). Orlaith’s response to this argument is “It’s a human rights issue, deal with it”.

Despite the Government refusing to acknowledge that abortion plays a role in the lives of Irish women, criminalised or not, pro-choice groups make it clear that they will not allow this to stand. ‘Speaking of I.M.E.L.D.A’ also focus on drawing attention to the fact that abortion remains a topic that the Government is unwilling to address. Speaking of I.M.E.L.D.A is a feminist performance activist collective founded in 2013. I.M.E.L.D.A are very creative when it comes to their actions. The women of I.M.E.L.D.A. dress head to toe in red when protesting and often carry some form of luggage. The luggage is representative of the Irish women travelling to the UK for abortions. I.M.E.L.D.A protest by composing lyrical songs and performing the accompanying dances in public. Aoife, a member of the group, explained, “We inject the idea that women can have a sense of humour and also be bold and brazen without taking the anger out of our feminism”. The collective was founded by a group of Irish women living in the UK who wanted to draw attention to the issue of the 8Th Amendment, specifically the exporting of women for abortions. Aoife explained that the women of I.M.E.L.D.A felt that they “were in a very good geographical location to be able to embarrass the Irish State into thinking about what they were doing” by forcing women to travel for abortions as “one thing the Irish don't like is being embarrassed”.

On October 3, 2014, Ireland's *Taoiseach* (Prime Minister), Enda Kenny, attended a fundraising dinner for *Fine Gael*, a major Irish political party of which he is the head. Three 'Speaking of I.M.E.L.D.A' members also attended the event and gave an impromptu speech directed specifically at Kenny about the implications of the 8th Amendment experienced by the women who travel for abortion services. They then placed a pair of women's underwear on the table between Kenny's knife and fork. Written on the underwear was 'Repeal the 8th Enda'. Kenny's colleague promptly covered the underwear with a napkin and the I.M.E.L.D.A women were escorted out of the event. This bold action publicly shamed Ireland's *Taoiseach*, making it impossible for Kenny and the members of *Fine Gael* to avoid. The video of this action has reached over 66,000 people and the Washington Post published it on their website. While the action received significant global media attention, it was less talked of in Ireland than elsewhere. Despite this, Aoife argued that the action was "something to break the silence in Ireland around abortion".

Ireland's 'Safety Valve'

Irish women are being told by their Government that you don't matter. 'We [the Government] don't care, sort it out, go to England and that's fine. We don't want to know'. That's the message I'm getting as an Irish woman. That 'Your experience is not important. You don't count and we [the Government] don't care'. That's really damaging for Irish women.

Ellen

Women of Solidarity

The United Kingdom is used as a 'safety valve' for abortion, demonstrating the Irish Government's attitude of deliberate ignorance. Following the 1992 abortion referendum, women could legally travel outside of the Republic to access abortion services. Irish women overwhelmingly choose to travel to the UK due to its proximity to the Republic and the fact that abortion is legal. While Northern Ireland is part of the UK, abortion is also illegal there so Irish women are not able to cross the border into the North. They must leave the island entirely. This casts Britain as a "vast laundry for the human 'dirty linen' that Irish morality refuses to handle" (Smyth, 1992:21). Nina, a volunteer for the Abortion Support Network, clarified the conundrum:

There is definitely this sense that "We [the Government] don't like abortion but we really don't like the idea of prosecuting women for it". So it's this whole compromise of "But if they're doing it in secret and they're travelling, I guess that's alright. We don't have to think about it". It's this whole idea of "We don't want abortion, but we don't want the hassle of prosecuting". It's this very weird Irish problem.

Despite the fact that legalising women's right to travel has enabled many Irish women to access the healthcare they need, it acts as a "double-edged sword" (Ellen). By allowing women to travel to have abortions, Ireland is essentially exporting the issue so that it is no longer the problem of the Irish Government (Taylor, 2015: 19). Niamh argued:

As long as Ireland has England to pick up its pieces I can't see anything changing. I wish I could be more optimistic but I'm not and that's the reality. We can fight and we can fight and we can fight but if no one is listening to us, eventually you are just banging your head against a brick wall.

Maeve supported Niamh's sentiments when she argued that:

If England stopped taking Irish women, they [the Irish Government] would have to do something about it. I think women need to die. I think lots of women need to die before Ireland will do anything about it.

Exporting abortion to the UK is such a longstanding practice that British abortion clinics offer different treatment rates Irish women. Clinics such as Marie Stopes have set fees for abortion services and then offer a secondary, cheaper price for women from Ireland. The support of British abortion clinics is necessary, although it makes travelling for an abortion more accessible and safe thus contributing to the invisibility of the issue. According to many of my informants, the use of the UK as a 'safety valve' is in fact impeding efforts to increase abortion access within the Republic. Róisín, a volunteer for the Abortion Support Network, explained this:

I think law reform would have happened or certainly would be easier if we had more women being seriously injured by lack of safety. The problem with the campaign is that women are getting safe and legal abortions

elsewhere so there isn't that pressure. Irish doctors aren't seeing women with illness and complications because women know they are able to access it in some way.

A secondary consequence of Ireland using the UK for its abortion services is that accessibility is capped by women's economic circumstances. Maeve, the founder of the Abortion Support Network, argued, "criminalizing abortion means [that], when faced with an unplanned pregnancy, women with money have options, women without money have babies". Not everyone who needs or wants an abortion has the money to travel outside of the Republic to attain one, particularly at short notice. So, again, the Irish Government's willingness to turn a blind eye on the issue means that those who cannot afford to travel are treated as invisible, or in Ellen's words, as the "collateral damage" of the 8th Amendment.

Because travelling for an abortion is now the accepted action for Irish women, it is often assumed that this is accessible for everyone. Maeve argues that this is not necessarily the case:

That's the thing; people are like 'Ryan air is so cheap!'. But Oh! Can you believe it? Women can't plan their unplanned pregnancies to take advantage of the fare sales.

The Abortion Support Network (ASN) is a pro-choice organisation designed to address this particular issue. Maeve describes the organisation as a "highly specialised travel agency". ASN is based in the UK as the information and

services they provide are illegal under Irish law. Their main function is to provide Irish women with information about the least expensive way to arrange their abortion and travel to the UK. ASN also provide information about how to access safe but illegal abortion pills from reputable online providers, such as Women on Web. ASN's third function is to give financial assistance. Their only criteria for financial assistance is financial need. Maeve explained that:

We don't judge. There's no moral arbiter that you need to go through. We don't care. We don't care how they got pregnant. We don't ask how they got pregnant. We don't ask why they want an abortion. We don't ask if they are women. Our only criteria is financial need.

