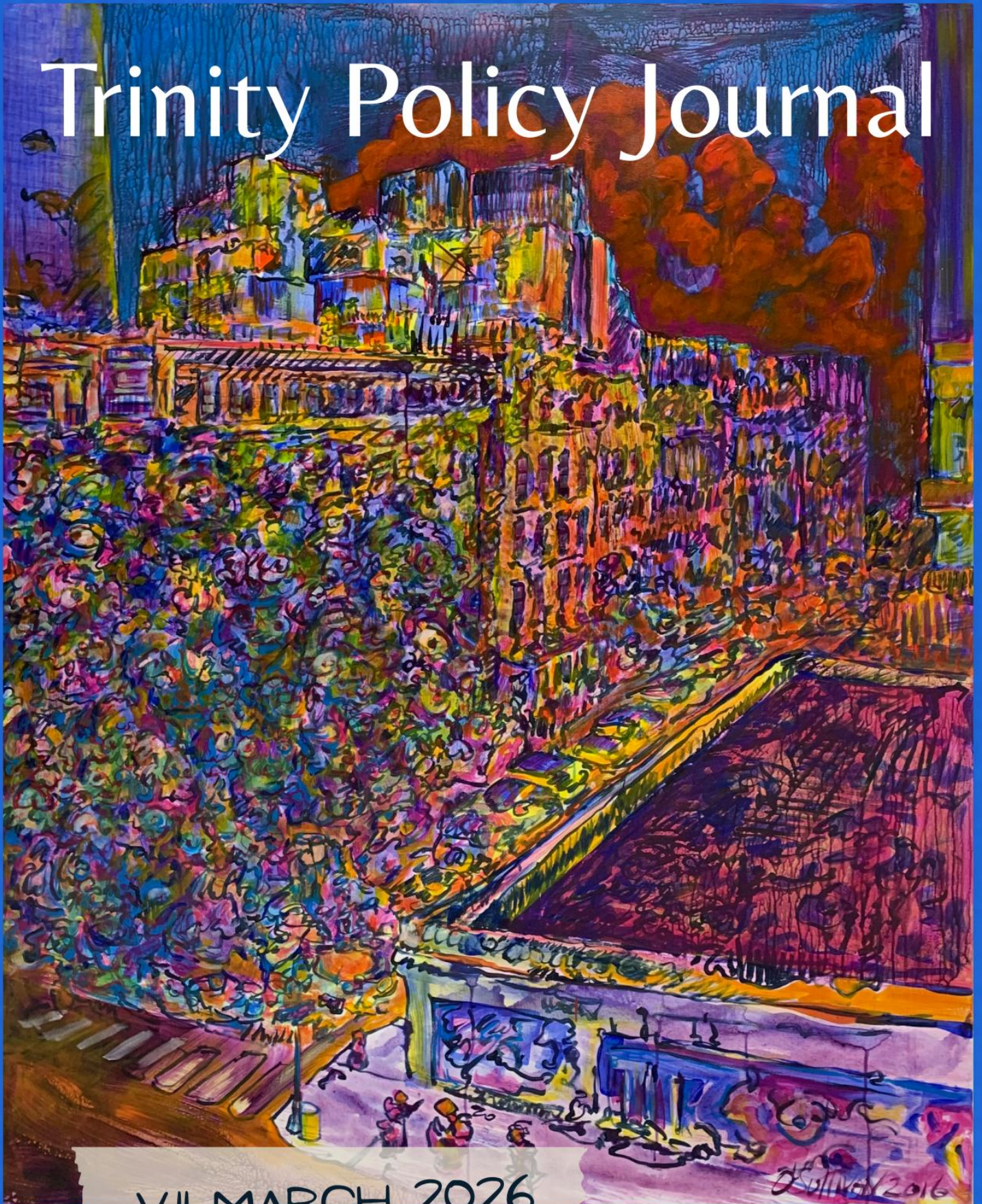


# Trinity Policy Journal



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### ***Editor's Foreword***

Dear reader,

Welcome to the second volume of the Trinity Policy Journal. Following the publication of our inaugural issue, it is a pleasure to introduce Volume II: Trajectories and Transitions – Ideology, Connectivity, and Paradigms of Change. At a time when societies are navigating shifting political conditions, technological transformation, environmental challenges, and evolving social dynamics, this volume invites reflection on how policy trajectories are formed, disrupted, and redefined. The contributions in this issue explore the ways in which transitions reveal tensions between continuity and change, stability and innovation, and tradition and transformation.

As in our first volume, the Trinity Policy Journal remains committed to publishing diverse undergraduate and postgraduate student research that engages critically with policy debate. Through careful analysis and critical reflection, the authors in this volume contribute to ongoing conversations about how policy ideas emerge, evolve, and ultimately shape the institutions and welfare processes that structure our societies.

Across the submissions this year, one theme appeared consistently: innovation. Innovation, while often associated with digitisation, emerging technologies, or the rapid rise of tools such as generative artificial intelligence, is human. Innovative policy thinking can emerge through the ways we centre voices, frame problems, and communicate solutions, ensuring that policy processes remain responsive to the realities of those they affect. Approaches that prioritise participation, accessibility, and inclusivity demonstrate that innovation in policy is as much about process as it is about outcome.

The publication of this second volume would not have been possible without the dedication of many individuals. I would like to congratulate the authors, including Philip Theiss, Theodora Clare, Molly Morris, Ashling Sharry, Ellen Graham, K. Bernards, Indira Kelly & Maya True Wasik, Katelin Bratt, Almha Fitzpatrick, and Lucia Demuth of this issue for sharing their thoughtful and rigorous research. My sincere thanks go to the editorial team: Izzabella Parkinson, Piotr Górecki, Katelin Bratt, Claudia Spice, and K. Bernards, Anna Cairo, Natalia Kamendy, and Molly Morris whose careful reading and attention to detail helped shape these articles into their final form. I would also like to thank the publishing and management team: Prachi Tailor, Anna O’Keefe, Reece Slade, and Masha Yatsyuk for their efforts in promoting the journal and supporting its continued growth. I wish to particularly thank our deputy editor Izzabella Parkinson and our general manager Prachi Tailor, for their commitment to academic excellence and responding to my many many emails.

Finally, we extend our gratitude to the School of Social Work and Social Policy and to the Trinity Trust for their continued support of the Trinity Policy Journal. We are also deeply appreciative of the guidance and enthusiasm provided by colleagues within SWSP, including Professor Nicola Carr, Professor Catherine Conlon, Jennifer O’Toole, and Michelle Moore, whose support continues to sustain this project.

As the Trinity Policy Journal grows, we remain committed to providing a platform for interdisciplinary student scholarship that engages critically with the policy challenges shaping contemporary societies. It has been a privilege to work alongside such a dedicated and talented team in bringing this volume to life.

Michaela Nudo (she/her),  
Editor-in-Chief

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## **The Deservingness Dilemma: How Fundraising Frames Constrain Systemic Advocacy on Homelessness in Ireland**

Philip Theiss

### **Abstract**

This essay examines the paradoxical position of Irish homelessness NGOs, which are compelled by their funding model to adopt public communication frames that inadvertently obscure the systemic roots of the housing crisis. Drawing on Salamon and Anheier's interdependence theory (1998), it argues that NGOs are trapped between two masters: the state, which contracts them to deliver frontline services, and the donating public, whose conditional solidarity, as theorised by Van Oorschot (2000), demands narratives of individual deservingness. Through an analysis of a Focus Ireland Christmas appeal, the essay employs Entman's (1993) framing theory to demonstrate how the organisation deploys two distinct and contradictory frames: a *Fundraising Frame* that highlights blameless victims to secure donations, and a *Systemic Frame*, reserved for policymakers, that diagnoses the crisis as the outcome of housing financialisation. This phenomenon, the essay contends, carries profound consequences. The dominant public frame conditions citizens to view homelessness as individual misfortune requiring charitable relief rather than systemic injustice demanding political remedy, thereby legitimising palliative policy responses that reinforce the very financialised system perpetuating the crisis.

### **Introduction**

Housing is the bedrock of human dignity, security, and social participation, yet as Hearne (2017) argues, in contemporary Ireland it has been

profoundly financialised. It has been transformed from a human dwelling into a commodity for wealth accumulation. This systemic shift constitutes a structural human rights violation. It has precipitated into a catastrophic crisis, manifesting in record levels of homelessness that impact thousands of families and children. In response, Non-Governmental Organisations (NGOs) have become indispensable actors. They provide frontline services and campaign for solutions.

However, these NGOs operate within a critical paradox. Their advocacy for systemic change is financially constrained by their dependence on both state contracts and public donations. This essay argues that this dependency creates a powerful fundraising imperative, which fundamentally shapes and distorts their public communication.

To secure vital resources in the form of private donations, NGOs are compelled to frame homelessness through the lens of individual deservingness. In accordance with Van Oorschot's (2000) theory of conditional solidarity, they must highlight victims whose plight is beyond their control, for example through misfortune or sickness, and who are proximate to 'us'. This approach appeals directly to public criteria for charitable giving.

This strategically necessary focus on individual hardship obscures the systemic, financialised roots of the crisis. This is the central paradox: NGOs are trapped by their own funding model. Their reliance on state contracts, born from the government's failure in direct welfare provision, enlists them to execute public policy, aligning their services with governmental priorities rather than enabling them to challenge the systemic failures that create the need for those services. Simultaneously, this service-driven role forces them into the fundraising arena, where they must adopt the very frame of individual deservingness that the public demands. As

Hearne (2017) details, the crisis is a direct outcome of state policies that have prioritised attracting global capital and treating housing as a financial asset over guaranteeing it as a social good. Yet, by focusing on blameless individuals to secure donations, NGOs inadvertently legitimise this deeper system, diverting public attention from its core mechanisms while their government contracts bind them to managing its symptoms rather than curing its cause.

This essay will trace this trajectory from structural dependency, through strategic framing, to constrained policy outcomes. It will demonstrate how the tools for NGO survival can inadvertently perpetuate the very crisis they seek to solve.

### **The Structural Bind**

The advocacy and operational capacity of Irish homelessness non-governmental organisations are defined by a structural bind. This bind originates in their reliance on two distinct and often competing funding streams. These are state contracts and public donations. The seminal work of Salamon and Anheier (1998) on the social origins of civil society provides the essential framework for understanding this dynamic. Their analysis demonstrates that the modern non-profit sector does not exist in opposition to the state. Instead, it emerges and operates through complex institutional interdependence (Salamon and Anheier, 1998). This is particularly evident in corporatist welfare regimes, like Ireland's, where significant state social spending coexists with a large non-profit sector. Importantly, NGOs in such contexts are not displaced by an expanding welfare state. They often grow in scale alongside it, becoming formal partners in public service delivery.

This relationship is captured by Salamon and Anheier's interdependence theory. It posits that governments, facing practical or political constraints in direct service provision, frequently enlist NGOs as instruments to execute public policy. This dynamic is often described as addressing philanthropic insufficiency (Salamon and Anheier, 1998). Consequently, a dominant portion of an Irish homelessness NGO's revenue typically derives from state grants and service-level agreements. These funds are dedicated to essential frontline operations. This formal partnership embeds NGOs within the state's policy framework. It aligns their service delivery with governmental priorities and contractual obligations.

However, this embeddedness creates a critical tension. As private, voluntary entities, these organisations must also maintain their public legitimacy and an independent identity. To achieve this, and to secure flexible funding beyond restrictive state contracts, they must actively cultivate support from the donating public. This necessity generates a second, parallel stream of accountability and resource dependency. The result is a dual constraint. Irish homelessness NGOs effectively serve two masters. The first is the state, which acts as the dominant funder and policy partner. The second is the donating public, which serves as the source of philanthropic income and societal mandate.

This structural bind creates the foundational pressure that dictates their public communication strategies. The need to satisfy a government partner while simultaneously appealing to a charitable citizenry places NGOs in a precarious position. It is from this position that the imperative to craft publicly palatable frames arises.

## **Theoretical Framework**

A theoretical framework is required to explain how and why the Irish homelessness NGOs communicate as they do. This section establishes that framework by integrating Robert Entman's (1993) theory of framing as a methodological tool with Wim van Oorschot's (2000) theory of deservingness criteria as the psychological target for effective fundraising.

Robert Entman's work defines framing as the process of selecting and making salient particular aspects of a perceived reality within a text. For Entman, a complete frame performs four functions. It defines a problem, diagnoses its causes, makes moral judgements about the actors involved, and suggests remedies. Crucially, framing is defined by its omissions. By highlighting certain features, a frame logically directs attention away from other potential problem definitions, explanations, and solutions (Entman, 1993). This makes framing a powerful mechanism of influence, shaping how an audience perceives an issue and the range of responses they consider legitimate.

However, for a frame to be effective in motivating public donations, it must resonate with deeply held public beliefs about who deserves help. This is where Wim van Oorschot's theory of conditional solidarity becomes essential. Van Oorschot identifies five key criteria the public uses to judge the deservingness of welfare recipients. The most important criterion is control. The public perceives individuals as more deserving if their neediness is seen as beyond their control, for instance due to sickness or disability. Conversely, those deemed responsible for their plight are judged harshly. The criteria of identity and reciprocity are also highly influential (Van Oorschot, 2000). Support is more readily given to those perceived as close to 'us' in identity or who have previously contributed to society.

The synthesis of these two theories reveals the fundraising imperative. To secure vital income, an NGO's public appeal must utilize Entman's framing functions to satisfy Van Oorschot's deservingness criteria. A successful fundraising frame will therefore define homelessness as a problem of blameless individual tragedy, diagnose its cause as personal misfortune, make a moral judgement that the victim is 'one of us', and propose the remedy of a charitable gift to which the recipient will be grateful. This formula is not arbitrary. It is a strategic necessity born from financial dependency. It ensures an NGO's survival by maximising public support, but it does so by constructing a discourse centred on individual pathology and charitable relief. This inherently limits the space for the systemic critique and political demands required for transformative change, a tension that the following section will analyse in practice.

## **Analysis**

The structural dependency of Irish homelessness NGOs necessitates the use of two fundamentally distinct communication frames. One is the *Fundraising Frame*, crafted to secure public donations through emotional appeals centred on individual deservingness. The other is the *Systemic Frame*, designed to influence state policy through a rights-based critique of structural failures. An analysis of a Focus Ireland Christmas appeal alongside the organisation's official Pre-Budget Submission reveals this stark dichotomy and its inherent tensions.



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**DONATE**

## Focus Ireland Launches Urgent Christmas Appeal As New Figures Show 12% of Children in Families it Supports Were Born Into Homelessness

Focus Ireland Launches Urgent Christmas Appeal As New Figures Show 12% of Children in Families it Supports Were Born Into Homelessness

Focus Ireland launched an urgent Christmas appeal today with a hard-hitting campaign highlighting that babies are being born into homelessness. The charity also issued new figures which show that 12% of children in families currently supported by Focus Ireland's Family services were born into homelessness.

Focus Ireland currently supports 1,215 children in 580 families in Dublin and 143 of these children were born into families who were homeless.

The public facing *Fundraising Frame* operates by making a selected aspect of reality, namely individual misfortune, highly salient to engage the public's willingness to donate. Examining the Focus Ireland Christmas appeal demonstrates this strategic alignment with psychological triggers. Using Entman's (1993) functions, the frame defines the problem as the immediate suffering of vulnerable individuals, particularly children born into homelessness. It diagnoses the cause as personal misfortune, exemplified by the narrative of Louise, a pregnant mother evicted due to a landlord's sale, an external shock presented as beyond the victim's control: "I had just found out I was pregnant when our landlord told us he was selling the house we were renting. Our world fell apart" (Focus Ireland, 2025). The moral judgement invoked is one of urgency and shared compassion, appealing to cultural values of protecting the innocent. The proposed remedy is a simple, palliative charitable donation, with emphasis placed on the high proportion of funds directed to frontline services. Yet even within this fundraising frame, a tension emerges as Sr. Stan, the late founder of Focus Ireland, acknowledges the limits of the organisation's own remedy on the very same webpage: "the real answer is of course that we

urgently need more social housing and better prevention to end this crisis" (Focus Ireland, 2025). This frame is effective because it aligns precisely with Van Oorschot's deservingness criteria. It maximises the perceived lack of control of the victims, the most important criterion for public support, by portraying them as blameless casualties of circumstance. It highlights acute need through dramatic imagery and statistics. Furthermore, it strengthens identity and proximity by focusing on universal archetypes like families and young children, making the homeless recognisably 'one of us'. This frame expertly activates conditional solidarity to secure immediate income.

In direct contrast, the *Systemic Frame* reserved for policymakers rejects individualised narratives in favour of structural analysis. Through Entman's lens, this frame defines the problem not as individual hardship but as the outcome of state policy that has financialised housing, the process detailed by Hearne (2017). It diagnoses the cause as decades of political choice, austerity, and the prioritisation of global capital — such as vulture funds and Real Estate Investment Trusts — over housing as a social good. Consequently, the remedies it suggests are complex and require substantial state intervention, like ring-fenced funding for intensive case management or major increases in housing subsidies, ultimately aligning with Hearne's call for decommodification. Crowley and Mullen (2019) affirm that effective change requires moving beyond stories of individual hardship. They argue such stories trap discourse in debates over deservingness, whereas true progress depends on engaging self-transcendence values and building a collective narrative around housing rights. This represents the logical endpoint of the *Systemic Frame*.

The chasm between these two frames reflects a core organisational conflict between short term survival and long term political efficacy. The *Fundraising Frame* must be simple and emotive, leveraging psychological triggers to generate income. It achieves this through strategic omission,

highlighting blameless victims while obscuring the complex, politically charged systemic critique. Conversely, the *Systemic Frame* must be complex and challenging, directly implicating state policy and market forces. Research indicates, however, that the explicitly rights based rhetoric essential to this frame can be counterproductive with the general public, who may misinterpret a ‘right to housing’ as an unfair entitlement (Crowley and Mullen, 2019). Herein lies the bind. The simplified frame required for financial solvency simultaneously legitimises the systemic obscurity needed to attract donations. It forces NGOs to publicly minimise the very critique of state and capital that their policy teams identify as the root cause. The language of charity and the language of structural justice are, in the public sphere, functionally inverted. This tension fundamentally constrains how the crisis is understood and what solutions are deemed politically possible.

### **Consequences and Constraints**

The conflict between the organisationally necessary *Fundraising Frame* and the structurally necessary *Systemic Frame* has profound consequences. This tension directly constrains NGO advocacy, shapes public understanding of the crisis, and ultimately delimits the scope of government policy, ensuring it remains palliative rather than transformative.

The structural bind identified by Salamon and Anheier (1998), where NGOs must satisfy both state and public masters, creates powerful incentives for self censorship. To secure vital donations, NGOs must publicly adopt the *Fundraising Frame* calibrated to Van Oorschot’s deservingness criteria. This makes it strategically difficult to aggressively promote the complex *Systemic Frame*, which details state culpability and financialisation as Hearne (2017) describes, for fear of alienating a donor public primed for stories of blameless individuals. As Crowley and Mullen

(2019) observe, relying solely on stories of individual hardship is problematic because it is often devoid of systemic analysis. This narrowing of public discourse to questions of who is deserving and undeserving represents a significant trade off (Crowley & Mullen, 2019). Organisational solvency is secured at the cost of publicly advancing the full, radical critique required for their mission, embodying the inherent tension between cooperation with the state and maintaining an independent, challenging voice.

The dominant *Fundraising Frame* teaches the public a specific lesson. Through the selective emphasis Entman (1993) describes, it highlights the suffering of the blameless victim while systematically omitting the systemic causes. The public is thereby conditioned to view homelessness primarily as an issue of misfortune requiring charitable relief. Crowley and Mullen (2019) note that crisis communication focused on urgency tends to activate public conservation values, such as a desire for security and stability. This is counterproductive to building the political coalitions needed for structural change, which require the activation of self transcendence values like fairness and justice. Consequently, when the *Systemic Frame* is occasionally presented, for instance in demands for a constitutional right to housing, a public primed by the charity narrative often misinterprets it as an unfair entitlement, further entrenching the limited charitable worldview.

Policymakers are responsive to perceived public opinion. A public narrative dominated by individual blame and charity creates a political discourse focused on managing symptoms rather than challenging root causes. The public, conditioned by the *Fundraising Frame*, demonstrates greater acceptance of policies that offer immediate, if temporary, relief. This includes the expansion of emergency accommodation like Family Hubs and, most significantly, the heavy reliance on the Housing Assistance

Payment to subsidise private rents. Focus Ireland's own budget submissions, while advocating for long term change, must pragmatically include funding for such immediate support services (Focus Ireland, 2025). This policy reliance on the Housing Assistance Payment is the paramount example of a palliative measure that inadvertently upholds the very system critiqued by Hearne (2017). It channels vast state expenditure into the private rental market, reinforcing housing's role as a financial asset for landlords and global investment funds, rather than reclaiming it as a decommodified social good. The dominant frame, by obscuring this reality, ensures political energy is directed towards sustaining the financialised status quo instead of dismantling it.

NGOs navigate this bind through a dual strategy. However, the public facing frame remains dominant in shaping the broader political environment. Because it avoids challenging the status quo and activates conservation values, it ensures the political realm remains receptive only to incremental, palliative solutions. The structural bind, therefore, does not just create a communications challenge; it actively filters and dilutes advocacy, public will, and policy ambition, perpetuating the systemic conditions that make the crisis inevitable.

## **Conclusion**

This structural analysis reveals how the operational reality of homelessness NGOs in Ireland creates a powerful bind that dictates their public communication. These organisations function as partners to the state while simultaneously relying on public donations. This dual dependency compels the adoption of Fundraising Frames, which utilise narratives of individual deservingness, as defined by Van Oorschot (2000), to secure vital income. Such frames highlight blameless victims and immediate need, ensuring

public support while analytically divorcing the crisis from its systemic roots.

Those roots, as detailed by Hearne (2017), lie in the deliberate financialisation of housing, a complex reality strategically omitted from simplified charitable appeals. The consequence of this omission is a constrained advocacy landscape. The dominant *Fundraising Frame*, through the selective salience Entman (1993) describes, trains public perception to view homelessness as an issue of charitable misfortune rather than systemic injustice. This shaped perception legitimises a policy focus on palliative measures, such as subsidising the private rental market. These measures inadvertently reinforce the very financialised system that perpetuates the crisis.

Ultimately, a critical paradox emerges. The tools required for organisational survival are fundamentally at odds with those needed for transformative societal change. Donations are secured through frames of pity and conditional solidarity, while meaningful change demands advocacy based on justice and universal rights. Effective future action therefore requires shifting the public discourse from charity to justice, and from managing deprivation to demanding structural reform. Organisations like Focus Ireland, despite being compelled into the fundraising frame analysed throughout this essay, remain genuinely committed to transformative policy change. Their public appeals for donations to support families like Louise's coexist, however uneasily, with their policy teams' advocacy for a constitutional right to housing and massive social housing investment. A true transition towards an NGO sector freed from this paradox would require a fundamental shift in public attitudes from the bottom up. The cheap tactics of individual deservingness, strategically necessary for short-term donations in the current environment, are themselves symptoms of a wider institutional failure. They reflect a

political culture where the state outsources both service delivery and the emotional labour of crisis management to charities, rather than assuming its proper role as guarantor of housing rights. What is ultimately required is a new social contract, one in which the government acknowledges that its funding models inadvertently perpetuate the very frames that obscure systemic causes, and commits instead to fully resourcing both frontline services and the unvarnished structural advocacy necessary to end homelessness, not merely manage it.

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## **South Korea's Low Fertility Rate: a 'Population National Crisis'**

Theodora Clare

### **Abstract**

South Korea is experiencing the lowest fertility rate in the world, a total fertility rate of 0.75, causing severe demographic and economic consequences. This low fertility is having profound implications for South Korea's labour force and welfare system sustainability due to being significantly below the replacement rate of 2.1. This report examines contributing factors to low fertility such as economic uncertainty following the 1997 Asian Financial Crisis and the 2008 Global Financial Crisis, combined with high living costs and high levels of expenditure on child-rearing, particularly in education. It also explores cultural factors that have led to the low fertility rate. A patriarchal family culture, with a cultural emphasis on mothers' roles in childcare, and a strong gendered division of household labour is revealed. Various pro-natalist policies have been implemented by the South Korean government, such as financial incentives, parental leave policies, immigration policies, and fertility assistance, but these policies have been largely limited in scope, and have not been successful in sufficiently shifting fertility rates. Financial incentives, particularly, have been insufficient to affect demand for children. Drawing on successes in Norway, Sweden, and Ireland, this report offers several recommendations for enabling a shift in the total fertility rate, and for ensuring sufficient participation in the labour market.

### **South Korea's Low Fertility Rate: a 'Population National Crisis'**

In 2024, South Korea experienced a total fertility rate (TFR) of 0.75 (Park E.H., 2020). The Korean government has referred to this fertility level as a

“Population National Crisis” due to the severe demographic and economic consequences it poses (Lim, 2024). By 2050, Korea’s labour force is expected to be about two-thirds of its current size, and that there will be fewer economically active people to fund health and welfare systems (Lee, 2025). Resultingly, this policy analysis seeks to examine the effect of current fertility policies and propose alternative policy measures. Key findings include an historic anti-natalist position and high living costs that have contributed to a sentiment of ‘quality over quantity’ in relation to children. An increased participation of women in economic activity is also revealed, combined with a gendered division of household labour and a cultural emphasis on mothers’ roles in childcare. Additionally, cultural factors prevent couples from availing of structural changes that facilitate child rearing. To address these challenges, a package of policy solutions that collectively provide the “big push” the fertility crisis and economy need are recommended. This analysis proposes several recommendations that target multiple facets of low fertility and its labour market implications.

### **Fertility in South Korea**

South Korea has undergone a rapid transition from being a high fertility country in the 1960s, with a TFR of 6.0, to now having the lowest fertility rate in the world. South Korea’s current TFR of 0.75 is significantly below the replacement level of 2.1 and shows an extreme manifestation of a trend that many countries are already following (Park E.H., 2020). Over this period, South Korea has shifted from its historically antinatalist position of the 1960s, when the government sought to suppress fertility to enable the economy to develop under authoritarian regime and in a bid to attract foreign aid (Yoo and Sobotka, 2018). Korea’s low fertility rate is coupled with one of the world’s longest life expectancies, contributing to a rise in the old-age dependency ratio. This raises issues associated with health and social care burdens, and stresses traditional mechanisms such as pensions.

In addition, Korea's centralised model no longer appears to be delivering the level of GDP growth required to mitigate the effects of the country's demographic crisis (Davies and Buseong, 2025).

South Korea's fertility decline initially stemmed from the *National Family Planning Programme* launched in 1962, which aimed to limit population growth in a bid to achieve significant economic development (Lazzari et al., 2020). While this programme was successful in achieving lower fertility levels, fertility rates continued to decline throughout the following decades. In line with the *Demographic Transition Theory*, and as a consequence of the increase in rate of return on human capital and a rise in women's relative wages, positive effects on female labour force participation and adverse effects on fertility rates were realised (Galor, 2014). However, high investment in human capital by the Korean government was accompanied by low commitment to social security provision and welfare, and notably, a failure to establish a social system that supports gender equality (Lazzari et al., 2020).

In Korea, the widespread perception is that low fertility results almost entirely from the improved social status of women and the increase in their participation in economic activity (Park, E.H., 2020), aligning with the *Gender Equity Theory*, as proposed by McDonald (2000, cited in Kim et al., 2020). However, by examining fertility decline by education differentials, Yoo (2014) demonstrates that the rapid increase in Korean women's educational attainment only accounts for one-fifth of the fertility decrease. A culture of long work hours and a lack of flexibility make it harder to balance children with a career and thus sharpen the career-family trade-off in Korea in contrast with most other OECD countries (Park, B., 2024; OECD, 2025). While Korean women have the highest educational attainment in the OECD, they also suffer from the highest gender wage gap, largely attributed to gender discrimination (OECD, 2025). This is

exacerbated due to a decline in labour force participation after childbirth, causing long-term labour income losses and making the opportunity cost of having children higher.

Furthermore, this improvement in women's economic status has not been matched in private spheres such as family life, where a patriarchal family culture and strong familialism leaves women with the primary responsibilities for household labour, care work and childcare (Raymo et al. 2015; Kim et al., 2020). Lim (2024) finds that even if Korean women use parental leave, "the cultural emphasis on mothers' role in childcare and the gendered division of household labour hinders women's ability to return to the labour market."

Following the 1997 Asian Financial Crisis and 2008 Global Financial Crisis, systemic gender inequality has been compounded by economic insecurity. Koreans have therefore focused on maintaining social stability through employment, and have postponed marriage (Park E.H., 2020). As the patriarchal family culture prevailing in Korean society dictates that the birth of children should not occur outside of marriage, this has led to augmented childrearing effects of delayed marriage. Resultingly, in South Korea only 1.9% of births are born out of wedlock in contrast with 42.6% for European Union countries (Eurostar, 2018; Seung, 2019). Pronounced societal gender inequality has meant a growing proportion of Korean women who do not wish to marry at all; in Korean media this has been referred to as a rise of the "Sampo Generation" (Seung, 2019). The rejection of societal expectations of marriage, motherhood and heterosexual relationships by young Korean women has also created a movement known as the "4B Movement" (Gao, 2024).

## **Fertility in Demography & Policy**

High economic costs associated with having children dissuade adults who want children from having multiple. In Korea the direct costs of having children are magnified by intense competition to gain entry into prestigious universities and high private education expenditure (OECD, 2025). This intense competition drives approximately eighty percent of school-age children to participate in private, supplementary education, presenting a significant economic burden on parents (KOSTAT, 2022). Becker's *Economic Theory of Fertility* (1960) suggests that the costs and benefits of raising children influence fertility decisions: this is seen through prohibitive educational costs in South Korea. Due to the high cost of raising children, having one child is seen as superior, and reinforces the Korean parenting perspective of 'quality over quantity' (Anderson and Kohler, 2013).

As the number of children in Korean society decreases, the general population has grown less tolerant or accepting of children in public spaces. This has contributed to the establishment of "no-kid zones," where commercial establishments prohibit children and caregivers from entering (Choi and Lee, 2023). This manner of exclusion further perpetuates issues associated with raising children and makes it difficult for parents, and especially mothers, to exist in social spheres.

To overcome barriers to childrearing, since the 2000s, the Korean government has enacted various pro-natalist policies focusing on parental leave, childcare facilities and grants to couples, and has spent over €248 billion (Lee, 2025). These measures include baby bonuses, grants, exemption from mandatory military service and even state-sponsored dating events (Lee, 2025). Financial support in the form of cash transfers has been insufficient for changing fertility and the underlying socio-demographic factors (Park E.H., 2020; IMF, 2024; Lee and Yi, 2025). In

addition, Bayernschuster et al. (2016) have found that expenditures on childcare facilities have a five-time greater impact on the fertility rate. However, according to Lim (2024), Korea's rigid workplace culture makes it difficult for women to utilise parental leave, highlighting the impact of cultural factors on fertility policy effectiveness. Therefore, in order to implement effective fertility policy, the cultural emphasis on mothers' and fathers' roles in childcare need to be adapted to incorporate a more significant role for fathers (Park E.H., 2020).

For comparison, Norway and Sweden have implemented successful childcare policies, notably only giving paid leave if fathers take paternity leave (IMF, 2024). In Germany, a flexible parental leave system has been introduced (IMF, 2024), and research by Sobotka et al. (2019) has shown that these policy reforms have contributed to a rise in fertility rates among highly educated women. For developed countries who also have low birth rates due to demographic transition, alternative ways of achieving high population growth can be achieved. Positive net migration can offset a labour supply shortage and slow population decline, as well as slowing population ageing in destination countries (Gu et al., 2021). In the UK, for example, hundreds of thousands of workers arrive every year to maintain its tax paying population (Hamill-Stewart, 2024). Hong Kong and Singapore have also used migration as a policy tool to maintain the working age population. According to Park E.H. (2020), in terms of fertility, Japan is comparable to Korea, yet Korea's level is significantly lower and Japan has recently experienced a substantial reversal. However, supplementary private education is much less prevalent in Japan than in Korea, and gender inequality is less extreme.

Despite extensive research, gaps remain in understanding the long-term efficacy of fertility policies. Future research should focus on integrating

economic, educational and cultural factors to develop more sustainable fertility policies.