ASN also arrange accommodation for anyone who needs to stay overnight in the UK after they have the abortion. While the majority of ASN's clients do not wish to stay overnight, for some it is a necessity due to the isolated nature of rural Ireland. In cases where women are from some of the more remote areas of the Republic, ASN has host volunteers who provide accommodation in their own homes.

ASN is the only organisation of its kind. They are the only group to provide funding for women to travel to have abortions and so are stepping in to fill a gap deliberately created by the Irish government. ASN is trying to minimise the damage of the 8th Amendment. Maeve explained that, whilst their

client base continues to rise each year,² they do not hear from the majority of people seeking abortions.

Most people who need abortions have a credit card and job and somebody in their life that can support them. That's not who we hear from. We hear from the people who by nature of the fact that they are calling a group of strangers in England and are begging for money are marginalized in some way.

While ASN provides an essential service for Irish women, their work could be perceived as aiding in the exportation of those seeking an abortion. ASN works to provide a compassionate service yet strives to keep from perpetuating the issue. Maeve acknowledged this but rationalized that ASN's function is different to that of the campaigning groups.

We're the 'there's a pregnant woman now'. She needs an abortion now. What does she need? She needs money. You know? That's why we're the plaster. We're the Band-Aid. We don't campaign and the Abortion Rights Campaign and Women of Solidarity, all that stuff, they're the cure. We are a compliment to the political organizations.

² ASN launched in 2009 and had 4 clients during its first year of operation. In 2010 they had 89 clients. Figures climbed steeply and in 2015 ASN aided 648 clients. In 2016, 56 clients had contacted them by January 21st.

Nina, a volunteer from ASN, spoke about how ASN is the “opposite side of the coin” (Maeve) when it comes to the pro-choice movement.

I can talk and talk and talk about how unfair it is and it might not change anything but with ASN that's one woman who I can help sort out her abortion. I might not change policy but with ASN I can make a difference to one woman with access to abortion and that's really reassuring when you feel sometimes you're talking to a wall.

While ASN's service may act as a double-edged sword, the alternative would be to stop providing assistance to women. Albeit potentially proving a more effective political tactic to gaining greater abortion access as it would pressure the government into addressing the issue, it would certainly cause suffering amongst Irish women – the exact instance which ASN are working so hard to avoid. Change could happen if the Irish Government adopted the same mentality as the pro-choice movement. Róisín argued, “it would be nice to get every member of the *Dáil* to do a shift on the phones for ASN and see if they change their minds about the 8th Amendment”.

Medical Abortion Pills

The use of medical abortion pills, mifepristone and misoprostol, in the Republic of Ireland is illegal. Regardless, Irish women who either cannot or do not wish to leave the country for a termination seek this as an alternative.

Misoprostol must be ordered online and sent into Ireland. ASN frequently refer women to reputable sources to obtain the pills. Once ordered, the pills take around two weeks to arrive. Organisations will not send the pills directly to the Republic as the Irish Medicines Board confiscates any packages entering the country that contain medication. Instead, women are required to provide a postal address in Northern Ireland. If a woman does not know anyone in the North, the pills can be held as *post restante* at some post offices. Misoprostol is also illegal in Northern Ireland; yet it has proven much easier to avoid detection by customs and so the risk of having the medication confiscated is reduced. Once the pills arrive in the North, the woman who ordered them must travel out of the Republic to retrieve them and bring them back across the Irish border. These women do not have the support of any local medical practitioners on taking the pills, and if a woman does seek medical assistance and tells a doctor what she has taken, she can be reported to the *Garda* and charged for having a termination. Women can be sentenced to up to fourteen years in gaol for taking Misoprostol.

The use of Misoprostol in Ireland increased in recent years with many women choosing to contact groups like Women on Web and the Abortion Support Network for help. This method is the more affordable option, as it does not require women to leave Ireland. Maeve argued that the rise in the use of Misoprostol is congruent with the efforts of the pro-choice movement.

For the last couple of years there has started to be a lot of press and outreach about getting these pills. The activists have got really ballsy. Not

aggressive, spunky. They've really got out there to make sure women have this information.

Maeve is referring to ROSA, the group who organised the Abortion Pill Bus. ROSA also executed an action called the Abortion Pill Train that mimicked the efforts of the Irish Women's Liberation Movement (IWLM) who fought for contraceptive rights in 1970's Ireland. In 1971, activists of the IWLM took the train from Belfast to Dublin and brought condoms into the Republic. The use and importation of condoms and other forms of contraception were illegal in the Republic until 1980. ROSA recreated this action when they took the train in October 2014 from Dublin to Belfast and back, returning to the Republic with Misoprostol. The illegal nature of the action meant that it generated a lot of attention, fulfilling its aim to call for a repealing of the 8th Amendment and raise awareness of the affordable and effective nature of medical abortion pills.

The most recent of these actions was undertaken in June this year when ROSA partnered once again with Women on Web and flew a drone laden with Misoprostol across the border between the Republic and Northern Ireland. Police monitored the illegal manoeuvre but no legal action was taken, leaving both states' laws unenforced. The action was intended to highlight the need for legal reform but predominantly highlighted that obtaining medical abortion pills is a viable and safe way to have an abortion without leaving Ireland.

The use of Misoprostol is often regarded amongst activists as an act of empowerment and a study by Simonds *et al.* affirms this. Simonds *et al.* found that women who took Misoprostol in their own homes felt empowered as they were in control of their abortion experience (Simonds *et al.*, 1998: 1319). The

less medicalised experience of taking the pills also allowed women's abortions to remain private (Simonds *et al.*, 1998: 1320). Consequentially, access to medical abortion pills allows women to take their reproductive health into their own hands and offers Irish women an alternative to leaving the country. Women on Web do not charge a fee for providing medical abortion pills but instead invite clients to make non-mandatory donation. This ensures that all women have access to their services, regardless of economic circumstances. Orlaith, from the Irish Family Planning Association, supported the use of Misoprostol:

In a context where abortion is lawful, lawful but medicalised, then I think for some women, having access to a way of dealing with their own situation in the privacy of their own home, obtaining online medication, and having an online consultation, I think that's very empowering.

However, Ireland is not an example of this model of empowerment. The secrecy of obtaining Misoprostol prevents women from being empowered, as they must conceal their actions. Niamh argued that ordering and taking Misoprostol in the Republic felt "very cloak and dagger". In addition, women accessing and using Misoprostol risk prosecution. Orlaith discussed the consequences of using medical abortion pills in an Irish context:

It's dangerous. It's clandestine. It actually reinforces the stigmatization. What you want is to be able to sit in a queue in your doctor's waiting

room and have a consultation with your doctor and receive a prescription and I think that normalization of the service is hugely important.