### **South Korean Fertility Policies**

This section examines Korea's existing fertility policies, with a focus on financial incentives, fertility assistance, parental leave, childcare, education, and immigration.

#### **i. Financial Incentives**

The Korean government has strongly focused its efforts on financial incentives, especially for families with newborns or with children under two years of age (Lim, 2024). In 2024, monthly child care subsidies were increased to 1 million won (€640) for parents with babies under 1 year old and to 500,000 won (€320) for parents with babies aged 1 year, up from 700,000 and 350,000 won, respectively (Park, B., 2024). Monthly child benefit remains lower than most OECD countries, at approximately €70, and ends at age 8 (Lim, 2024). For context, this is half the Irish rate, which also continues to the age of 16, or 18 if in full-time education. Financial support has been insufficient in changing fertility and the underlying socio-demographic factors, as seen in the persistent fertility decline.

#### **ii. Reproductive Rights and Fertility Assistance**

Since 2005, the Korean government has heavily regulated and promoted the use of reproductive technologies, including abortion (Kim, S., 2019). The government also removed contraception from national health insurance cover, and made vasectomy reversals and IUD removals eligible instead (Kim, S., 2019). According to the Director of Human Rights Watch, a drawback of pronatalist strategies is the failure to seek women's input in their design (Kreimer,

2024). In 2006, the Korean government standardised infertility treatment procedures previously unprotected by insurance, and in 2017, increased insurance cover (Kim, M., 2021). Since then, region-specific initiatives, such as Seoul's "Fertility Support Programme", have provided financial aid to infertile couples, covering medical costs even if the treatment is unsuccessful.

### iii. **Parental Leave Policies**

In 2024, national parental leave policies were extended to include a longer period of parental leave, higher maximum leave payments, and a longer period with full salary provision (Lee and Yi, 2025). Paternity leave was increased from a maximum of 10 days to 20, with wages to be covered by the government in small- and medium-sized enterprises (Lee and Yi, 2025). However, the uptake remains low, especially among fathers, due to workplace stigma (Lim, 2024). In addition, parental leave is only granted to workers covered by employment insurance, excluding a significant portion of the labour market: non-standard and self-employed workers (Lim, 2024).

### iv. **Childcare and Education**

The Korean government has expanded after-school programs and childcare facilities, with additional supportive measures for workplace childcare and education implemented since 2010 (Park E.H., 2020). However, education remains a significant financial undertaking for Korean parents, and especially private, supplementary education in grind schools known as 'Hagwons.' Policies designed to relieve the burden of childcare, such as reduced working hours or increased proximity to after school programmes, remain underutilised, revealing how cultural factors can limit the efficacy of government policy (Lim, 2024).

#### v. Immigration Policy

Migrants are typically young and productive, and tend to have more children than the native-born population (Poston, 2023). However, Korea's immigration policy remains very restrictive, with no clear plan for immigration at the national government level (Lee, S., 2024). Further, Korea remains one of the world's most ethnically homogeneous nations, and has locally been referred to as a *danilminjok*, or 'single-race nation' (Kim-Bossard, 2018). In 2023, there were approximately 2.5 million foreigners living in Korea, but only 13% of such work in professional roles (Lee, S., 2024). In 2024, a pilot project was established in Seoul to supply immigrant domestic helpers to 100 families with a single parent, working parents, or expecting mothers for six months (Park, B., 2024). The government also began offering visa privileges to foreign nationals with Korean ancestry, and established the *Korea Immigration and Integration Program* to help long-term foreign residents further understand the society and culture (Jo, 2018; Position Paper, n.d.).

Many have criticised the Korean government for focusing too narrowly on financial subsidies and not diversifying policy since the early 2000s (Yoo and Sobotka, 2018; Park, 2020). Critics also attribute the inefficacy of past policy to inefficient leadership, fragmented policy administration, and poor planning (Lim, 2024). Due to the persistence and nature of Korea's fertility decline, and because underlying cultural factors and gender roles in work, in the home, and in relation to parenting remain unchanged, a big, coordinated policy shift is required. Despite Korea's complex political environment following the impeachment of President Yoon Suk Yeol in December 2024, due to the urgency of the demographic challenges, the Korean government allocated 19.7 trillion won (€12.47 billion) in 2025 to tackle this issue and is likely to continue implementing and adjusting fertility policies (Lee and Yi, 2025).

### **Recommendations:**

To meaningfully mitigate low fertility and increase the working age population, South Korea could stand to gain by significantly increasing the level of monthly child benefit, such as to OECD levels, as this would decrease financial burdens and make it easier for parents who already have one child to have another. Increasing the duration of receipt of child benefit, from the current age of 8 to 18, or until the child finishes full-time education, would also make child-rearing more financially attainable.

To enable more adults to benefit from employment insurance and thus parental leave, Korea's segmented work system needs to be extended to include non-standard and self-employed workers. Once this is achieved, adapting to a system with mandatory parental leave would facilitate the transition to child-care responsibilities and subsequent return to the workforce. Importantly, creating mandatory parental leave would dissuade cultural or social pressures from discouraging uptake of leave.

Easing employment requirements in current immigration visas would promote immigration and facilitate greater employment by foreign workers in Korea. Increasing the number of visas offered and increasing the period of residency for foreign nationals who wish to migrate to South Korea and participate in the labour force would also benefit the local economy. This could be expanded to target foreign nationals with Korean ancestry, and combined with language education and upskilling programmes for ease of assimilation.

### **Conclusion and Reflections**

Examining the issue of low TFR in South Korea, this analysis explores the factors that have contributed to this level and posit recommendations that

deal with the negative implications of the low TFR such as a decrease in the labour force and a smaller tax-paying population to support an ageing population. Due to the rapid and pervasive nature of Korea's fertility decline, and the impact of both structural and socio-cultural factors, a large-scale policy shift is required to increase fertility and to alleviate the burden low fertility places on the workforce. The inefficacy of current financial incentives and fertility policies has meant that a stronger approach is needed in order to affect the underlying mechanisms that contribute to low fertility.

If the current fertility level continues, and the prevalence of cultural norms that stigmatise children and caregivers in public, such as through the use of 'no-kid zones,' the problem will only be exacerbated, and it will become less attractive to have children, especially for women. South Korea is in danger of entering a positive feedback loop, where it becomes harder to have children and the children face more pressure to be economically successful. It becomes tough to sacrifice careers, and therefore large swathes of the population choose not to have children. If this cycle continues, Korean society may become unrecognisable.

Therefore, despite high costs of implementation, the recommendation is that child benefit is significantly increased in amount, and also duration, and that parental leave is ensured for the whole population, rather than just a portion of the workforce. Additionally, South Korea could increase the focus on migration policies and encourage foreign nationals to participate in the Korean labour force, through easing visa requirements and extending the period of residency. This will be a significant financial undertaking but the consequences of a TFR that drops even further will also cause massive financial strain for the government, in the form of high pension payments and fewer members of the workforce to support them. Therefore, the government should aim to transform social and cultural norms using the

media and aim to attract foreign workers to counteract these negative consequences.

Future research in this field could examine the impact of education across Korean society on creating a culture that prioritises educational, and thus job opportunity success, and the options for the Korean government to mitigate certain pressures. Efforts to abolish the informal supplementary education system, or a complete change of the current college-entry system, could be explored. The effects of military conscription for men, but not women could also be a focus of examining the cultural norms that lead to gender inequality and thus contribute to the fertility level.

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## **Greed vs. Grievance: Analysing a Contested Debate in Political Conflict**

Molly Morris

### **Abstract**

The causes of Civil War and violence have long been debated in the study of political science, most prominently competing frameworks centred on economic incentives ('greed') and political injustice ('grievance'). The greed thesis, most notably advanced by Collier and Hoeffler, determines conflict as an economically motivated issue. Therefore, economic incentives, low opportunity costs of rebellion, and resources can all serve as motivators of violence and Civil War. Alternatively, the grievance-based approach emphasises that social factors, such as inequality and political exclusion, drive conflict. This article analyses and evaluates the relationship between these competing paradigms and assesses that grievance-based arguments offer a more compelling account of the creation and continuation of civil conflict.

Drawing on a wide range of empirical and theoretical literature, this article argues that, while economic feasibility may be a key enabler for conflict, it cannot provide a robust explanation for why groups and individuals choose to engage in violence. By comparing case studies, including South Africa under apartheid, Colombia, Syria, Rwanda, and the former Yugoslavia, this analysis shows that rebellion and Civil Wars are rooted in systemic injustice, manipulation by elites, and political exclusion. Quantitative critiques of the greed thesis further illustrate the limited scope of the greed argument and its tendency to depoliticise conflict studies by reducing complex social issues to economic indicators. The article also rejects

primordialist interpretations of violence by explaining how identity-based conflicts are constructed through institutions and the elite.

Overall, this article argues that the Civil War is a political act grounded in systemic injustice, including political exclusion, the marginalisation of ethnic groups, structural inequality, and repression. These social struggles emerge when groups are denied access to state power or equal representation. Framing grievance as the primary driver of conflict has significant implications for policymaking. It highlights the need for a government that addresses systemic injustice. Paying attention to structural inequalities in future reforms is essential to the study of political conflict.

## **Introduction**

When examining Civil War, Political Violence, and conflict, scholars have historically been divided between two paradigms: greed and grievance. Greed emphasises the economic necessities of conflict, and grievance focuses more on inequality and opportunity. The “greed” principle, theorised by Collier & Hoeffler (2004, p. 563–595), posits that the desire for material gain and influence drives rebellion and civil conflict. Collier & Hoeffler’s research has served as the basis for substantial research following the end of the Cold War. However, “grievance” better explains the causes of Civil Conflict as stemming from exclusion, inequality, and identity issues. The economic framing of issues limits our understanding of how these problems begin and why they occur.

Throughout this essay, I will explain, through historical context, that grievance is the basis of civil conflict and violence and, therefore, the most compelling narrative. Economic and resource gains may make conflict more feasible, but they don’t explain why certain groups choose to engage in violence. Drawing on evidence from the Political Science A module, this

essay will discuss each theory and reject primordialist and economically based accounts. I will illustrate how conflicts between groups are socially and politically constructed rather than stemming from historical hostilities. Drawing on case studies and historical context, the essay demonstrates that rebellion arises from systemic structures rather than economic gain.

### **Analysing the Greed Argument**

The “greed” explanation emerged after an economic shift in academic study in the 1990s. Collier and Hoeffler’s (2004) case study theorised that rebels who could finance themselves, either through looting resources or other strategies, were more likely to engage in civil conflict. Also, they found that lower-income countries with weak governments would, as a result, have a lower opportunity cost of violence and destruction. Framing Civil Wars and conflicts as a greed-based enterprise is problematic because of its simplicity.

The case of Sierra Leone supports the “greed” thesis because the Revolutionary United Front was funded by diamonds looted from the country (Collier and Hoeffler 2004; Reno 1998). The thesis suggests that economic development and restricting rebels' access to resources can reduce the risk of civil conflict. However, this theory explains only why wars may be initiated, not how they are sustained or the attitudes that underlie them. Even Fearon and Laitin (2004), who theorised that civil conflict resulted from violent feasibility rather than greed, emphasised the importance of opportunity structures over grievances. Both approaches undermine political struggles by reducing them to quantitative measures rather than addressing the socially and morally complex situations they entail.

## **The Weakness of the Greed Argument**

Various scholars have debated the shortcomings of the greed thesis in studies of political violence. The theoretical and empirical faults of this argument are said to explain causes of civil war “without studying Civil Wars” or the people who fight in them (Nathan, 2008). Rather than analysing the direct influence of rebel behaviour, Collier and Hoeffler infer macroeconomic motives. This take is theoretically weak and fails to capture the complex dynamics of rebellion.

The critique of the greed thesis is best shown in the South African conflict under apartheid. The rebellion by the African National Congress is clearly understood to be motivated by systemic oppression due to racism instead of looting or resources. To interpret this instance as a greed-based situation would be to misunderstand mobilisation and political violence altogether and disregard the conflict’s political meaning. Their economic viewpoints tell us nothing about why people choose to take part in violence or what injustices they may experience.

Kalyvas (2003) further develops this critique by explaining how political violence can arise from political cleavages and opportunism, explicitly citing the Greek Civil War as an example. He argues that while citizens often act out of self-interest, broader issues also shape our decisions. Furthermore, greed can operate within the framework of political grievance. The Colombian conflict illustrates this point, combining resource gain with government neglect and long-standing systemic inequality that preceded economic incentives.

Ward, Greenhill, and Bakke’s (2010) study, "The Perils of Policy by P-Value," found that Collier and Hoeffler’s model explains little beyond GDP and population size. Therefore, statistical and quantitative significance do

not equate to explanatory measures. Collier and Hoeffler's empirically fragile model can be a danger to decision-making because economic indicators do not specifically translate into human motivations or political estrangement. If policymakers only focused on GDP or resources as predictors of conflict, they might overlook the systemic injustice, repression, exclusion, and identity-based discrimination that drive mobilisation. This risks forming narrow economic policies that fail to address grievances rooted in inequality and political marginalisation. As Ward, Greenhill, and Bakke (2010) demonstrate, statistically significant correlations do not necessarily provide a meaningful explanation for conflict or guidance for conflict prevention.

Overall, the 'greed' thesis impedes understanding of the moral and political motives that drive mobilisation and encourage conflict. Theorised by Nathan (2008), war is a political act. It is rooted in injustice rather than in an economic transaction between actors. Financial feasibility is still essential, but it cannot explain why people rebel.

### **Grievance as a Driver of Conflict**

Grievance-based theories, as the basis for civil conflict, recenter policy and identity in analyses of political violence. Gurr (1970) theorised that relative deprivation—the gap between expectations and the actual conditions of life in a given state—motivates conflict. Subsequent scholars reinforced this claim, focusing on how exclusion and inequality create incentives for insurgency.

Cederman, Wimmer, and Min (2010) further support this argument. Using the Ethnic Power Relations data set, they show that civil war is most likely to occur when ethnic groups are excluded from state power. Civil War is more likely when ethnic groups previously included in state power are

excluded. This study demonstrates that political exclusion can be a primary driver of conflict, rather than greed for wealth or resources. The wars in Rwanda and Bosnia emphasise this point. In both cases, violence emerged when groups were denied entry or access to state institutions, not because of primordial ‘ancient hatreds’. Exclusion creates divides, not ethnicity.

Cederman and Vogt (2017) elaborate on this idea, emphasising three main motives of conflict (greed, grievance, and opportunity). They point out that grievance provides the foundation and structure for the three ideals. They find that systemic inequality, loss of political status, and repression can all predict the occurrence of political conflict. As these scholars theorise, economic factors can shape the feasibility of conflict, whereas grievances explain its motivation.

In addition, Lucas, Appel and Prorok (2022) advance this argument. They conclude that groups rebel when they suffer exclusion and possess opportunities for change. This finding explains why rebellions emerge when citizens perceive governmental arrangements as unjust. To illustrate this, the case of Hezbollah in Lebanon shows how, despite military capacity, a lack of grievance can prevent violent behaviour.

Fearon and Laitin (2003) argue, against the ancient hatreds argument, that ethnicity can potentially explain motivation for violence and conflict because it can structure exclusion and collective action. They conclude that ethnic groups can mobilise people, but grievances arise from political actions, such as discrimination, rather than from historical influences between groups. Cederman et al. (2010) make the same point: exclusion from centralised or state power, rather than primordialism, drives rebellion among ethnic groups. Kalyvas (2003) also rejects primordialist ideals and illustrates how violence can shape human identity.

As long as the literature and empirical evidence continue to confirm these ideas and reject primordialism. The Rwandan genocide, the outcome of calculated elite ethnic manipulation, shows how political transitions shape conflict instead of ancient hatreds. In addition, the Yugoslav wars occurred after many decades of peaceful coexistence; conflict arose only when nationalist elites exploited identity issues to maintain power, thereby generating grievances. These cases in our history demonstrate that, in political conflict, identity is manipulated and constructed rather than inherited historically.

### **The Complexity of Grievances**

Recent scholarship advances this perspective to a more complex stage. This research demonstrates how grievances can manifest at various levels. Brosché, Nilsson, and Sundberg (2023) studied the complexity of civil war in three forms: actor, behaviour, and issue complexity. Their study of Darfur demonstrates how conflict can arise from political exclusion based on identity. Later on, it evolved into economic issues as well. Therefore, complexity amplifies grievances in conflict.

Kalyvas (2003) also notes that rebels' opportunism depends on broader issues of justice and authority. As seen in the Greek and Colombian civil wars, even when actors act in their own self-interest, their actions often result from complex political issues. Greed, opportunity, and selfishness can influence how wars are fought, but grievances explain why they start and continue. Ward, Greenhill, and Bakke (2010) also illustrate this empirically, using statistics focused on greed to demonstrate that the argument lacks validity.

The conflict in Syria exemplifies this argument particularly. It began as a war driven by grievances, including protests against elite repression and

economic inequality. Later on, it escalated because of foreign involvement, which created opportunities for armed groups. The continuation of this war is rooted in political and economic factors, but its origins stem from the grievances of oppressed groups.

### **Why Grievances Matter Most: Reflecting on the Debate**

When evaluated empirically, grievance-based explanations for civil war and violent conflict take precedence over greed-based or primordialist theories. Firstly, grievances align with groups' motives in situations of oppression. The presence of grievances is evident in rebel groups in Syria, Colombia, and Sudan, where mobilisation narratives emphasised repression, corruption, and political exclusion rather than economic profit. They frame their motives in terms of political and moral factors, such as justice and equality, rather than material gain. Grievance theories, particularly studies focused on exclusion and oppression, also provide substantial statistical support (Cederman et al., 2010; Cederman & Vogt, 2017). Lastly, grievance theories can adapt to more complex ideas. In contrast to grievance-based accounts, the greed thesis can be misleading in its framing. Conflict motivations are framed as mere economic transactions rather than as the result of emotionally and politically charged issues. This significantly undermines the injustice and repression dealt with in these occurrences. Similarly, primordialist theories fail because they frame conflict as inevitable, rooted in historical factors. This contrasts with evidence that ethnic tensions can shift in response to changes in political conditions and elite manipulation.

Understanding the motivations behind civil war and violence requires scholars to consider how people experience injustice and mobilisation, rather than how GDP aligns with mobilisation (Nathan, 2008). Statistics cannot replace theory and depth, as argued by Ward et al. (2010). The

literature and studies illustrate that political exclusion, rather than economic profit or ethnic animosity, is the most probable explanation for civil conflict.

## **Conclusion**

The long-debated argument between greed and grievance shows tension between sociological and political thinkers. The empirical evidence suggests that grievances, particularly political exclusion and elite manipulation, are the primary causes of civil war. Greed and economic opportunity are enablers of conflict, but they are secondary conditions.

The economic idea, proposed by Collier and Hoeffler (2004), removed politics from the narrative, portraying rebels as politically detached people seeking economic gain. This particular view also avoids the moral and social essence of rebellion (Nathan, 2008; Kalyvas, 2003). Cederman, Wimmer, and Min (2010) and Cederman and Vogt (2017) empirically argue that political exclusion and ethnic inequality can drive conflict onset, while Lucas, Appel, and Prorok (2022) and Brosché, Nilsson, and Sundberg (2023) show how grievances can evolve within complex systems and political environments.

Additionally, this essay rejects primordialist ideals that portray conflict as inevitable or innate. Primordialist beliefs remove political context from identity altogether, treating ethnicity as fixed and inevitably conflict-driven. This obscures how identity becomes politicised through exclusion and elite manipulation. Conflicts such as the Rwandan genocide, the Yugoslav Wars, and the Darfur show that ethnicity does not create grievance. Simplistic models, such as primordial or economic ones, offer little insight into the actual causes and motivations of conflict (Ward, Greenhill, & Bakke, 2010).

Therefore, fully grasping the concept of civil war requires an understanding that grievances do not stem from historical hatreds or economic statistics, but rather from responses to exclusion and injustice. Although the greed vs. grievance argument is historically valid, we must examine elite manipulation and political environments more closely to understand why conflict begins and persists fully. Civil conflict arises from political inequality and is explained by grievance.

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## **Sexuality as Legal Capacity: Examining CRPD Article 12 through Disabled People's Lived Experience**

Ashling Sharry

### **Introduction**

Intimate and sexual relationships are central components of human agency; however, for many disabled people, they remain heavily regulated and suppressed. Despite the Conventions of the Rights of Persons with Disabilities (CRPD), a United Nations agreement for disability protections with 164 signatories, articulating robust human rights standards for its signatories, its protections surrounding sexuality are greatly limited. As Schaaf (2011) identifies, the CRPD contains no explicit references to sexual rights, despite the significance of the issue to the lived experiences of people with disabilities. This absence of explicit reference to sexuality creates opportunity for interpretive ambiguity, allowing states to continue paternalistic control over disabled people's intimate lives. This essay will argue that Article 12 of the CRPD, requiring equal legal capacity of disabled people before the law, displays a powerful yet under-used lens for analysing these restrictions. This is critical, as when legal capacity is denied or constrained, the sexual and relational autonomy of disabled people is restricted in formal and informal spheres.

By incorporating first hand narratives from *Disability Intimacy* (Wong, 2024) and *Global Perspectives on Legal Capacity Reform* (Flynn et al., 2019) alongside Irish policy developments, this essay will examine how disabled people experience barriers to intimacy that are shaped by ableist social norms and safeguarding. These accounts range from disabled people having romantic relationships blocked by guardians, to institutional rules prohibiting sexual expression. These narratives demonstrate that intimacy is

not solely private but fundamentally social and shaped by governance structures. Restrictions on intimacy and sexuality experienced by disabled people in Ireland reveal that legal capacity is not merely a legal status but a relational practice. Although Article 12 mandates supported decision-making, first-hand accounts show that paternalism and risk-based frameworks continue to limit relational autonomy. To realise Article 12, legal capacity must be conceptualised as an interdependent process that enables disabled people to negotiate relationships and participate in intimate life on an equal basis with others.

### **Language Use & Justification**

Rather than imposing a single linguistic framework, this essay will respect self-identification as an ethical requirement when working with first-person accounts. First-person accounts use varied terminology to describe themselves and their communities. Preserving this linguistic diversity avoids erasing the personal and political meanings that shape these self-identification choices. Person-first language aligns with many human rights and policy frameworks, rejecting disability as the primary characteristic of a person (Dunn & Andrews, 2015). However, identity-first language has been central to many disability movements that frame disability as a social, cultural, and political identity rather than an individual deficit (Dunn & Andrews, 2015; Best, Lauziere-Fitzgerald, & Smith, 2022). Using both terms acknowledges that disability is personal, context-dependent, and expressed differently across communities. This flexibility allows the essay to support the realities and preferences of disabled people while engaging with the social production of disability.

## **Theoretical Framework**

In order to understand the production of barriers to the intimate and sexual lives of disabled people, it is necessary to engage with studies outside of legality alone. Sexuality is social, political, and deeply personal. For people with disabilities, it is also profoundly regulated, silenced, and a site of exclusion. This section will outline four key theoretical frameworks to build a foundation for analysing intimacy as an essential characteristic of legal capacity. These are the Human Rights Model and Article 12 of the CRPD, the CRPD's silence on sexuality, Relational Autonomy theory, and Critical Disability theory.

### Critical Disability Studies

Critical disability studies interrogates the cultural and normative structures that frame disabled people as non-sexual or incapable. Shildrick (2009) argues that disabled people disrupt Western ideals of independence and self-sufficiency, which are foundational to understandings of citizenship. This 'dangerousness' of disabled bodies results in intimacy being culturally inappropriate, producing hyper-regulation and silencing of sexual experiences for people with disabilities (Shildrick, 2009). Shakespeare (2000) and Shakespeare et al. (1996) further highlight how disabled people's intimate lives are marginalised by a split between public and private spheres. This is because disability activism has historically focused on access, employment, and civic rights, while sexuality remains neglected. Furthermore, Gill's (2015) work reveals how institutional practices, including bans on sexual relationships, erase disabled people's agency and reinforce ideas that sexuality is inappropriate or unsafe. Kafer (2013) argues that discussion of disabled intimacy opens up space for alternative relationship formations and practices that disrupt dominant ableist norms. These theories reveal that people with disabilities are not only denied

sexual opportunities, but their full recognition as relational individuals and thus citizens. By drawing upon these insights as well as first-hand accounts in further sections, it is demonstrated how Article 12 must confront the cultural and structural barriers that regulate disabled sexuality to reach its full transformative human rights potential.

### Relational Autonomy Theory

One of the key dimensions through which disabled people are excluded from legal autonomy is its conceptualisation as individual and independent. This is challenged by relational autonomy theory, which emphasises that autonomy is socially embedded, interdependent, and shaped by relationships and institutions (Mackenzie & Stoljar, 2000; Fineman, 2008). When applied to disabled sexuality, it becomes evident that intimate life is fundamentally relational as it requires negotiation, trust, and support. For many disabled people, access to intimacy depends on support in physical assistance, facilitating communication or accessing private spaces (Gill, 2015). It is further identified that this does not negate disabled people's autonomy but rather enables it (Mackenzie & Stoljar, 2000). This directly challenges the 'risk logic' embedded in Irish capacity practice, where relational support is frequently used as evidence of incapacity (Flynn et al., 2019). Under relational autonomy theory, support for intimate decision making is viewed as a means of exercising autonomy, rather than as a threat to legal capacity.

### Human Rights Model and Article 12 of the CRPD

The human rights model of disability reframes disability from a personal deficit or medical tragedy to a question of justice, equality, and social participation (Goodley, 2010; Degener, 2016). Its development sought to empower disabled people into rights-holders with legal entitlements.

Within this model, Article 12 of the CRPD represents a radical provision of moving away from dominant medical-based models. This article establishes that all people with disabilities possess legal capacity in all areas in life including personal and relational decision making (CRPD Committee, 2014). Furthermore, General Comment No. 1 (2014) clarifies that legal capacity includes the capacity to hold rights as well as the capacity to exercise them. Critically, under Article 12, states must provide access to supported decision-making, rather than substituting individuals' judgements with families, guardians, or professionals (UNCRPD, 2006). When applied to intimate life, Article 12 implies that disabled people should receive the support necessary to make informed choices about relationships, such as negotiating consent, expressing needs and desires, and pursuing a family.

In practice however, disability scholars have noted that legal capacity for sexual matters is treated as an exception, where states implicitly revert to paternalistic attitudes (Flynn & Arstein-Kerslake, 2014). Sexuality and disabled people's intimate lives are considered too risky, too vulnerable, or too morally charged to fall within the CRPD's mandate (Pikkel, 2024). This exceptionalism reveals a limitation of states' commitment to Article 12, as states' willingness to uphold individual legal capacity collapses when sexuality enters the discourse. When examined this way, it becomes evident that legal capacity is not solely a legal matter, but also a space where moral anxieties and ableist presumptions intersect to deny people with disabilities their full legal citizenship rights.

### CRPD Silence on Sexuality

Despite sexuality being recognised as central to human identity and wellbeing (WHO, 2011), the CRPD is notably silent on granting explicit sexual rights to disabled people. As Schaaf (2011) identifies, the removal of

sexuality-related provisions from early drafts of the CRPD reflects persistent discomfort with disabled sexuality and the dominance of protectionist narratives. By drawing on Foucault's (1998) analysis of discourse and silence, Schaaf (2011) identifies that the unspoken nature of disabled sexuality in policy reflects a power of control. By failing to affirm sexual rights, the CRPD enables states to treat disabled sexuality as peripheral, dangerous, or morally wrong (Schaaf, 2011; Pikkell, 2024).

Heavily gendered protectionist discourses frame disabled women as vulnerable and disabled men as deviant (Shildrick, 2009). This gendering reinforces paternalistic assumptions that disabled people must be safeguarded from sexuality rather than empowered by it. Furthermore, the removal of affirmative sexual rights aligns with practices of reproductive control, including coerced sterilisation and contraception, justified historically through eugenic and paternalistic logics (Shakespeare, Gillespie-Sells, & Davies, 1996; Schaaf, 2011). Furthermore, while the social model adopted by the CRPD exposes the structural nature of exclusion, scholars such as Shildrick (2009), Liddiard (2021), and Pikkell (2024) argue that its de-emphasis of the body risks ignoring physical impairments, pain, or access needs that are necessary for sexual life. As such, the CRPD's silence reflects a broader reluctance in both policy and disability studies to treat sexuality as an essential facet of rights.

### **Irish Legal and Social Context**

When examining the intimate and relational rights of disabled people, Ireland presents a contradictory example. Since ratifying the CRPD in 2018, the State has adopted human rights-based language, abolished wardship in 2023, and amended the Assisted Decision-Making Act in 2022 (O'Mahoney & de Paor, 2023). However, a persistence of paternalism,

legacies of institutionalisation, and a morally conservative history continues to shape how disabled sexuality is governed.

The Assisted Decision-Making (Capacity) Act was a radical shift away from substituted decision-making towards a supported model, explicitly intended to bring Irish law forward to align with Article 12 of the CRPD (Department of Justice, 2023; CRPD Committee, 2014). This Act abolished outdated wardship systems in Ireland and created a new tiered arrangement for decision making supports; decision-making assistance, co-decision-making, decision-making representation, and advance healthcare directives (Kelly, 2017). However, despite its progressive transformations, activists have warned that the Act remains steeped in functional assessments of mental capacity and relies on cognitive evaluations that risk reproducing the paternalistic assumptions that Article 12 seeks to abandon (National Federation of Voluntary Bodies, n.d.). Crucially, the Act does not explicitly address sexual decision-making, leaving the area up to further interpretation.

Risk ideologies are deeply embedded within Irish disability services. Historically influenced by Catholic doctrines of family morality and sexual conservatism, Irish policy has tended to treat disabled sexuality as requiring moral protection rather than as an issue of rights (Sweeney, 2010). Foucault's (1998) argument of silence as a regulatory discourse is highly present here; Ireland's lack of explicit policy on disabled sexuality can itself be understood as a mode of control, reproducing cultural assumptions that people with disabilities are too vulnerable and innocent to engage in sexual activity (Schaaf, 2011). This regulatory silence is reflected in residential settings where staff frequently restrict opportunities for intimacy, citing safeguarding duties or organisational policies (Gill, 2015).

Ireland's entrenched history of institutionalisation reinforces these dynamics, with disabled people being segregated into congregated settings where privacy and sexual expression were impossible (Feely, 2016). Although there has been progression in deinstitutionalisation, many people with disabilities still live in group homes where staff have control over private spaces, visitors, and relationships (Feely, 2016). It is evident here that the boundaries between support and surveillance become blurred. Furthermore, cultural narratives of dependency play a powerful role, with Shakespeare et al. (1996) and Shildrick (2009) highlighting how disabled people are portrayed as childlike and incapable, shaping how their families and the public respond to their intimate lives. Particularly in Ireland, where family caregiving remains a dominant model of support, parental control over disabled adults' intimate lives is often framed as care rather than coercion (Brown & McCann, 2019). This control directly contradicts Article 12's guarantee of self-determination. As such, a tension is visible between the Irish state embracing the CRPD while its approach to sexuality remains moralistic and protectionist. This context provides the backdrop for current capacity law limitations, as well as disabled people's struggle for relational autonomy.

## **Analysis**

First-hand accounts of disabled people's intimate lives provide crucial understanding for how sexuality, autonomy, and legal capacity intersect. Rather than merely functioning as anecdotes, these narratives serve as sources of evidence that reveal the lived consequences of paternalistic legal and social structures. This section will examine two related themes to interrogate this. Firstly, legal capacity as a precondition for sexual agency, and secondly paternalism, safeguarding, and risk reasonings. Synthesising these areas demonstrates why Article 12 of the CRPD must be reconceptualised to encompass sexual self-determination.

### Legal Capacity as a Precondition for Sexual Agency

First-hand narratives show that legal capacity is not solely a legal concept but instead a lived determinant of who is allowed to form relationships. In *Global Perspectives on Legal Capacity Reform*, Irish self-advocates recount experiences where guardians and family members restricted intimate relationships on the grounds of capacity (Flynn et al., 2019). One participant, Maria aged 47, states, “I’m big enough and old enough to have sex. I don’t know why they won’t let me” (Flynn et al., 2019, p. 121). This is despite her clear articulation of understanding the considerations and risks involved in having sex with her partner, highlighting her understanding of birth control and contraceptives. Maria further states, “I don’t want to get in trouble,” when discussing how the day centre she is in does not allow kissing her partner (Flynn et al., 2019, p. 121). This denial for intimacy erases Maria’s adulthood, denying her desires for a closer relationship with her partner and forcibly desexualises her.