Despite the awareness raising efforts of activist groups, accessing medical abortion pills in such a covert way perpetuates the invisibility and stigmatisation of the issue (Taylor, 2015:218). The Irish women taking Misoprostol in their own homes are displaying a degree of agency. Yet the fact that they are forced to do so in silence demonstrates the oppressive nature of the 8th Amendment. Like the services provided by ASN, this is a temporary solution to Ireland's restrictive legislation. As Róisín said, "they're never going to solve the problem". The secrecy surrounding accessing Misoprostol has become an issue in Ireland and like the safety valve of the UK, relieves the pressure from the Government to take action on the issue. Removing this pressure ensures that Irish women have options to negotiate the strict legislation yet it once again, allows the Government to ignore the issue. This leaves women to seek the necessary healthcare in silence and as criminals. Maeve described the situation:

From a campaigning standpoint, it could be people in Ireland and Northern Ireland could say 'Oh well, you know, we don't need abortion here because women can just get the pills and if women can't get the pills the Abortion Support Network will help them fly to England'...A journalist contacted me and said 'you guys are all sorted now. You can shut down because any women who want pills can get them by drone'. It can make it easier to pretend that it's not as much of a problem as it is.

While the use of Misoprostol remains illegal, no women have been charged in the Republic. During my fieldwork two women were charged in Northern Ireland. One woman had procured the pills for her daughter and is awaiting her sentence whilst the second woman is a 23-year-old who took the pills herself (Erwin, 19th June 2015; McDonald, 4th April 2016). The second woman had been reported to the *Garda* by her housemates and has been charged with three months' imprisonment (McDonald, 4th April 2016). Despite both of these cases occurring in the North, women in the south have been affected. Activist groups in the Republic held multiple rallies in Cork and Dublin in solidarity with the women charged. These two cases are the first and second instances of women facing legal repercussions for taking Misoprostol in either the Republic or Northern Ireland. Róisín explained:

It used to be that we could say 'it's illegal but we don't know of anyone who has been prosecuted', but now we are saying, 'it's illegal and we know of two people in Ireland who are being prosecuted'.

Since the two arrests in the North, the risk of being prosecuted has now become an immediate risk to consider when deciding to have an abortion. The two prosecutions, more accurately viewed as persecutions, served to reinforce the State's position of power and authority throughout Ireland when it comes to women's bodily autonomy. Maeve described the chilling effect that these cases have had on women's willingness to take Misoprostol, at the risk of being

charged. This has resulted in an increasing number of women choosing to travel to the UK.

The number of calls [for financial aid] we've been getting has gone up a lot since the first and second arrests were announced. So if this [medical abortions with pills] is no longer a viable option for the women of Ireland and Northern Ireland, we're fucked. We're not going to be able to keep up with the demand. So I think they're a great thing but they need to be legalized.

Many informants raised the issue of legalisation. Whether an act of empowerment or not, activists agreed that Misoprostol needs to be legally recognised as a safe option for women to take charge of their reproductive health. Orlaith addressed this issue and argued that Irish customs could be told to stop impounding packages containing medical abortion pills and word could go out that Ireland is not prosecuting on these grounds. Even if this was to occur, it would not be a formal statement by the Government and it would not be a formal moratorium on prosecution. This would create a system where Ireland's women are, again, reliant upon a system of understanding where the Government holds power over women's choices. Without legislative change, women remain at the mercy of the Government's feigned ignorance and open to prosecution. This system would mimic that of Northern Ireland and would only be effective until "something terrible happens or somebody reports to the *Garda* and there's a prosecution." (Orlaith). Orlaith surmised the issue when she said:

We need the State to deal with it [abortion] by providing services that makes a system of understanding unnecessary. Not to turn a blind eye and not prosecute. That's not good enough.

Chapter Four:

Making the Personal Political

“Good girls are allowed abortions”

Henry Street is a shopping thoroughfare visited by thousands of people each day. Located in the heart of Dublin on the banks of the River Liffey, Henry Street is home to ROSA's regularly held pro-repeal information and petition stalls. I worked on these stalls several times handing out fliers and speaking with passers-by. The stall is decorated with ROSA's red and white posters that read, “We can't wait, repeal the 8th!” and the women of ROSA use a megaphone to proclaim their political stance on the 8th Amendment. Crowds are subjected to ROSA's chants, impossible to ignore. On one particular day, a man passing the stall took up a chant of his own, “You're the anti-Christ!”. Another questioned me on how abortion differed from murder and a third young man took a flier, screwed it up and threw it into the bin, all whilst maintaining eye contact with me. An elderly woman asked me why I thought it was any of my business what Ireland did with its women. Whilst these negative interactions are perhaps the most memorable, the majority of those who engaged with ROSA members were overwhelmingly supportive of the activists' cause.

The ROSA stall sparked conversations about politics, religion, life and death in the most mundane of settings. One particular conversation occurred

on a crisp Saturday morning in March. Although the beginning of spring, the sunshine was weak and the wind strong. I was standing at the trestle table handing out fliers when a good-humoured man in his 60's approached. He explained that he had read about a woman in the paper who had an abortion because she was going on holidays and thought the pregnancy would interfere with her plans. He then asked me if I thought that this was a suitable reason to have an abortion. I explained that, in my opinion, being pro-choice meant believing that all women should have the right to choose what to do with their bodies. He tried to persuade me, explaining again that the only reason the woman had an abortion was because she was going on holidays, as if I hadn't understood the first time. The man expressed that he was not unsympathetic, he agreed with abortion in cases of rape, incest and fatal foetal abnormalities. In response I argued that the woman in question was able to make her own decisions about her body, not either of us or anybody else. The man's jovial nature dissolved then and he said, "I'm glad your Mammy doesn't know what you're doing." As he walked away I answered, "She does". Shaking his head, the man was enveloped by the crowd and swept on by.

This conversation provides an example of the "good" and "bad" abortion dichotomy that is particularly pronounced in Ireland (Norris *et al.*, 2011: 50). The man considered the woman's abortion a "bad" one, as there was no risk to her life or health. In comparison, a "good" abortion by Irish standards would be when a woman chose to have an abortion because she had become pregnant through rape or incest, or knew that her child had a fatal foetal abnormality, as this man suggested (Norris *et al.*, 2011:50). Activists, politicians, human rights groups and the public alike rattle off these three terms: rape, incest and fatal

foetal abnormality, as specific situations in which it is socially acceptable for a woman to have an abortion. Nina described this issue:

A good abortion is "I was raped at 13 by my stepfather" or "I needed to have an abortion or I was going to die" or "The foetus wouldn't have lived past birth." You know, those are abortions where people are really really sympathetic but the bad abortions are the ones where "I'm the student and I don't want to drop off in college and have this baby even though my parents would be supportive", that kind of abortion is still very much stigmatised.