Maria’s story exemplifies how functional assessments of capacity translate directly into prohibitions on intimacy. Although Article 12 requires the recognition of equal legal capacity in all areas of life, sexual decisions remain regulated by assumptions of individuals’ capacity. Scholars identify that this is not coincidental, with disabled sexuality framed through discourses of innocence or danger (Shakespeare, Gillespie-Sells, & Davies, 1996; Gill, 2015). When staff of care facilities declare that someone’s capacity for relationships is lacking or places restrictions on their intimate acts such as in Maria’s case, they are perpetuating narratives that people with disabilities are childlike, asexual, and requiring protection from ‘adult’ topics.

Wong's (2024) collection of essays similarly reveals the lived experiences of disabled people being presumed as asexual beings. This collection challenges the cultural misconceptions that disabled people can't be involved in romance or sexual acts through essays, poetry, and artworks. By doing so, this text explores how sexual liberation intersects with disability justice, showcasing the diverse experiences of people with disabilities within relationships, sexuality, and care (Wong, 2024). One contributor notes how a friend of his assumed that the contributor could not have sex, saying that the invasive way in which his intimate life was discussed made him feel a lack of "ownership over his body" (Wong, 2024, p. 125). They further note how their sexuality is deemed frightening because of capacity concerns, further highlighting the risk mentality that is placed upon disabled people's intimate lives. These accounts demonstrate that without recognition of legal capacity, disabled people are structurally prevented from entering intimate citizenship. This necessitates a reconceptualization of Article 12 that explicitly acknowledges sexual decision-making as fundamental expressions of capacity.

### Paternalism, Safeguarding and Risk Narratives

Across Ireland, safeguarding discourse frequently dominates rights-based approaches to intimacy. Participants in *Global Perspectives* describe being subject to monitoring and control as 'precautions'. One man, Ronnie, discusses how his family has had much decision-making power over how he spends his time with his fiancée and how they have restricted him in travelling alone with her (Flynn et al., 2019). When discussing his engagement, he states that "people didn't take us seriously" (p. 138). He further states that he is "not being treated as an adult" (p. 138). It is identified that these factors are harming his relationship, showing how paternalistic monitoring treats disabled people as victims that need protection.

Gill's (2015) conceptualisation of 'we know best' paternalism is highly visible in this narrative, with family members acting as moral authorities, interpreting Ronnie's desires as fundamentally requiring oversight. This further aligns with Schaaf's (2011) critique of vulnerability narratives within the CRPD negotiation process, where disability was predominantly framed through risk, protection, and vulnerability rather than agency. This risk reasoning exposes a critical contradiction within Irish policy, as law mandates supported decision making yet caregivers and family members often revert to traditional, overprotective frameworks for sexuality. This directly undermines Article 12's instructions that risk cannot be used to justify removing legal capacity (CRPD Committee, 2014). These narratives display how safeguarding becomes a tool of control rather than protection, warranting explicit protections for disabled people's sexuality.

## **Conclusion**

Across this analysis, it becomes evident that disabled people's intimate lives are strongly shaped by how legal capacity is interpreted, operationalised, and restricted. The first-hand narratives from *Disability Intimacy* (Wong, 2024) and *Global Perspectives on Legal Capacity Reform* (Flynn et al., 2019) demonstrate that the denial of sexual agency is more than just a coincidental product of disability policies, but instead a conscious effort to control disabled people's agency through manipulations of autonomy. These accounts reveal the contingency of sexuality on whether disabled people are recognised as capable decision makers. Furthermore, these testimonies emphasise that legal capacity is a highly lived experience, with privacy being denied, relationships restricted, and intimate desires disciplined. They expose the constraints of the CRPD's silence on sexuality and the urgent need to apply Article 12 through a framework that acknowledges intimacy as an area where capacity is

aggressively regulated. Through hearing disabled contributors stories of being prevented from privacy for intimate lives, it becomes evident that safeguarding can function as a tool of control rather than for protection.

Furthermore, these first-hand accounts offer a necessary understanding of intimacy as interdependent, relational, and supported, and that this support is fundamental to autonomy (Mackenzie & Stoljar, 2000). Considering these lived experiences, a reconceptualization of Article 12 can be pursued that recognises sexual decision making as critical expressions of legal capacity and rejects paternalistic risk-based reasoning. Centring disabled people's narratives is essential in revealing paths towards fully inclusive interpretations of legal capacity. By doing so, the affirmation of disabled people as relational and sexual individuals on their own accord is made possible.

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## **Gendered Barriers to Educational Achievement: An Intersectional Approach to Enabling Guatemalan Girls to Continue in School**

Ellen Graham

### **Abstract**

Gendered educational inequality remains one of the most persistent barriers to women's social and economic mobility globally, and this challenge is particularly pronounced in Guatemala. . Despite progress in primary enrollment, girls - particularly those who are rural, Indigenous, or from low-income households -continue to face disproportionately high barriers to completing secondary education. Drawing on an intersectional framework informed by Choo (2010), this paper argues that gendered educational disadvantage in Guatemala emerges not from isolated factors but from the interaction of gender, ethnicity, class, geography, and entrenched cultural norms. These intersecting inequalities shape institutional practices, household decision-making, and community expectations, jointly producing a structural pattern of systemic exclusion from educational opportunity. Using recent national and international data, the paper identifies three primary mechanisms reinforcing exclusion: spatial disadvantage for rural girls, linguistic and institutional marginalisation of Indigenous communities, and the social reproduction of early marriage and adolescent pregnancy. The analysis then evaluates five categories of policy intervention: school infrastructure investment, enforcement against child marriage, comprehensive sexuality education, culturally inclusive bilingual teaching, and expansions of conditional cash transfers, arguing that while each addresses a specific constraint, their full effectiveness depends on coordinated, multi-level implementation. The Guatemalan case demonstrates how gendered educational inequality operates as a mechanism of broader social stratification and highlights the need for policies that

intervene simultaneously at the household, institutional, and community levels. Addressing this inequality requires not only targeted reforms but sustained political commitment to transforming the structural conditions that limit girls' educational trajectories.

Women and girls globally face persistent gender discrimination accessing an education. Central America faces deep gendered educational inequalities, despite major development efforts over the last two decades (Duryea *et al.*, 2007). Girls, especially rural and Indigenous girls, face barriers to completing their education that male peers do not face, such as demands of household work and childcare. This inequality stems from intersecting structural factors, such as poverty, girls' health and safety, and cultural norms, and can be reduced through educational, economic, and social policy changes. Guatemala's gender education gap is a structurally produced, intersectional inequality requiring multi-level policy intervention across the economic, social, and institutional domains.

Guatemala stands out amongst its Latin American neighbours when it comes to barriers to girls' education. 36% of girls do not enter lower secondary school, and 66% of girls never enter upper secondary school (*Guatemala*, no date). Only around 51% of girls finish lower secondary education, well below the Latin American and Caribbean average of 76% (World Bank, 2025). Advancing in their educational careers, only 46% of girls finish upper secondary education (UNESCO, no date). The sharp drop-off between primary and secondary schooling illustrates what structuralist theorists identify as "bottleneck inequalities," where systemic constraints compound at transitional stages (Fishkin, 2014). When girls are prevented from finishing secondary education, they are more likely to enter child marriages and experience higher maternal mortality risks (UNICEF, no date). It is essential that policies are enacted which enable more girls to complete secondary education, as not only is this a human right, but it will

also boost Guatemala's economy, reduce overall gender inequality, and transform local communities (Malala Fund, no date).

Because mechanisms of exclusion are multi-institutional, effective intervention requires coordinated policies targeting households, schools, and community norms. Guatemalan girls' disadvantages arise not from single factors but from the interaction of gender, ethnicity, class, and geography. As Choo argues, intersectionality requires examining not only multiple axes of inequality but how they operate relationally within institutions and social structures (Choo, 2010). Policies addressing a single issue fail because they target symptoms rather than the structural drivers that jointly produce the exclusion of girls from education.

Girls living in rural areas are at a disadvantage compared to their urban peers. Only 43% of girls in rural areas complete upper secondary education, compared to 50% of girls living in urban areas (UNESCO, no date). In rural areas, students often have to travel long distances to attend school, which can be prohibitive and even dangerous for girls. Because families rely heavily on daughters' domestic labour, the cost of attending distant schools is gendered, reducing girls' educational continuity. Rural areas are often poorer, and financial challenges can lead families to pull their daughters out of school (International Labour Organization, 2019). By building better infrastructure for rural schools, more girls would be enabled to continue attending school.

Linguistic exclusion is one of the central institutional mechanisms reproducing inequality for Indigenous girls. Guatemala is one of Latin America's most culturally diverse countries, with around 43% of people identifying as Indigenous, but the only official language is Spanish (*Guatemala*, 2024a). Around 20% of the population speaks a language other than Spanish, but they are not able to receive education in their native

languages. Especially in rural areas, where Indigenous communities are more prevalent, this prevents students from excelling and even remaining enrolled in school. Expanding culturally inclusive educational programs would enable more Indigenous girls to pursue and remain in education.

Another intersecting issue is that girls face high rates of child marriage and pregnancy. 30% of girls are married before their 18th birthday (Child Marriage Data Portal, no date). The adolescent fertility rate in Guatemala is 69%, compared with the World Bank's benchmark rate of 4.2% (World Bank, 2025). High rates of child marriage reflect entrenched gender norms that position girls within domestic and reproductive roles rather than academic ones. Stronger enforcement of child marriage regulations, alongside improved sex education, would enable more girls to continue their studies.

A variety of economic, educational, and social policy changes could help break down the barriers that Guatemalan girls face when it comes to education. However, none of these policies enacted alone would fully address the matter. One policy initiative that would, in particular, help girls living in poor and rural areas is to strengthen school infrastructure. By investing in free or subsidised transit to and from school, more girls would be able to attend as they would have more time for work at home and less fear of danger during their commutes. Enhancing classroom and sanitary facilities at schools would allow for more girls to stay in school after reaching puberty, a point at which menstruation and related lack of sanitary facilities are often a reason for girls dropping out. In rural India, similar infrastructure upgrades led to better academic performance and decreased dropout rates (Lawal and Lateef, 2023). Infrastructure reforms alone may improve attendance but are unlikely to shift deeper social norms around early marriage or domestic labour, thus their impact depends on parallel community-level interventions.

A social policy change that would help more girls stay in school is to increase enforcement of regulations against child marriage and to provide better sex education programs. In 2017, Guatemala banned marriage under the age of 18, but nonetheless, 30% of girls are married illegally before they turn 18 (*Guatemala*, 2024b). Stronger enforcement of this regulation, through systems such as community watchdogs and monitors of informal unions, would keep more girls in school, as they would not be distracted by the needs of running their household. Furthermore, access to sex education programs would help decrease Guatemala's high adolescent fertility rate. By introducing these programs both inside the classroom and in community circles, more adolescents would have the knowledge to prevent pregnancy. Jamaica has introduced similar policy changes, allowing young mothers to reenter education after giving birth and increasing access to information about family planning, which has decreased the adolescent fertility rate by almost 20% (Foster, 2013). By following this model in Guatemala, more girls would be supported to continue with education.

An educational policy change that would benefit Indigenous students is the expansion of culturally inclusive education, especially in predominantly Indigenous communities where Spanish is less spoken. Linguistic exclusion reduces comprehension, undermining academic confidence and performance and increasing dropout risk among Indigenous girls. Bilingual education directly intervenes at the first link of this chain, improving outcomes across the latter two. By hiring and training teachers in Indigenous languages and providing textbooks and curricula in these languages, more students would be able to enter and succeed in the education system. Students who are able to study in their native languages have better comprehension of material and higher attendance rates (Collier, 1995). Additionally, providing education in Indigenous languages would

help strengthen school-community relationships and help protect Guatemala's cultural heritage.

A final policy proposal aimed at economic growth is to expand existing conditional cash transfer (CCT) programs targeted at girls. Guatemala's conditional cash transfer program, "Mi Familia Progresada", provides financial support to rural families with children under 15 and pregnant women, conditional on their children attending school and receiving health services such as vaccinations (Gaia, 2010). These transfers, similar to Atkinson's proposed universal child benefit, reduce the burden on families of sending their children to school and immediately address poverty in a way that educational reform alone cannot replicate (Atkinson, 2015). As it exists now, the program does not provide funds to families once their children finish primary education. By expanding the program to continue transfers to families through the completion of secondary school and by providing additional funds for daughters who are in secondary school, families would be economically incentivised to keep their children, especially daughters, enrolled in and attending school. This would not only help alleviate poverty, but also decrease girls' barriers to education.

Crucially, these policies are mutually reinforcing: CCTs reduce household constraints, infrastructure removes logistical barriers, culturally inclusive schooling increases comprehension and belonging, and enforcement against child marriage addresses social norms. Together, these recommendations reflect Choo's insistence on institutionally grounded intersectional analysis and align with Atkinson's emphasis on redistributive child-focused transfers as a method for long-term inequality reduction. Together, these interventions can disrupt the cycle of disadvantage and create conditions in which Guatemalan girls are able not only to attend school but to excel academically, creating opportunity for themselves and their communities. The effectiveness of these interventions ultimately depends on Guatemala's

administrative capacity and political will to sustain multi-sector coordination; without this, even promising reforms may have limited reach. Guatemala's case demonstrates that gendered educational inequality functions as a key point in the reproduction of social stratification, underscoring the need to transform the social, cultural, and institutional structures that sustain it.

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## **Assisted Human Reproduction and Parental Recognition for Same-Sex Couples in Ireland**

K. Bernards

### **Abstract**

Current legislation in Ireland surrounding assisted human reproduction (AHR) remains limited, with two bills — the Child and Family Relationships Act (2015) and the Health (AHR) Bill (2024) — containing the bulk of regulation for fertility treatments, surrogacy, and the legal recognition of parents who conceive via these methods (Department of Health, 2025; Irish Statute Book, 2025). Disproportionately, these laws impact same-sex parents, who face unique systemic challenges when it comes both to conceiving children and gaining parental status in the eyes of the State (Bracken, 2023). Gaps in these regulations ultimately reflect traditional, heteronormative conceptions of family and inherently put LGBTQ+ families at a considerable disadvantage relative to their heterosexual counterparts. This fosters narratives of illegitimacy and disconnection in tandem with practical parenting responsibilities and decisions (ie. healthcare or education-related) (Kerrigan and Cushing, 2022).

### **Introduction**

In 2015, Ireland became the first country in the world to legalise same-sex marriage through popular vote, with a massive voter turnout that outnumbered even that of the poll ratifying the Good Friday Agreement in 1998 (McDonald, 2015). Though this landmark referendum is rightfully hailed as a major victory for LGBTQ+ couples in Ireland, codifying the right of same-sex couples to marry did not necessarily extend to them the

same parental rights and recognition held by their heterosexual counterparts. In every step of the parenthood process, LGBTQ+ couples in Ireland face unique logistic and legal challenges, very few of which are remedied by their marital status. In fact, legislation surrounding assisted human reproduction (AHR), including surrogacy and fertility treatment, has only taken effect in Ireland within the last decade, and a considerable number of LGBTQ+ parents *still* are left without a pathway to legal parental status (McInerny, Creaner, and Nixon, 2021; Bracken, 2022). The barriers faced by same-sex parents represent a broader heteronormative familial construct — one that does not reflect the structure of many families in Ireland today. The present article examines Ireland’s existing legislation regarding AHR and its legal, symbolic, and experiential implications for same-sex parents and families.

Throughout this article, the terms “same-sex female” and “same-sex male” will be used to refer to couples who have the same genitalia/reproductive organs, irrespective of gender identity. A same-sex female couple may include one cisgender and one transgender woman and a same-sex male couple may include two transgender men, but these cases present a unique circumstance that falls beyond the scope of this paper.

### **(Hetero)normative Foundations**

Ideologically, legislation around family structures in Ireland undeniably operates from a ‘traditional’ perspective of what constitutes a family: the ‘sexual’ family, as theorised by Fineman (1995), consists of a cisgender, heterosexual man, a cisgender, heterosexual woman, and their biologically-related children. This conceptualisation of family is pervasive in family law, from the language of the birth certificate to that of both of the major AHR laws passed in Ireland (such as the Children and Family Relationships Act and the Health {AHR} Act), which consistently refer to “mothers”,

“fathers”, “men”, and “women” — excruciatingly reductionist phrasing for things that are so pivotal in the lives of parents that do not use these labels in conjunction with one another. For many LGBTQ+ parents, the heteronormative framing of the birth certificate is testament to the State’s reluctance to validate their family structures, making them feel invisible to the State and even within their child’s day-to-day life (Kerrigan and Cushing, 2022).

Qualitative interviews with non-legally-recognised parents in same-sex relationships illustrate these points; work by McInerney, Creaner, and Nixon (2021) highlights perspectives of insecurity in terms of whether or not friends, family, and even their own children perceive them as legitimate parents. Moreover, these parents are plagued by a pervasive fear of losing their children in the event that, for instance, something were to happen to their (legally-recognised) partner. Moreover, parents interviewed by Kerrigan and Cushing (2022) describe feeling as if, in the eyes of the State, their children and their families do not matter. For them, this manifests in both personal feelings of ostracisation as well as practical issues — one participant recalled being denied the child benefit payment because he and his partner were both men. Notably, the child benefit payment *can* be paid to a child’s father should there not be a mother, as was the case in this situation; still, the participant and his family did not receive it — a consequence of being in such a vulnerable legal position with regard to parentage.

### **The Children and Family Relationships Act (2015)**

Passed in the same year as the marriage equality referendum, the Children and Family Relationships Act impacted LGBTQ+ parents and families perhaps even more strongly than gaining the right to marry. The Act allowed non-biologically-related partners to apply for legal parentage in

certain cases — beforehand, the parents recognised as such upon the child’s birth would have been the one to give birth and the one whose sperm was used at conception, with no opportunity for a same-sex partner, spouse or not, to gain legal status as a parent (Department of Health, 2025). In effect, this impacted the child as much as it did the partner; children of same-sex parents interviewed in 2010 highlighted the barriers posed and negative implications faced when only one parent had the legal ability to act in important matters such as healthcare and custody (Elliot, 2010). Since the Act took effect in 2020, nearly half of the same-sex parents in Ireland have gained the right to apply for legal recognition of their parental status (Lee, 2024).

While the 2015 legislation afforded LGBTQ+ parents some semblance of opportunity for legal recognition, they still did not enjoy the same ease and certainty their heterosexual counterparts did. The bill allowed a non-birth parent to apply for parental status if their child was conceived in a fertility clinic in Ireland with an identifiable donor (Department of Health, 2025), giving same-sex female couples an opportunity to both become legal parents of a child. However, other modes of conception were excluded from this provision, and parents who had conceived through surrogacy or non-clinical insemination, for example, were still unable to jointly hold parental status. In the example of non-clinical, or “at home” insemination, Irish law recognises only a) the person who gave birth to the child, and b) the person whose sperm was used at conception, as the parents (Department of Health, 2020; Bracken, 2023), ultimately leaving no opportunity for anyone else to become a legal parent. Resultingly, a couple who used a donor’s sperm to get pregnant outside of an Irish fertility clinic would not both be able to legally become parents of the child; only the one who gave birth would be recognised as the mother with the sperm donor legally determined the father. This remained the case even in cases where the egg was not provided by the person who gave birth (Bracken, 2023). The 2015

bill also did not allow same-sex male couples to apply for parentage in the same way it did female couples — because neither partner in a same-sex male couple can give birth to a child, only one of them (the one whose sperm was used at conception) has the opportunity for parental status. Of course, this only applies if one of the partners used their sperm for the pregnancy; if neither partner did, neither would be able to establish parental status.

### **The Health (Assisted Human Reproduction) Bill (2022; 2024)**

Evidently, though the 2015 Children and Family Relationships Act marked a step of progress for LGBTQ+ parents, it ultimately only included provisions for certain methods of AHR and the subsequent ability of intending parents to be legally recognised as such. This necessitated the later Health (AHR) Bill, which attempts to build upon what has previously been outlined. Importantly, this bill mandates the establishment of the Assisted Human Reproduction Regulatory Authority (AHRRA), marking a major development in terms of the extent to which AHR is regulated in Ireland. Though the bill references methods of conception such as IVF, reusing much of the language in the 2015 act, perhaps its most notable leap is in its acknowledgement of and legislation around surrogacy practices. The Act, first proposed in 2017, was amended in 2022 and again in 2024, and has yet to take effect. Responses to it are mixed: on one hand, some of its provisions — namely the surrogacy regulations — have been long-awaited, especially by LGBTQ+ couples seeking parenthood in this way. However, there is a general consensus that the Bill only offers piecemeal legislation around an extremely complex issue, ultimately not encapsulating the broad range of arrangements and experiences with conception that pertain to many families in Ireland. While the legislation was signed in July of 2024, it has yet to take effect (Dáil Eireann Debate, 2026).

## **On Surrogacy**

In terms of domestic surrogacy in Ireland, the 2024 Bill outlines a process for two parents, whether hetero- or homosexual, utilising surrogacy as a means of conception that generally goes as follows (Irish Statute Book, 2024):

Prior to pregnancy, both the intending parents (neither of whom will give birth to the child but who will be parenting them) and the surrogate (the one who carries the baby but does not serve as a parent after birth) must seek independent legal advice. This entails agreeing on a signed arrangement for both the surrogacy and the embryo transfer, which would occur at a fertility clinic within Ireland. The child must be conceived using the sperm or egg of at least one of the intended parents, and the surrogate's egg cannot have been used. Once the child is born, the intended parents are not automatically recognised legally as the parents; rather, the surrogate is recognised as the only parent. Notably, this marks a departure from previous parental recognition in Ireland explicitly mentioned in the 2015 Children and Family Relationships Act: the presumption of paternity. Beforehand, if a woman who gave birth was married to a man, her husband would automatically be assumed the child's father and would be recognised legally as such (Bracken, 2022). The recent legislation removes this presumption in cases of surrogacy. After the birth of the child, the intending parents can then apply for a parental order: a High Court-signed order officially recognising the intending parents as the child's legal parents and effectively removing the parental status of the surrogate. The intending parents, as well as the surrogate, must be parties to the application. Should the Court grant an order, the status of the parents and child will be entered into the National Surrogacy Register, which was established alongside the Bill (Irish Statute Book, 2024). Parental order can also be granted to parents who have used surrogacy to conceive prior to the enactment of the Bill

through roughly the same procedure, though it must be applied for within three years after the Bill's commencement date (Irish Statute Book, 2024).

In terms of international surrogacy, however, the Act is a bit more restrictive. The surrogate mother cannot have been offered or accept payment for her position apart from specific so-called reasonable expenses outlined in the Bill, such as medical costs incurred with the pregnancy or legal costs associated with the arrangements. Consequently, this makes it nearly impossible for Irish parents to seek surrogates in countries that legalise commercial surrogacy. The surrogacy must have been carried out in what the Bill calls an "approved surrogacy jurisdiction," though it fails to elaborate specifically on what is considered such (apart from its explicit prohibition of commercial surrogacy) (Irish Statute Book, 2024). In terms of applying for parentage of a child conceived through surrogacy before the act, international surrogacy proves more difficult — the requirements are similar to those for past domestic surrogacy with the added limitation of the jurisdiction in which the surrogacy took place. Where a surrogacy did not occur in an "approved surrogacy jurisdiction," a parental order is likely not to be granted (Irish Statute Book, 2024).

Ultimately, the 2024 AHR Act included provisions for surrogacy regulation that have been historically excluded from Irish policy. However, it is also seen as restrictive in nature, particularly around the requirement for the surrogate's consent before a Parental Order can be granted to two intending parents. Tobin (2025) illustrates an example of one significant case in the UK in which the surrogate withheld consent for parental status from a gay couple who had a falling-out with her during the pregnancy. The surrogate mother and her husband then became the legal parents of the child.

Furthermore, while two men are theoretically able to pursue surrogacy as a means of conception given that they meet the other requirements, there are fertility limitations for other couples. For instance, both partners in a same-

sex female couple pursuing surrogacy must have been medically determined to be infertile (Irish Statute Book, 2025).

### **On Fertility Treatments**

As mentioned, the Children and Family Relationships Act (2015) made it possible for a non-birth parent of a child to apply for legal parental status. This was, however, conditional upon factors such as the mode of conception: should a child have been conceived outside of an approved fertility clinic in Ireland, the parent who did not give birth would have no avenue through which to apply for parental recognition (Department of Health, 2025). Moreover, if the sperm donor is not known, a parent cannot gain recognition (McInerny, Creaner, and Nixon, 2021). Essentially, the state will only grant parental status to *some* non-birth parents, leaving a considerable number of LGBTQ+ parents without any legal connection to their children. At present, same-sex female couples who hope to become legally recognised parents must use a fertility clinic even if neither of them have fertility issues, forcing them to spend thousands of euros out-of-pocket (Wilson, 2026).

Beginning in September of 2023, one cycle of IVF (in vitro fertilisation), IUI (intrauterine insemination), or ICSI (intracytoplasmic sperm injection) techniques of assisted reproduction became available for patients through the HSE (HSE, 2025). A generally inaccessible procedure necessary for many couples to conceive thereby became funded by the state healthcare system — that is, only if a couple meets certain criteria. In addition to weight, lifestyle, relationship length, and residency restrictions, the HSE makes explicit that a couple taking advantage of this service must be in a heterosexual relationship (HSE, 2024). Hence, though same-sex female couples are required to use a fertility clinic to conceive in order to both be

granted a legal connection to their child, they are exempt from the scheme that would make the process considerably more accessible for them.

While on the surface, state-funded fertility treatment is life changing for many couples, the exclusion of same-sex couples from the scheme has critical legal and symbolic implications. For one thing, it solidifies the relative ease with which heterosexual couples are able to conceive, even through fertility procedures. With the limiting cost of fertility treatment no longer having a determining factor for whether or not a vast amount of such couples engage with it, same-sex couples still face this financial burden. Though the programme states that it eventually plans to expand coverage to same-sex couples, there is no stated timeline for this. Arguably, the fact that the service's inception targets heterosexual couples and excludes homosexual ones in itself evidences how the State favours "traditional" family dynamics, continuing to create systemic barriers for those who do not align with this structure.

## **Conclusion**

Evidently, same-sex couples in Ireland face unique difficulties in their journeys to and experiences of parenthood, due in no small part to existing legislation around the matter. While several laws — notably the Child and Family Relationships Act (2015) and the Health (AHR) Act (2024) — have passed in relation to AHR, the family structures of same-sex parents have been systematically overlooked (Bracken, 2023). Ultimately, this results in difficulties for both parents and their children, which have been highlighted in qualitative interviews both pre- and post- marriage equality. In a testament to the lack of progress that has been made in this area, same-sex parents in 2022 (Kerrigan and Cushing, 2022) expressed similar sentiments to those expressed in 2010 (Elliot, 2010), citing instances of having no legal control over important healthcare- and education-related decisions for their

children as a result of not being legally recognised as a parent. Indeed, in the majority of families headed by same-sex couples in Ireland, only one parent has legal parental status, fostering feelings of invisibility, illegitimacy, and disconnection from their children and from the State itself (McInerney, Creaner, and Nixon, 2021; Bracken, 2023). Current policies in Ireland surrounding recognition of and pathways to parenthood for couples through AHR fail to account for the diverse structure of LGBTQ+ families, and this ultimately disadvantages same-sex parents as well as their children in ways that simply do not apply to heterosexual families.

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## **Framing Immigration in Post-Brexit Britain: A Narrative Analysis of Reform UK**

Indira Kelly and Maya True Wasik

### **Abstract**

This paper analyses how Reform UK, led by Nigel Farage, constructs immigration as a cultural, security, and sovereignty crisis in post-Brexit Britain. Using the Narrative Policy Framework, Framing Theory, and the Social Construction Framework, it examines how Reform's storytelling through heroes, villains, and moral imperatives simplifies complex migration dynamics and legitimises punitive policies such as the Illegal Migration Act and the Safety of Rwanda Bill. Our analysis shows how media ecosystems amplify these narratives, shaping public opinion and redefining immigration as an existential threat. We argue that Reform UK's framing has succeeded in influencing the agenda-setting and the boundaries of the UK immigration policy debate.

This paper contains 4 images and 1 graphic. The four images are examples of Reform Party advertisements used either on physical billboards or on their online party manifesto. These images are intended to show readers what the Reform Party's material actually looks like. The graphic illustrates migration trajectories in the UK. It was originally published by the BBC.

### **Introduction**

Immigration has become one of the most politically divisive issues in Britain since the Brexit referendum of 2016. Britain's vote to leave the European Union was not only about trade, sovereignty, and constitutional arrangements; it was also deeply entangled with anxieties about migration, identity, and cultural cohesion. In the years following Brexit, immigration has remained at the forefront of political debate, shaping electoral campaigns, parliamentary agendas, and public discourse.

The Reform Party, led by Nigel Farage, has positioned itself as a populist force that champions border sovereignty and cultural preservation. Farage's rhetoric consistently frames immigration as a crisis, employing emotionally charged language to construct migrants as threats to British society (Nigel Farage, 2024). His speeches in the media often present immigration as a form of invasion; foreign individuals are seen as criminals and sexual predators, as well as points of cultural erosion, situating immigration as an existential challenge to the nation.

The significance of this study lies in its exploration of how narratives (rather than empirical evidence) drive policy debates and shape public opinion to legitimise policy measures. This paper examines how UK Reform narrative strategies have shaped public discourse, problem definition, and agenda setting in immigration policy. Drawing on the Narrative Policy Framework (NPF), Framing Theory, and the Social Construction Framework (SCF), the analysis demonstrates how storytelling functions as a mechanism of power in the policy process. It argues that Farage's narrative strategy has not only aimed to influence public perception but also to contribute to the legitimisation of punitive immigration policies, including the Illegal Migration Act 2023 and the Safety of Rwanda Bill 2024.

### **Historical Evolution of UK Immigration Policy**

Britain's immigration policy has undergone significant transformations since the mid-20th century. The British Nationality Act 1948 welcomed Commonwealth citizens, leading to the arrival of the Windrush Generation. This period reflected Britain's post-war openness, as migrants were invited to help rebuild the economy and contribute to public services. However, by the 1960s and 1970s, restrictive laws began to limit entry to those with close ties to the UK, reflecting growing anxieties about cultural integration and social cohesion. The Immigration Act 1971 formalised controls,

introducing a system that distinguished between “paternal” and “non-paternal” migrants, effectively privileging those with ancestral ties to Britain.

The 1980s and 1990s further tightened immigration rules, which restricted asylum policies, and made family reunification rules more stringent. By the 2000s, the UK had adopted a points-based system designed to regulate labour migration more strictly. At the same time, the European Convention on Human Rights (ECHR), particularly Article 8 (the right to family life), remained a safeguard, allowing courts to challenge deportations and uphold migrants’ rights (European Convention on Human Rights, 2021, 11).

In the 21st century, migration flows surged due to global crises, labour mobility, and the EU's free movement. This prompted the UK to adopt stricter border enforcement and more complex visa regimes. The Brexit referendum in 2016 marked a turning point, after which immigration debates in Parliament increasingly framed border control as a matter of sovereignty and national security (TheyWorkForYou, 2025). Immigration was framed as a central issue of national sovereignty, with the Leave campaign emphasising the need to ‘take back control’ of borders and demonstrating toughness on borders. The referendum results reflected widespread public concern about migration, particularly from the EU, and set the stage for a new era of restrictive policies.

### **Post- Brexit Government Debate 2020-2025**

Beyond formal policy developments, changes in the rhetoric of parliamentary debate also illustrate how immigration has been reframed within UK politics during the post-Brexit period.