Abortion laws are heavily motivated by the desire to protect the State's interests and hegemonic power rather than just the life of the foetus (Cook and Dickens, 1991: 81). This is evident in the Labour Party Group's 2015 drafted abortion legislation. Labour proposed the introduction of the drafted legislation if they were re-elected in 2016. This legislation aimed to remove the 8th Amendment from the constitution entirely and outline grounds for legal abortions within the Republic (Enright *et al.*, 2015: 3). Whilst Enright *et al.* acknowledge that the proposed legislation is not 'ideal', the Labour Party Group has attempted to establish a 'workable model for change in abortion law in Ireland' (Enright *et al.*, 2015:3). The Labour Party Group planned to legalise abortion on 5 grounds:

- (1) Where there is a risk to health (up to the end of the 12th week of pregnancy);
- (2) Where there is a risk of severe or disabling damage to

health (until the 24th week of pregnancy), (3) Where there is a risk to life, including suicide (no term limit), (4) Where there is a fatal foetal anomaly (no term limit), (5) In cases of emergency .

(Enright *et al.*, 2015: 13)

While Labour's drafted abortion legislation was the most comprehensive and liberal strategy provided by any Irish political party in the lead-up to the 2016 General Election, Labour put forth this drafted legislation under the guise of taking a pro-choice stance in the upcoming election. Despite this, attitudes embedded in the proposal indicated that Labour was only prepared to legalise abortion in cases considered acceptable by the broader Irish public. That is, they were prepared to legalise "good" abortions. Labour's proposal perpetuated the "good" abortion/"bad" abortion dichotomy with women being recognised, by default, as incapable of making responsible decisions regarding their own bodies. Orlaith expressed her disappointment in Labour's proposal:

I think what Labour did was to design a law for the worst possible version of the conservative Irish, whereas they should have notched it up a bit. They set a low standard. There has to be some vision embodied there. A law for abortion is a good thing.

Labour's inclusion of a decision-making process where a woman has to make her case to multiple medical practitioners ensures that the State remains in control of women's bodies. This acts as a threshold of deservedness which women must meet in order to access abortion services. Women must prove

that they are worthy of having an abortion; that they are not morally corrupt sexual deviants where an unwanted pregnancy is punishment for sexual activities. Effectively, the State would continue to command control of both women's bodies and sexual behaviours.

ROSA members did not disguise their contempt for Labour's proposal when they protested against Aodhán Ó Ríordáin's public political meeting in January 2016. Ó Ríordáin was a Labour TD for the North-Central Dublin constituency from 2011 until 2016 when he lost his seat in *Dáil* after the General Election. Ó Ríordáin's meeting was held in a hotel function room in Drumcondra, Dublin. After ROSA serenaded Ó Ríordáin with calls to trust women, politicians and protestors alike congregated to discuss Labour's proposed legislation. The former Master of the National Maternity Hospital, Dr Peter Boylan, was the first to speak, followed by Ó Ríordáin and leader of the Labour Party Group in the Seanad Éireann, Ivana Bacik. Arlette Lyons from the group Termination for Medical Reasons spoke last, after which the floor was opened up for questions and comments. There was the customary warning that only civil comments would be tolerated as hands shot into the air. From where I sat, between a ROSA activist and the Secretary of the Coalition to Repeal the 8th, it was evident that the crowd in attendance was not going to let Ó Ríordáin escape unscathed.

Questions were posed regarding how to best legislate for rape, how conscientious objection would interfere with medical treatment and why Ó Ríordáin had not supported a pro-choice bill in the *Dáil* the previous year. A shift occurred in the mood of the room when a young activist stood and spoke of how she had become pregnant after being denied the morning after pill from

four different pharmacies in Dublin, all on the grounds of conscientious objection. The woman then decided to travel by herself to the UK to have an abortion. After having the procedure, the woman returned to her hostel and began haemorrhaging in the dormitory because her own Irish doctor had not communicated any pre-existing medical conditions to the British abortion clinic.

The young woman's speech was followed by an uneasy hush. Ivana Bacik was not the only person wiping away tears, and Ó Ríordáin did not appear to know how to react. The discussion had moved swiftly from political tactics and talk of appealing to the Irish 'middle' to the lived experience of a woman directly affected by Ireland's laws.

The question of who is the "expert" when making decisions about women's reproductive health was raised by the activist's personal account of abortion (Wynn and Trussell, 2006: 302). The authority held by Dr Peter Boylan as a qualified medical practitioner was diminished, as he had never experienced having an abortion. The activist's experience of having a termination imbued her with a greater authority and the knowledge to accurately address what needs to be considered when writing women's reproductive health policy (Wynn and Trussell, 2006:302). This is something Labour should have taken into account when drafting their proposed legislation, the fact that having credentials does not guarantee expertise when trying to address an issue such as abortion access.

The difference between a "good" abortion and a "bad" abortion seemed blurred by this young woman's suffering. She emphasised that legalising abortion for only a few specific conditions is not good enough as it leaves other

Irish women to suffer as she had. Her story highlighted that while Labour's plan to repeal the 8th Amendment was positive, they needed to adopt a different attitude when considering who is deserving of abortions.

Other activists echoed this perspective and Róisín argued a similar point:

The people who are pregnant by rape or incest and have fatal foetal abnormalities are the small numbers of women travelling. I think during my shifts on the phone, I've never spoken to a person with a fatal foetal anomaly diagnosis. I've certainly spoken to women who are domestic violence survivors and sexual violence survivors but most of the women I speak to are not in those situations. And so [by legalising abortion in specific cases] you would be overlooking a huge amount of Irish women for the sake of maybe 5 or 10% who fit the criteria. That doesn't sit well with me.

As Róisín explained, the majority of women who are having abortions in Ireland would not be considered “good” abortions. Unfortunately, it is the “sexy” (Maeve) stories of abortions that effectively create public sympathy for the issue (Wynn *et al.*, 2007: 257). Consequentially, pro-choice movements inadvertently establish hierarchies of deservedness (Wynn *et al.*, 2007: 257). This is what is occurring within the Abortion Support Network (ASN). Maeve explained that:

One of the reasons we've been so successful is because we talk about the clients. And we do, we get the "sexy" clients, and please big inverted quotes. We get the clients with serious obstacles because if they didn't have serious obstacles they wouldn't be contacting us in the first place.