Across the 2020–2025 period, Commons rhetoric on migration shifts from a *technocratic* reform narrative to a securitised crisis narrative, revealing how non-reform governance (day-to-day administrative practice, enforcement culture, and political signalling) ultimately reshapes the meaning of “reform” itself. In 2020, the Immigration and Social Security

Co-ordination Bill was framed as constitutional housekeeping after Brexit: a managerial task of “ending free movement, “simplifying” rules, and installing a points-based system. The Home Secretary’s language emphasises system design, economic calibration, and the moral economy of contribution—EU citizens who “have made the UK their home” and NHS workers who “provide high-quality and compassionate professional care” (TheyWorkForYou, 2020). Even Labour’s critique operates within this frame, arguing that the salary threshold misvalues essential workers and that delegated powers risk repeating Windrush-style administrative injustice. Migration is therefore governed through *reformist* logics: redesign, fairness, and institutional competence.

By 2025, the centre of gravity has moved decisively away from system-building and towards border strengthening. The debate is dominated by small-boat crossings, “record-breaking numbers”, and the loss of deterrent tools such as safe-third-country removals. Migration is no longer a labour-market or constitutional question but a security emergency requiring “order and control” (Parliament.uk,2025). The shift in tone shows how everyday governance problems (like delays, enforcement gaps, and pressure to appear tough) end up reshaping the agenda as a whole. Instead of improving the post-Brexit immigration system, ministers increasingly describe migration as a threat that the system can’t cope with, turning a policy-design issue into a border-security problem. A timeline can be built which shows the transition from 2020, treating migration as a system to be rationally governed, to 2025, which treats it as a crisis to be contained, illustrating how the politics of implementation can eclipse the politics of reform. This broader shift toward crisis framing forms the discursive context in which Reform UK’s immigration narrative operates.

## Reform Party Immigration Narrative



Image (Reform UK, 2025)

Although the Reform Party lacks a comprehensive immigration policy, its messaging relies heavily on narrative construction. Farage’s speeches emphasise the failure of existing immigration policies, the dangers posed by undocumented migrants, and the moral imperative to protect British values. In the Reform Party Policy manifesto, it states, “Record mass immigration has damaged our country. The small boat crisis threatens our security. Multiculturalism has imported separate communities that reject our way of life.” (Reform UK, 2024, 2)

The party’s stance is less about policy detail and more about symbolic politics, often using storytelling to define the problem and propose moral solutions. For example, Farage’s references to “gangs,” “terrorists,” and “economic migrants” serve to construct a villainous archetype (Reform UK, 2024, 12). The Reform Party capitalised on this climate by positioning itself as the heroic defender of national identity. “Once and for all, we will take back control over our borders, our money and our laws. Only Reform

UK will secure Britain's future as a free, proud and independent sovereign nation" (Reform UK, 2024, 2).

Upon winning a general election, a Reform government under Prime Minister Nigel Farage will:

- 1.) Leave the European Chamber for Human Rights
- 2.) Repeal the Human Rights Act and replace it with a British Bill of Rights.
- 3.) Pass The Illegal Migration (Mass Deportation) Bill

### **Methodology and Selection Criteria**

Although this paper engages multiple theoretical frameworks, it adopts a qualitative interpretive methodology grounded in narrative and framing analysis. The dataset consists of Reform UK's 2024 manifesto ("Our Contract with You"), party policy materials, campaign advertisements (including the four images reproduced in this paper), and selected speeches and interviews by Nigel Farage between 2022 and 2025. In addition, several House of Commons debates between 2020 and 2025 were reviewed in the UK Parliament record to contextualise how immigration rhetoric evolved within parliamentary discussion during the post-Brexit period.

Materials were selected based on two criteria: (1) explicit reference to immigration policy or border control, and (2) public circulation within the post-Brexit period. The images included are treated as textual artefacts rather than illustrative decoration; their slogans, symbolism, and visual framing are analysed for narrative content.

The analytical process involved coding for recurring narrative elements, setting, characters, plot, and moral, followed by examination of problem definition and target population construction, and identification of emphasis and omission patterns. This systematic approach ensures that interpretive

claims are grounded in identifiable textual patterns rather than impressionistic reading.

## **Narrative Framework and Structure**

The Reform Party's immigration narrative can be systematically analysed through the Narrative Policy Framework (NPF), which identifies recurring elements of policy stories: setting, characters, plot, and moral.

### **I. Setting**

The setting of Reform UK's narrative is post-Brexit Britain, a nation portrayed as under siege from foreign actors. Brexit is framed as both a liberation from the European Union's control and a moment of heightened exposure to external threats. The setting emphasises anxieties about sovereignty, economic precarity, and cultural uncertainty. Farage situated immigration within this context, presenting it as the defining crisis of Britain's new era, draining economic opportunities and safety for British Citizens.

### **II. Characters**

Farage's narrative constructs three archetypal characters observable across party manifestos and speeches (Reform UK, 2024).



**Heroes:** Nigel Farage and the Reform Party, depicted as defenders of sovereignty and protectors of ordinary Britons.

Image 1.(Nigel Farage, 2024)



**Villains:** Migrants, portrayed as criminals, terrorists, and economic opportunists; liberal elites, accused of betraying sovereignty and prioritising outsiders. (Reform UK, 2024; Farage, 2024)

Image 2.(Reform UK, 2022)



**Victims:** The British working class, framed as betrayed by elites and displaced by foreign labour.

Image 3.(Mance, 2016)

### III. Plot

The plot ties characters to the setting, presenting immigration as an invasion and betrayal. Political narratives frequently highlight isolated criminal incidents involving migrants as emblematic examples of broader immigration risks (Walker, 2024). This develops the plot of a structured and systematic invasion of immigrants, rather than a more dispersed, fluid movement of people in and out of the UK. Britain is cast as a site of uncontrolled migration, while elites are accused of enabling this crisis.

Reform UK offers salvation through decisive action: mass deportations, withdrawal from the ECHR, and restoration of sovereignty.

#### **IV. Moral**

The moral of the story is clear: restrictive immigration policy is not only practical but morally imperative. British society has a moral duty to protect women and children from migrant men. Farage frames immigration control as a patriotic duty, essential to preserving culture, security, and fairness (Nigel Farage, 2024). This moral framing transforms immigration into a zero-sum issue of loyalty and belonging, legitimising punitive measures as acts of justice. Flags are moralised like the Union Jack and St. George's Cross to reinforce anti-immigration as a patriotic act of protecting the UK.

#### **Narrative Variation Across Contexts**

Farage adapts his narrative to his audience. In rallies, he emphasises national security and legal sovereignty, framing immigration as a threat to law and order. In media interviews, he appeals to cultural identity and economic fairness, portraying immigration as a burden on taxpayers (Nigel Farage, 2024). On social media, he employs more emotive and populist language, invoking imagery of invasion and betrayal.

This strategic variation reflects the NPF's assertion that narratives are tailored to influence specific policy outcomes and public reactions. By shifting emphasis depending on context, Farage ensures that his narrative resonates with diverse audiences, from policymakers to ordinary citizens.

#### **Policy Framing: Rwanda Bill and Illegal Migration Act**

The Reform Party's narrative has intersected with government framing of immigration policy, particularly in the passage of the Safety of Rwanda Bill and the Illegal Migration Act. Both policies reflect the narrative's moral imperative, framing deterrence and exclusion as humanitarian necessities.

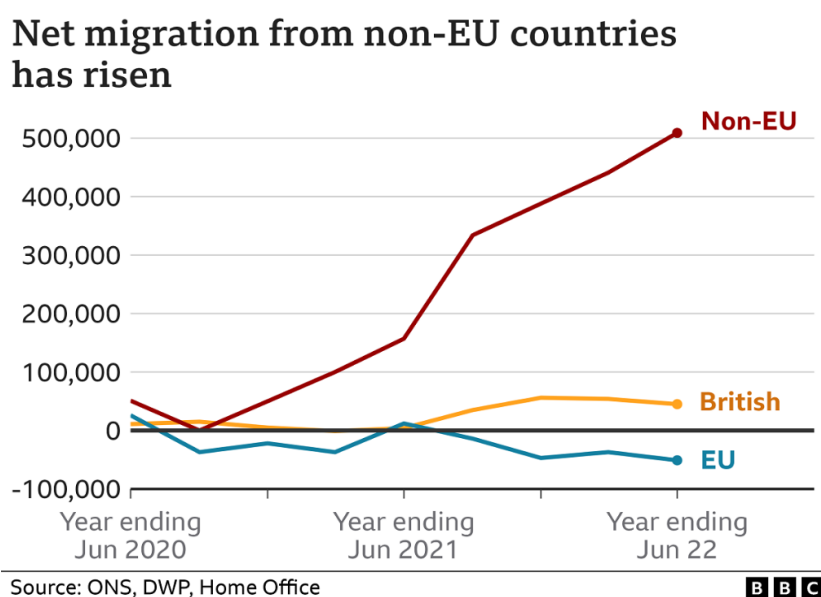
### **Rwanda Bill Framing**

The Safety of Rwanda (Asylum and Immigration) Bill 2024 was introduced to respond to judicial concerns about the legality of deporting asylum seekers to Rwanda. The Supreme Court had previously ruled that Rwanda could not be considered a “safe third country” due to risks of refoulement (UK Government, 2024). The government’s bill sought to override this judgment by asserting Parliament’s sovereign right to declare Rwanda safe. The bill was designed to deport anyone who tried to migrate to the UK illegally to Rwanda in Africa. The government emphasised treaty-based safeguards, highlighting Rwanda’s commitments under a bilateral agreement to uphold asylum procedures and prevent refoulement. The bill restricts individual avenues for appeal, ensuring that removals could proceed without obstruction. The bill signals deterrence by ensuring that successful asylum seekers remain in Rwanda rather than the UK. This framing presents deterrence as a humanitarian necessity, designed to prevent dangerous Channel crossings and break the business model of smugglers. By portraying restrictive measures as compassionate, the government aligns its framing with Reform UK’s narrative of moral imperative. From a framing perspective, presenting deterrence as humanitarian protection can make restrictive migration control appear morally justified, illustrating how policy narratives can reshape the perceived legitimacy of controversial measures (Chong & Druckman, 2007).

### **Illegal Migration Act Framing**

The Illegal Migration Act 2023 establishes a removal-first system, making claims inadmissible for irregular arrivals and expanding detention powers. The Act reflects the government’s broader narrative of fairness, order, and deterrence. In essence, it expands detention powers, makes certain protection claims inadmissible, and caps “safe and legal routes” (UK Government, 2024). This architecture reflects a removal-first approach,

prioritising exclusion over integration. Government messaging frames the Act as restoring fairness and protecting system capacity. By emphasising fairness, the government positions restrictive measures as necessary to uphold the integrity of the immigration system. This framing resonates with public concerns about fairness and rule-following, reinforcing the moral dichotomy between deserving and undeserving migrants. Migrants who play by the rules, coming through legal migration channels, are portrayed as deserving, while those who arrive in small boats are framed as undermining fairness and endangering themselves. This narrative aligns with Reform UK’s framing of migrants as villains, reinforcing the hierarchy of deservingness. This narrative distinction between “legal” and “illegal” migrants mirrors the Social Construction Framework’s differentiation between deserving and undeserving target populations (Ingram et al, 2019).



(BBC, D. Shaw 2019)

The graph above shows that immigration to the UK has increased, far beyond pre-Brexit levels, which was one of the main reasons Brexiters wanted to leave the EU. After leaving the EU common travel zone, the number of EU migrants fell; however, overall migration increased due to an

influx of non-EU migrants. By the end of 2022, there were 5 times as many non-EU migrants in Britain as before Brexit.

### **Comparative Framing**

Both the Rwanda Bill and the Illegal Migration Act rely on deterrence and fairness narratives. The Rwanda Bill emphasises sovereignty and external settlement, portraying removals to Rwanda as a sovereign act of compassion. The Illegal Migration Act emphasises domestic system integrity, framing exclusion as necessary to restore fairness. Together, these policies reinforce the moral imperative of order, rules, and deterrence as a humanitarian necessity. These policies reflect the influence of Reform UK narratives on both the Conservative Party's agenda and Parliament as a whole. Notably, the Rwanda Bill in which the UK government committed £240 million as the policy states “£120 million for year one, £100 million for year two for the Economic Transformation and Integration Fund, and £20 million in year one as a credit for operational costs before flights” (UK Government, 2024). The policy was only ratified in April 2024. However, it was cancelled by July 2024 when the Labour Party took power. As a result, the £240 million was spent on a policy that never materialised, highlighting a significant inefficiency. If that same amount had been allocated to housing migrants, Reform UK would likely have strongly criticised the expenditure.

### **Media Coverage of Reform UK**

Media coverage plays a significant role in shaping how Reform UK and its immigration policies are interpreted within public debate (Entman, 1993, 50). Different outlets adopt distinct narrative frames, reflecting their ideological orientations and journalistic styles. Broadly, coverage can be divided into three spheres: mainstream media, tabloid and right-leaning media, and social media networks. Each sphere constructs Reform UK differently, contributing to a fragmented public discourse. “Frames call attention to some aspects of reality while obscuring other elements, which

might lead audiences to have different reactions” (Entman, 1993, 55). This means that partisan followings of certain news networks or platforms create echo chambers in which the public's perceptions of the immigration issue are reinforced by channels that spread the same narrative.

### **Mainstream Media**

The BBC, as Britain’s public broadcaster, tends to adopt a neutral and institutional tone. Coverage of Reform UK often emphasises the party’s electoral impact and policy positions, situating it within the broader political landscape. When reporting on controversies, such as candidate suspensions over racist remarks, the BBC frames them as issues of party discipline and credibility rather than a sensational scandal. This approach reflects the BBC’s commitment to impartiality, but it also means that Reform UK is often portrayed as a legitimate political actor grappling with internal challenges. Despite this, Nigel Farage has described the BBC as being “institutionally biased for decades” (Sky News, 2025) and accused it of running a smear campaign against him. Examples of reporting include “Nigel Farage challenges school racism allegations” and “Farage says he’s ‘never directly racially abused anybody’ after school racism claims.”

Sky News adopts a more confrontational style, frequently foregrounding controversy. Their coverage emphasises the party’s struggles with vetting and credibility, portraying Reform UK as chaotic and tainted by extremism. This framing situates the party as electorally relevant but undermined by its inability to control its members. By highlighting scandal and disorder, Sky News reinforces the narrative of Reform UK as a populist movement plagued by credibility issues. Examples of article headlines include “Are you making these policies up as you go?” and “Reform UK’s Zia Yusuf defends MP accused of racism.”

## **Tabloid and Right-Leaning Media**

GB is a news platform established in 2021, post-Brexit, to provide a space to reinforce populist right narratives. The network frames Reform UK sympathetically, often portraying Farage and his party as “rages” against establishment elites. Coverage emphasises immigration control, sovereignty, and “common sense,” downplaying racism controversies as media attacks or distractions. GB News positions Reform UK as giving a voice to ordinary people’s frustrations. News headlines include “Richard Tice seethes as ‘left-wing bullies’ ruin Reform Christmas party” and “Reform rages against dirty tactics after Labour candidates compare Members to Nazi soldiers”.

The Daily Mail positions Reform UK as a pressure group on the Conservatives, highlighting its role in pushing immigration debates to the right. Coverage highlights policy radicalism, such as deportations and withdrawal from the ECHR, but often frames these stances as legitimate responses to public frustration. The Daily Mail, along with other tabloids such as the Sun, portrays Reform UK as shaping the political agenda and forcing mainstream parties to adopt tougher positions on immigration. Their titles include “Nigel Farage accuses BBC of sinking to 'new depth' with 'set up' that saw Reform’s Zia Yusuf questioned by small boat migrants on Question Time” and “Ministers don't know how many illegal migrants are in Britain or the number using human rights law to avoid deportation”.

## **Social Media Networks**

Coverage on Twitter/X is polarised. Left-leaning users amplify racist remarks and frame Reform UK as dangerous and extremist, warning of its alignment with far-right populism. Right-leaning accounts celebrate Reform UK’s “straight-talking” immigration policies and outsider authenticity, portraying it as a voice for ordinary people against elites. This

polarisation reflects the broader fragmentation of public discourse on social media.

On Facebook, Reform UK content circulates widely in populist and anti-immigration groups. Posts often frame the party as defending sovereignty and ordinary people, while racism controversies are reframed as ‘political correctness’ or establishment smears. This framing reinforces Reform UK’s outsider identity and legitimises its narrative of defending national identity against elites. Clips of Farage and Reform UK figures gain traction on TikTok and YouTube, often emphasising fiery rhetoric on immigration and sovereignty. Younger audiences engage with memes and short clips, amplifying both criticism (mockery of racism scandals) and support (anti-establishment populism). These platforms amplify extremes, portraying Reform UK as either a dangerous far-right party or an authentic outsider voice.