ASN's newsletters, which are sent out via email, do discuss what the donated money has been put towards. While ASN's clients remain anonymous, the newsletters do describe some individual's situations. This is done to show the material difference ASN is making to Irish women's lives but it also designates which women are deserving of having abortions.

The pro-choice movement now finds itself trying to bridge the gap in public opinion between "good" abortions and "bad" abortions. Nina argued, "people are getting more sympathetic towards "good" abortions but how much does that actually help most women?" As evidenced by the young activist's speech at Ó Ríordáin's public meeting, the recitation of an individual's suffering suspends judgment and considers the lived reality of Ireland's women. The pro-choice movement have mobilised the voices of individuals to highlight the falsity of the "good" and "bad" abortion dichotomy.

Individualising the Issue

I think people have just began to talk about abortion more openly and a lot of people are coming out at the same time so it's kind of like a social movement in a sense.

Aoife

Speaking of I.M.E.L.D.A

Storytelling is intrinsically political as narratives that are shared in the public domain are able to manipulate it (Arendt, 1998). Additionally, storytelling is a way to move discussion of personal issues into public discourse (Arendt, 1998). Ireland's pro-choice movement has adopted this strategy of storytelling as political tactic for these reasons. By publicly sharing women's abortion experiences the issue of abortion access moves from the political abstract to the lived realities of Ireland's women. Abortion narratives provide a multitude of varied perspectives and experiences that affectively democratise the issue (Armstrong, 1999:279). By showing that restricting abortion access does not only affect a certain 'type' of woman, the issue becomes universal and more likely to generate interest in a broader audience (Wagner, 1997). Bourke *et al.*'s study confirmed that Ireland's restrictive abortion legislation affects women from all age, educational and socioeconomic demographics (Bourke *et al.*, 2015). This is what pro-choice activists are now trying to emphasise, the notion that restricting abortion access affects women from all areas of Irish society.

In December 2015 Women of Solidarity (WOS) launched its first set of photographs in their online gallery. The photographs are portraits of Irish

women, all of different ages, all of who had abortions. The photographs are unaccompanied by text but are part of the WOS movement to humanise the issue of abortion in Ireland. Ellen explains that:

Abortion is always spoken about in numbers, it's always 160 000 women, 12 women a day, we hear that so often, you know? The 'I'm not a vessel'. All these figures you hear so often it starts to lose impact and you can't really relate to it properly.

This is what the gallery primarily addresses. The gallery shows that the '12 women a day', who travel for abortions, are in fact real women. By displaying the faces of the women who make up these statistics, they are making the abstract visible. Ellen argues that the gallery will make the issue more relatable as "Irish people in general are reluctant to actually deny rights to people who they know and who they can see".

WOS contributes to breaking the silence on abortion by drawing attention to individual women and their lived experiences. This is where the power lies for WOS, the visibility of individual women as advocates for the issue. Ellen explains that:

In some ways the power of visibility is that 'this is your mother, this is your daughter, this is your whatever' right? But in another sense, from a point of view of radical feminism, is like, I'm not relational to anybody else, my importance is not because I'm your daughter or because I'm your girlfriend or whatever, I'm important because I'm a human being and

because I should be important in and of myself. Not in relation to anything else, but because I am human and I deserve respect.

This is the message WOS are voicing, that each woman who makes up Ireland's statistics is deserving of both attention and regard. This ties into the group's second aim, to disprove the premise that there is particular *kind* of woman who has abortions. Ellen argues that the gallery demonstrates the falsity of this notion.

There are 21 women in the gallery right now, there are students, there are doctors, there are mothers there are women from their 20's to their 40's and you know, there are Irish women who don't live in Ireland anymore. So the gallery is representative of many different groups of Irish people and many different individuals, so I think the power of it is that it shows that there is no 'type' of person who has an abortion. Women who have abortions are ordinary, responsible women who are members of our various communities, who contribute to Irish society in many different ways.

WOS's message ties into arguments posed by the broader pro-choice movement in Ireland, to trust women with their own bodies. The portrait gallery highlights that all women regardless of socio-economic demographic or age are affected by Ireland's restrictions on abortions.

The timing of the WOS gallery launch has been a significant factor in its success. Launched in the wake of the 2015 marriage equality referendum and

preceding the 2016 General Election, WOS seized the attention of Irish and International audiences. WOS launched just as women were beginning to publicly discuss their own abortions. Ellen addressed this point:

So much of social change is based on timing and momentum and pace and if you hit the wrong side of that, there's no point because you're not making the biggest impact you can make.

We realised that women were now willing to come forward and share this kind of information about their experiences. Then people like Tara Flynn and Róisín Ingle and other people started to come forward and I thought that was very important.

Both Tara Flynn and Róisín Ingle are well known Irish women who have publicly written about having abortions and appear in the gallery. Róisín Ingle is a journalist for the Irish Times while Tara Flynn is an actress, comedian and writer. Ingle spoke at Amnesty International event I attended at Maynooth University in March. Ingle spoke about the process she went through when she chose to publish her abortion story in the Times. Ingle said that she was warned that she would lose readers and would experience a large amount of negative feedback if she chose to write about having an abortion. The reaction to Ingle's abortion story was unexpectedly, and overwhelmingly, positive. By publishing her own experience of having to leave Ireland for an abortion, Ingle declared herself as standing in solidarity with the pro-choice movement (Ingle, 12th September 2015).

Ingle's actions, and similar actions by other women, have spurred a fresh form of activism where women are coming out publicly to speak about their abortion experiences. Aoife argued, "women feel comfortable about coming out about it, now where they probably wouldn't a couple of years ago". The Abortion Rights Campaign has taken note of this and has a blog called 'Share Your Abortion Story'. On the blog women are able to post anonymous narratives about their abortion experience. It is becoming increasingly common to read about a woman's abortion experience in the Irish Times and on activist organisations' social media outlets; to hear women stand up at public meetings and protests and voice their own experience of abortion. These personal narratives are impossible to repress. Women's stories are shouted through megaphones at rallies and shared frenetically on social media. Irish women's personal stories are making a material contribution to the pro-choice movement by refusing to be silent any longer. By making the personal political.

This move towards individual narratives marks a shift where women's experiences are becoming the centre of the abortion access discussion. This shift is evidence of the diminishing stigmatisation of the issue. WOS took note of this change in the conversation and acted upon it. After the launch, articles on WOS were published in the United Kingdom, America, Poland, Italy, India, France, Germany, Belgium, Australia and of course Ireland. While the primary focus of the articles was the innovative activism, each article addressed the fact that Éire was denying its women basic human rights. Regardless of language or country of publication, there is no escaping the unflattering light each article shed on Ireland's government. Ellen explains that:

We didn't think it would cause that much of a stir. It is embarrassing for the Irish government. It is embarrassing to be in the New York Times for not having access to abortion. That will catch their attention. They do seem to be impervious to shame and embarrassment about the issue but I do think the more that it [the pro-choice movement] builds I think... I hope it makes a difference.

The attention received by the WOS gallery has contributed to the pressure pro-choice activists are placing upon the Government to address the issue. WOS launched a second set of photographs in March this year with more women volunteering to be a part of the gallery.

Being confronted with the personal stories of Irish women who have had abortions resonates for people in a way that policy debates do not. This is because the issue is no longer in the abstract, it has been humanised. The 'hierarchies of deservedness' paradox that follows from using provocative personal narratives of trauma is a side effect of pro-choice efforts to democratise the issue of abortion access (Wynn *et al.*, 2007: 257). In sharing these personal accounts of having abortions, it raises questions of who is qualified to be making decision about women's bodies. All of these matters are now becoming part of the fight for reproductive rights in the Republic. Activists are identifying these issues and, like WOS, are taking action to address them.

Chapter Five

Social and Political Events Influencing Ireland's Pro-choice Movement

Human Rights Bodies Calling Ireland to Account

In recent years, international human rights bodies such as the European Court of Human Rights and various United Nations committees have repeatedly expressed concern about Ireland's restrictive abortion legislation (Mullaly, 2008:229). Calls for legislative change have been issued at least once

every year for the past 6 years yet the Irish Government claims that it ‘does not intend to propose any amendments’ to either the 8th Amendment or the Protection of Life During Pregnancy Act (Quilty et al., 2015: 1-7). As discussed in Chapter Two, the European Union Court of Human Rights has ruled that the 8th Amendment violates human rights. Unfortunately, Ireland’s Government is slow to take action on such criticisms. The reproaches made by international human rights bodies are now being reported on with greater significance and the pro-choice movement is using them as support for their cause.

The call for Ireland to adjust its abortion legislation to align with the human rights declarations, which they are a part of, is a relatively recent occurrence. In part, this is due to Ireland previously being perceived as “the priest ridden country, as the Catholic outpost” (Orlaith). With increasing secularization, and the politicising of reproductive rights, abortion is no longer an issue that can be swept under the banner of religion. Orlaith explained:

The Government's official myth is that the issue is so sensitive in Ireland that if any international body turned their attention to Ireland's abortion law, the entire population would just dissolve in horror. It's rubbish, this myth.

We [Ireland] have been fully accepted for the first time as being properly European. There's a tentativeness about our Europeaness, but we're being called to account now as a European country. Whereas before, there was a hesitation to call Ireland to account because we weren't the full deal, you

couldn't have the same expectations of Ireland. We were all too busy with our rosary beads, and that's gone. I think that's gone internationally.

Orlaith is referring to the fact that human rights are a way for Ireland to solidify its status as an advanced State that sits high up in the international hierarchy of civilisation. Ellen expressed this sentiment when she said, “We’re really far behind on human rights. We're part of the EU, we're supposed to have some kind of a standard”. Ellen’s comment supports Orlaith’s earlier assessment of Ireland as now being recognized as a State responsible for upholding women’s reproductive rights. The criticisms of Ireland’s legislation are adding to the momentum of the pro-choice movement. The authority imbued in both the United Nations Committees and the European Union Court of Human Rights is supporting a pro-choice stance and the activists are using this to their advantage.

Influence of the 2015 Marriage Equality Referendum

We were going and we were going and we were becoming so progressive and the world was looking at us and cheering us on. Little ole Ireland came at the forefront of this fantastic change. And then we just fucking dropped the ball.

Niamh

On May 22, 2015, the people of the Irish Republic legalised same-sex marriage on a State level by popular vote. The campaign strategies used by marriage equality activists have significantly influenced the pro-choice movement. When discussing the current wave of pro-choice activism, the marriage equality referendum was frequently referenced as both a successful example of how to create and market a social movement and as a turning point in Ireland's political landscape.

Visibility of Ireland's LGBTQT community played an enormous role in the success of the Marriage Equality referendum. Pro-choice activists argued that making same-sex marriage a visible, humanised issue was integral to gaining public support. Ellen explained:

My impression of the marriage equality referendum is that the invisibility of being gay in Ireland, which went on for so so so long, started to dissipate and people started to have more knowledge about the LGBT community. People, say people of my parent's generation, who, up until the last few years probably didn't think they knew many people who were part of the LGBTQT community. It became visible in a way that it hadn't been before and people were very accepting of it.

As Ellen supposed, the shift in public opinion about same-sex marriage was gradual but the exposure of the LGBTQT community ultimately lead to the realisation of the referendum. Women of Solidarity (WOS) drew on the success of the Marriage Equality campaign when they were deciding what would be the most effective form of activism. WOS's decision to photograph individual

women who had had abortions as a way to humanise the issue was informed by the Marriage Equality campaign. Ellen said:

I thought Women of Solidarity would maybe breakdown social perceptions of abortion because I think really it's, there has to be a shift in public opinion like the way there was for marriage equality. There has to be a shift that actually mobilizes people. So, Women of Solidarity started up after the Marriage Equality referendum and we sort of thought 'Ok, this must be how change happens in places like Ireland', by showing the people behind the issue.

The invisibility of abortion and the women who have them is what activists are now working to combat. Róisín argued that “there isn't near the same amount of exposure for women who have had abortions as there was for LGBTQ rights” and this is now a major focus of the pro-choice movement.

An extension of the LGBTQ movement's newfound visibility was the ability to market the issue of Marriage Equality in a positive light. Róisín argues that abortion as an issue is “really easy to demonize” whereas Marriage Equality was “sexy” and hence, easier to campaign for. Niamh explained:

LGBTQ, it's everywhere these days. It's no longer a hidden subject. Everybody knows somebody who is gay or transgender and they could market this as being about love and about equality. It's wonderful and rainbows. Abortion is never going to be 'sexy'. Abortion is very different. Terminating a foetus, how on earth can you dress that up?

Pro-choice activists do not attempt to 'sugar coat' the reality of what they are asking for. Instead, the pro-choice movement focuses upon the interests of women, not the foetus.

The outcome of the Marriage Equality referendum was an encouraging sign of political change for the pro-choice movement. The referendum signalled, in Orlaith's words, "the sell by date of the Government's official myth" about Ireland being a staunchly Catholic and conservative nation. The legalisation of same-sex marriage showed that the people of Ireland were politically conscious and more liberal than the Government was willing to acknowledge. This was important for pro-choice activists; the knowledge that Ireland's people are willing to exercise their considerable power from below to influence the decisions made by politicians. Orlaith spoke of the growing influence of Ireland's people:

You've now got the greater voice of the people and you've got the greater attention to the issue [of abortion]. You've got a different generation of political correspondents who want to be covering this issue, not as a taboo divisive issue. Not as a Church and State issue but as a political issue, as a social justice issue.

Following the Marriage Equality referendum, addressing the issue of abortion access in the Republic seemed the natural progression for the Government. The referendum showed that the conservative attitudes expressed in Ireland's constitution were no longer representative of the

current population and their views and were therefore in need of change.

Niamh explained:

Our constitution doesn't reflect the lives that the citizens are leading. It doesn't at all. Marriage equality was a great step but as I said, we all thought it was going to be a springboard for something greater, like separation of Church and State. Hopefully that would filter down in healthcare and education but it just stopped. It stopped at this because people are afraid. Politicians are afraid.

Fortunately, pro-choice activists did not stop. In fact, pro-choice activism increased, particularly in the lead up to the 2016 General Election where repealing the 8th Amendment became an election issue as a direct result of activist's efforts. In an article published in the Irish Times on May 16, 2016, Una Mullally stated, "The people won last year. And the people will win again"(Mullally, 16th May 2016). This comment was in reference to the Marriage Equality Referendum and the future of reproductive rights and its sentiments are shared amongst the pro-choice community.

The 2016 General Election

Fighting for abortion rights in Ireland is a cold business. I came to this realisation whilst standing outside the entry gates to a hotel in Dublin one Saturday morning in January. The night before had been spent protesting in the

city. Today though, we had traded pavement for mud as we stood outside *Fianna Fáil's* 77th Annual *Ard Fheis*. *Fianna Fáil* is one of Ireland's most prominent political parties and an *Ard Fheis* is a political conference.

I had accompanied a small group of about fifteen ROSA activists on the train to Saggart, a suburban area of South Dublin. ROSA members intended to protest *Fianna Fáil's* lack of interest in addressing the 8th Amendment in the upcoming election. Prepared with banners and hand drawn posters, each with a creative pro-choice message, we approached Citywest Hotel's entry gates. Originally the plan was to make it into the hotel where the politicians could hear ROSA's chants at close range. Two amiable *Gardaí* who had been lying in wait, impeded the plan. Unperturbed, one activist suggested that we go in anyway. Ailís advised against this, arguing that because it was a Saturday, processing at the *Gardaí* station would be slow if they were arrested. This comment, spoken with such casualness, made me aware of how committed ROSA activists are to their cause. So instead, ROSA activists flanked the driveway, ready to greet the politicians as they arrived. The megaphone was drawn and ROSA started chanting: "Get your rosaries off our ovaries!" and "Not the Church, not the State, women must decide their fate".

Members of *Fianna Fáil* trickled in on foot and by car. Those on foot had to walk directly through the middle of ROSA activists. Many refused to stop and address activists' questions, giving a dismissive wave or pretending that the chaos going on around them was not there. Yet, one particular elderly politician did in fact stop to address ROSA members. Ailís asked how *Fianna Fáil* was planning to address the 8th Amendment in the upcoming election. In response, the elderly man smiled and said, "Ah, don't worry about that. We'll

look after you". *Fianna Fáil* maintained this dismissive attitude towards reproductive rights throughout the lead up to the General Election and did not provide an action plan for addressing the 8th Amendment.

The occurrence of Ireland's General Election during my time in the Republic significantly influenced this research. It determined the types of events I attended and was involved in. Activists' events and protests were more frequent due to election campaigning. The General Election gave the pro-choice movement the opportunity to push the issue of repealing the 8th Amendment up the political agenda by making it an election issue. Groups such as The Abortion Rights Campaign (ARC), ROSA and the Coalition to Repeal the 8th were particularly conscious of the election being an opportunity to discuss reproductive rights in Ireland.

ARC began running workshops called 'Talk to your TD'. In these workshops, ARC was preparing activists on how to address politicians at public meetings. The workshops prepared activists to be able speak directly, with purpose, and to interrogate politicians on their stance on the 8th Amendment.

ARC also partnered with the Coalition to Repeal the 8th to try to find out which politicians were pro-repeal. Members of the Coalition and ARC were put to work emailing their local TD's, goading them into canvassing their homes. Once the TD arrived at the activist's home, the plan was to ask them about their position on the 8th Amendment. Some TDs did not wish to converse in person so instead responded to questions via email. Other TDs chose not to respond at all. The information gained by these encounters was then relayed back to ARC and the Coalition and was used to create charts identifying each politician's stance on the 8th Amendment. This information was shared via social media

and aimed to clearly indicate who was and who was not supportive of the pro-choice movement. By doing this, the Coalition ensured that abortion rights were an election issue that citizens would be voting on. Orlaith argued that:

They [the Government] can't ignore the fact that the abortion issue was one of the top issues. Abortion was up there as one of the top issues all the way through the election.

This was a result of the tireless efforts of pro-choice activists' campaigning. In previous elections, abortion rights were not raised as an issue in need of address. Now, the pro-choice movement has gained so much momentum in the Republic that it has become one of the main issues up for debate. Orlaith explained:

The only way abortion was a political issue was if an anti-choice politician accused another politician as being pro-choice. That's really all there was and you know, there have been elections where it looked as if having a pro-choice position had lead to a politician loosing their seat. There was always this fear. It was always seen as a loosing position and that completely changed in this election, it was a regular issue. Repealing the 8th can be seen to be among the skullduggery used in an election as opposed to this toxic issue. That's immensely significant.

Reproductive rights have become a politicised issue in the same way as Marriage Equality. The issue of reproductive rights was taken up "by thinkers, activists and feminists on the margins" (Orlaith) and made a political matter.

The “thinkers” Orlaith referred to are the organic intellectuals who form the basis of the movement (Gramsci, 1971:7-10). The power comes from the activists involved who hail from all different areas of Irish society with their wide-ranging knowledge. Their passionate unification under the one cause, as heads of organizations, a spokespeople and campaigners makes them, as organic intellectuals, key to the movement’s success (Gramsci, 1970:10).

The pro-choice movement is gaining force as it draws upon current attitudes and political events. Activists are designing their actions with particular attention to the shifting political landscape of Ireland. Campaigners have also taken note of what makes for a successful people power movement in Ireland’s unique context and are quick to apply new strategies to their own activism. The pro-choice movement’s adaptability is what makes it particularly strong.

Conclusion

On the lower level of a Dublin pub, a group of pro-choice activists converge. This time, the space beneath Kelly's is well lit and as warm as the bar above. The mismatched chairs are assembled once again in a slightly crooked circle. The room gradually fills, abuzz with companionable conversation. After everyone assumes their positions, Ailís introduces herself and several other women who lead ROSA. This time there are more seats squashed into the circle. As I look around the room, I notice that many of the faces are familiar; although some are not - these are ROSA's newest recruits. The more active members seem exhausted from their recent campaigning, a testament to how hard ROSA have fought to make the 8th Amendment an election issue.

Ailís announces the first order of address: the outcome of the General Election. Whilst the election occurred in February (it is now the middle of March), the new Government is yet to be finalised and so, remains unknown. Ailís argues that change will come from the people, not the politicians. She emphasises the need for ROSA to take “radical action” - now is the time to create a “people power” movement that forces the Government to listen and take action on the 8th Amendment. The activists nod in agreement with Ailís’ declaration. Her hands punctuate her impassioned speech and her voice rises, as she demands that ROSA take nothing less than complete removal of the 8th Amendment and unapologetic abortion on demand. Ailís declares ROSA unwilling to settle for anything less than “full choice”. That is, the men and women of ROSA will continue to rally, march and meet until the women of Ireland have full reproductive rights.

Ailís’ speech is met with applause, impassioning the activists in attendance. Whilst the future of Irish politics remains uncertain, ROSA’s intentions and attitudes are unwavering. These activists are tenacious. In fact, some have been campaigning this issue for thirty years. ROSA is committed to the fight for abortion rights, however long it may take. The conviction of ROSA’s activists proves the futility of the Irish government’s resistance.

Throughout the course of my fieldwork, the pro-choice movement in the Republic of Ireland gained incredible momentum. The General Election provided opportunities for pro-choice organisations to make themselves heard. The more the activists rallied, the more the issue of the 8th Amendment become a point of discussion for newspapers, radio shows, blogs and political debates. Over the course of the three months that I spent in the Republic, pro-

choice activists broke the silence on reproductive rights and made it a visible issue that the Government no longer dismisses. Currently, the Irish Government is organising a citizen's assembly to discuss the repeal of the 8th Amendment. In addition, on October 12th, 2016, the *Dáil* will debate a bill that proposes to repeal the 8th Amendment. These are the changes pro-choice activists have been calling for. The fact that the Irish Government is now moving to address reproductive rights on a legislative level is evidence of the current strength of the pro-choice movement.

Pro-choice activists made these changes possible by making it difficult for the Government to continue turning a blind. By piloting actions, such as the Abortion Pill Bus, activists have shown that they refuse to be unheard. In addition, pro-choice activists democratised abortion in Ireland. Groups like Women of Solidarity showed that there are no “good” or “bad” abortions, but merely the women who have them. The pro-choice movement has emphasised that women from every aspect of Irish society are affected by legislation that restricts bodily autonomy. Finally, the research demonstrates that pro-choice activists are opportunists. Drawing on current political and social events, activists groups strategically modelled their actions to make the most impact.

This research aimed to capture a significant moment of the pro-choice movement from the perspective of the activists involved. In the wake of the Marriage Equality referendum and the lead up to a General Election, activists were able to capitalise on the growing voice of the people. This research provides a unique account of the eruption of reproductive rights activism in the Republic of Ireland. This account shows how pro-choice activists are rejecting the idea that politicians are in a position of power when it comes to

reproductive rights. By taking the perspective of activists we can see how they are creating a groundswell of people power that is prepared to determinedly fight for what they want until their demands are met by their elected Government.

This research raises questions relating to the influence of gender in pro-choice activism. Whilst predominantly women participate in activism for reproductive rights, increasing numbers of male activists are involved. This increase in male activists may be influenced by abortion access becoming an issue grounded in politics and human rights. Alternatively, it could be linked to the current wave of neo-feminism. Activists repeatedly raised the question of how best to include men in the conversation about reproductive rights. This was something that many pro-choice groups struggled with. Research into this area may provide ways for pro-choice organisations to include more men in struggle for reproductive rights in the Republic.

Ireland's pro-choice activists have been persistent in their efforts to ensure that abortion is no longer a silent issue in the Republic. For these activists, in Maeve's words, it feels like "change is really coming". The current surge in pro-choice activism is incredibly significant for Ireland. The pro-choice movement is focused on reproductive rights but is striving towards social equality for women in a broader sense. Ellen argued:

People don't realise that abortion is not just confined to abortion. It's human rights issue and it's an issue for women's rights. So it's not as if you can just restrict access to abortion in this way and have that not affect the rest of your life as a woman, that's just not true.

The pro-choice movement is concentrating on one aspect of gendered inequality and a making material change by challenging attitudes around women's bodily autonomy.

Towards the end of our conversation, Niamh made a poignant remark: "We'll get there some day but until then, we're going to be fighting and fighting and fighting them every single step of the way". Since leaving Ireland, I have continued to watch how the pro-choice movement has gained force at an exponential rate and it is obvious that inaction is no longer an option for the Irish Government. Change is inevitable, as it has already begun.

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Irish Glossary

Ag iompar clainne

Irish word for 'pregnant'. Literal translation: 'to carry the family'

Ard Fheis

Irish political party conference.

Dáil Éireann/ Dáil

Lower house of Irish parliament.

Dia dhuit

Irish word for 'Hello'. Literal translation: 'God be with you'.

Dia is Muire dhuit

Irish response to 'Hello'. Literal translation: 'God and Mary be with you'.

Fianna Fáil

Major Irish political party with conservative republican leanings. Main opposition to *Fine Gail*.

Fine Gail

Major centrist Irish political party. The head of the party is TD Edna Kenny who is Ireland's *Taoiseach*. *Fine Gail* is currently leading Ireland's minority coalition Government.

Garda

Irish police.

Oireachtas

Irish parliament.

Taoiseach

Prime Minister of Ireland. Position currently held by *Fine Gael* TD, Edna Kenny.

Teachta Dála (TD)

Member of the *Dáil Éireann*, lower house of the *Oireachtas*.

Uachtarán na hÉireann

President of Ireland. Position currently held by Michael D. Higgins.