These contrasting portrayals illustrate how media framing selectively emphasises different aspects of Reform UK’s narrative, reinforcing Entman’s argument that frames highlight certain elements of reality while obscuring others (Entman, 1993).

### **Narrative Policy Framework (NPF)**

The NPF suggests that narratives influence policy through their structure and content. It is a “theory of the policy process whose central question turns an empirical eye on the truth claim of the power of narrative” (Shanahan et al., 2025, 173). Farage’s narrative exhibits all core elements: setting, characters, plot, and moral, making it easy to follow, understand, and favour. Unlike dense policies written by the Conservative or Labour party, Reform employs selective data with a clear storyline that is digestible and easily repeated by its followers. For example, he has claimed that “£234 billion is spent to support immigrants” (Wallis, 2025) without contextualising this support, and as a result, immigration is portrayed as grossly unfair to taxpayers. By framing immigration as a national

emergency and a threat to security, he positions his party as the defender of ordinary Britons and reframes restrictive immigration policy as a moral and patriotic necessity.

This narrative is clearly reproduced in both informal everyday conversations and formal institutional spaces such as parliamentary debates and public hearings. As Boin mentions, “policymakers must seek to persuade by explaining their policy proposal in such a way that it outcompetes the explanations of others who point to other causes and seek to push alternative solutions. If they fail to do so, their policy is effectively dead” (Boin & Lodge, 2025, 45). Farage’s narrative functions within these spaces, gaining visibility and legitimacy. The more effectively a politician can frame their policy as a compelling story, the more public support they can mobilise. In this sense, the migration crisis is socially constructed as a persuasive narrative that presents as grounded in empirical data but is strategically manipulated to serve partisan goals.

### **Social Construction Framework (SCF)**

The SCF explains how target populations are constructed into two groups. Farage’s rhetoric casts migrants as deviants, those who “have less (or are not given) power and are viewed as not deserving” (Koski & Manson, 2024, 213) while the natural born British Citizens are a part of the “advantaged groups have (or are given) great amounts of political power and are viewed as deserving” (Koski & Manson, 2024, 213).” This construction aligns with public perceptions and increases receptivity to harsh measures (Ingram et al. 2019).

For instance, liberal parties like the LibDems or Green Party frame immigration welfare policies as opportunities for refugees to assimilate and participate in British society. They emphasise access to public services, cultural spaces, and basic needs as part of humane integration. In contrast, Farage reframes the same policies as injustices toward British taxpayers, portraying them as wasteful spending that benefits outsiders at the expense

of citizens (Nigel Farage, 2024). He claims that “far too many immigrants come, don’t work, have never worked, and never will work,” reinforcing the construction of migrants as undeserving (Sky News, 2025).

This construction legitimises punitive measures such as mass deportations and withdrawal from the ECHR. By portraying migrants as deviants, Farage aligns his narrative with public perceptions of fairness and justice, increasing receptivity to restrictive policies.

### **Framing Theory**

We can use framing theory to analyse the narrative of Reform. “Framing refers to the process by which people develop a particular conceptualisation of an issue or reorient their thinking about an issue” (Chong & Druckman, 2007, 1). Farage’s language simplifies complex issues, directs attention to specific policy solutions, and, by framing immigration as a black-and-white issue, narrows the policy debate so that more humanitarian narratives are not considered. Farage’s rhetoric employs confirmation bias, selectively using statistics on welfare spending, once-off crimes, or border crossings to frame immigration as a national security threat (Wallis, 2025). He omits evidence that might challenge this view, reinforcing his narrative (Sky News, 2025). By emphasising the protection of national identity, the defence of borders, and the prioritisation of citizens, Farage taps into collective fears and nationalist sentiment. This framing reinforces the perception of moral urgency and positions strict immigration control as both just and necessary.

### **Public Impact and Problem Definition**

Immigration policy in Britain has long been shaped by competing narratives, but the Reform Party’s framing since Brexit has altered the boundaries of debate. By constructing migrants as threats, Reform UK has redefined immigration from a technical policy issue into a moral and existential crisis. This shift has had implications for public opinion,

policymaking, and institutional responses. Immigration policy in Britain has long been shaped by competing narratives, visible not only in party messaging but also in parliamentary debate surrounding immigration legislation. (**TheyWorkForYou, 2025**)

### **Public Opinion as Battleground**

Public opinion became the key battleground for pressure participants pursuing different policy solutions. Reform UK selectively used opinion polls and consultation documents to demonstrate support for its positions. For example, Farage frequently cited polls showing public concern about Channel crossings, framing them as evidence of widespread frustration. At the same time, he dismissed polls that showed more nuanced attitudes toward immigration, highlighting that Farage uses selective information to reinforce his narrative (Walker, 2024). By framing immigration as a matter of broad public consensus, the party created a sense of urgency that pressured policymakers to adopt restrictive measures.

### **Problem Definition**

Problems can be understood as abstractions that don't actually exist and only appear on the government's agenda through windows. We can track the evolution of immigration, initially framed as a matter of legal complexity, with debates focusing on asylum procedures and human rights law, to an issue as a crisis of sovereignty, security, and cultural identity (Saenz Perez, 2023, 307). Migrants were as villains, elites as betrayers, and ordinary Britons as victims. This framing transformed immigration into a struggle, legitimising punitive measures as acts of justice.

Farage's narrative strategy illustrates how problem definition is not merely descriptive but prescriptive. By defining immigration as a crisis, he prescribed restrictive solutions such as mass deportations and withdrawal from the ECHR. This problem defines marginalised alternative

perspectives, such as those emphasising human rights or the economic contributions of migrants.

## **Conclusion**

Since Brexit, Nigel Farage and the Reform Party have transformed immigration into a cultural and security threat through their narrative framing. Farage's storytelling substitutes emotive rhetoric for policy detail, shaping public perceptions of the problem and steering the UK agenda toward punitive, sovereignty-focused measures.

Theoretical frameworks help explain the power of Reform UK's narrative. The NPF highlights how Farage's narrative structure functions as a persuasive tool. The SCF explains how migrants are constructed as undeserving, legitimising punitive measures. Reform UK's radical framing has indirectly encouraged government policies like the Rwanda Bill and Illegal Migration Act, and in doing so, framed their radical views as a logical policy extension. This demonstrates the power of narrative in policymaking and highlights the importance of critically analysing how stories shape public policy outcomes. The case of Reform UK illustrates how narratives can redefine problem boundaries, mobilise public opinion, and legitimise restrictive measures, reshaping the policy landscape in profound ways.

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## **Reproductive Rights in a Bifurcated State: Neopatrimonialism, Extraversion, and Abortion Reform in Sierra Leone**

Katelin Bratt

### **Introduction**

Abortion in Sierra Leone remains criminalised, despite unsafe abortions accounting for 10% of maternal deaths (Kelly, 2025). Kelly (2025) reports on the proposed Safe Motherhood and Reproductive Health Bill, which initially aimed to legalise abortion up to 12 weeks of gestation. However, political and societal opposition has significantly narrowed the bill's scope, limiting legal abortion to cases where the pregnant person's life is at risk, rape or incest, or fatal foetal anomalies (Kelly, 2025). Building upon Kelly's (2025) article, this essay first examines abortion-related mortality by analysing the health service, the moral landscape, and the impact of conflict on women's healthcare in Sierra Leone.

Furthermore, the historical and broader political explanations for this situation will be analysed. Sierra Leonean colonialism, beginning in 1808 in the Freetown region and expanding to the Hinterland in 1896, established a system of decentralised despotism leading to the creation of a primordial and civic public which persists today and embeds traditional authority within the formal civic sphere (Mamdani, 1996; Lovejoy et al., 2013:4; Ekeh, 1975). Within this structure, neopatrimonialism entrenches patriarchal power and limits women's agency (Van de Walle, 2001; Rinck, 2024:8). At the global level, extraversion policies further constrain reform by deepening material dependency and allowing for elite capture (Peiffer and Englebert, 2012; Barr et al., 2019:5).

This essay argues that contestation over abortion reform in Sierra Leone is shaped by the interplay of colonial legacies and entrenched political structures, including the two publics, neopatrimonialism, and extraversion,

which collectively constrain women's agency, reinforce patriarchal authority, and empower traditional leaders to resist reform.

### **Immediate Issue**

The immediate issue highlighted by Kelly (2025) is abortion-related mortality in Sierra Leone, which causes 10% of maternal deaths (Kelly, 2025). The maternal mortality ratio in Sierra Leone stands at 857 deaths per 100,000 births, compared to 640 for the region (Paul et al., 2015). This is indicative of a poorly functioning healthcare system, which was severely affected by the civil war from 1991 to 2002 (Figueroa et al., 2018). The Ebola virus outbreak has also had lasting effects on the state's healthcare service (Figueroa et al., 2018). Despite the introduction of the Free Health Care Initiative in 2010 to support expectant and new mothers, Sierra Leone's health system remains critically under-resourced, with only 1.2 functioning emergency obstetric care (EmOC) facilities per 500,000 people and just 2% of births occurring in such facilities, far below the recommended five EmOC facilities and 15% of births per 500,000 population (Figueroa et al., 2018).

Alongside a poorly functioning healthcare system, abortion remains illegal. The existing colonial era legislation on abortion originated in 1861, and it criminalises abortion in all cases, except those where the life of the mother is at risk (AdvocAid, 2016). Despite this illegality, abortion remains widespread; in 2012 alone, an estimated 3,379 women were treated for abortion-related complications (Redmond-Sovie, 2020). Stigma surrounding teenage pregnancy in Sierra Leone significantly contributes to unsafe abortions, particularly among adolescent girls (Denny et al., 2017). Low contraceptive use remains a significant driver of unintended pregnancy and, therefore, unsafe abortions, with only 20.9% of women aged 15–49 using modern contraceptives, and a substantial unmet need for family planning affecting 25% of all women and 31% of those aged 15–19

(Paul et al., 2015). These dynamics reveal how moral stigma not only fuels silence and shame but also materially endangers young women's lives, reinforcing a cycle in which restrictive norms and inadequate reproductive services converge to exacerbate abortion related deaths.

Efforts to reform abortion law have thus emerged within a deeply polarised moral landscape. In 2015, 838 doctors and 44 midwives signed an open letter calling on the state to legalise abortion, stating that its criminalisation undermines patients' access to quality healthcare (AdvocAid, 2016). This position is not shared by other influential actors, specifically the Inter Religious Council (IRC), which is made up of Imams and Pastors from every town and chiefdom, arguing that the fundamental right to life is an essential cultural value of Sierra Leone (Kelly, 2025).

Overall, abortion in Sierra Leone is not solely a legal or epidemiological issue, but a moral and political struggle. At its heart is a conflict situated at the intersection of health access, legal reform, and entrenched societal norms. While the consequences of unsafe abortion are undeniably public health crises, meaningful reform has been repeatedly obstructed by religious and cultural institutions that continue to wield significant influence over the state's policymaking process.

### **Post-Conflict Reconstruction**

The post-conflict context in Sierra Leone has simultaneously exacerbated deep structural incapacity and opened a policy window for advancing gender agency and promoting gender equality. The civil war in Sierra Leone occurred when the Revolutionary United Front rebelled against the government as a result of grievances suffered from the previous autocratic regime (Meyer, 2007). Women and girls suffered immense violence during this war, being deliberately targeted for kidnapping, sex slavery, and routine rape by rebel groups (McFerson, 2012).

In the post-conflict era, gender-based violence became a focus of state intervention (Meyer, 2007). The post-conflict context, therefore, allowed for many gender-based issues to be highlighted with the Domestic Violence Act and the Sexual Offences Act being signed (Rinck, 2024). The Truth and Reconciliation Commission report too played a significant role in advocating for increased women's political participation, with reforms such as quotas brought up (Rogers, 2011).

Despite these advances, the health system was harder to navigate, having been almost completely destroyed during the war (Meyer, 2007).

Patriarchal resistance to many gender-based movements meant that many moves towards gender equality were resisted (Rinck, 2024:10). This, along with the near collapse of the health system during the war, meant that any move towards abortion reform proved difficult. The heightened visibility of maternal mortality and unsafe abortion did not overcome the deeply entrenched social and political barriers to reform, revealing the limits of post-conflict gains in women's agency.

### **Government Response**

These deeply rooted health, legal, and social barriers have culminated in a contentious political landscape, shaping how the government has responded to calls for abortion reform. Sierra Leone's parliament unanimously passed the Safe Motherhood and Reproductive Health Bill, allowing for abortions to occur for up to 12 weeks (Kelly, 2025). However, the Government led by President Ernest Bai Koroma at the time of the bill's passing blocked the bill due to pressure from religious groups (Kelly, 2025). Archbishop Edward Tamba Charles, head of the country's IRC, stated that the bill is at odds with the "religious values and sensibilities" of the Sierra Leonean populace (Kelly, 2025). AdvocAid (2016), alongside Sierra Leonean civil society organisations, as well as experts from the United Nations and the African Commission on Human and Peoples' Rights, have called on the

President to enact the Safe Abortion Bill to safeguard the rights of Sierra Leoneans and reduce preventable maternal deaths. Despite this, the bill remains blocked. This response must be understood within the broader context of Sierra Leone's political and historical structures, beginning with its bifurcated system of governance.

## **Broader Context**

### **Two Publics**

One reason for the moral contestation of abortion is rooted in a divided system of authority, in which formal state institutions and traditional customary power structures exert competing influences over public morality and policy direction (Ekeh, 1975). This has occurred in many African states and stems from the colonial era (Ekeh, 1975). The primordial public includes many actors, such as the Paramount Chief, and also religious figures, such as Imams or Pastors, and these figures were tasked by the British colonial power with a form of indirect rule (Manning, 2009). This is referred to as decentralised despotism (Mamdani, 1996). Through this process, traditional leaders were embedded within the state apparatus and came to wield considerable influence over governance and could utilise this influence to strengthen the primordial public (Ekeh, 1975).

In Sierra Leone, chiefs held on to consistent legitimacy, being utilised from 1808 by the British as indirect rulers (Meyer, 2007). Although chiefs lost some civic power when a one-party system was imposed in 1978, they were able to hold onto their legitimacy as citizens became alienated from this autocratic state, turning to traditional leadership (Hayward, 1985). Due to this consistent legitimacy throughout the colonial and post-colonial era, the chief's role was reinstated in the post-conflict era, where a multi-party government was created (Albrecht, 2017). The chiefs within this government hold permanent representation within parliament, showcasing a return to a decentralised state (Albrecht, 2017). Today, their role in

facilitating or obstructing development initiatives often depends on the alignment of values across the two publics, where the civic and primordial spheres may conflict or converge (Ekeh, 1975; Boas, 2001). The IRC within President Ernest Bai Koroma's government were, therefore, able to utilise their traditional legitimacy in order to intervene in state legislation that conflicted with their moral beliefs.

Although originally established as a peacebuilding body during the civil war, the Council's authority has since expanded into multiple spheres of policymaking. The multifaceted role of the IRC in Sierra Leone is showcased through the founder Bishop Archibald Cole's following statement: "We as religious leaders work every week moulding people's lives spiritually and morally, and whether parliament likes it or not, we are stakeholders, we govern and influence people's minds by what we tell them" (Redmond-Sovie, 2020, p. 80).

In a survey conducted by Redmond-Sovie (2020), 46% of respondents thought that religious groups were the main obstacle in legalising abortion in Sierra Leone, while 20% cited tribal cultural norms as the main obstacle. This data highlights the significant power religious authorities hold over both public sentiment and state action, revealing how reproductive rights are shaped not only by institutional politics but also by deeply embedded moral authority. Therefore, the IRC's role in society and its intervention in the Safe Motherhood Bill illustrate how religious actors not only shape public morality but also exert significant influence over legislative processes influenced by the decentralised despotism and two publics that derived from the colonial era.

### **Neopatrimonialism**

Neopatrimonialism emerges in many African states as a consequence of this era of decentralised despotism, where the merging of traditional rule with state power laid the foundation for patronage-based politics. In Sierra

Leone, this system intersects with decentralised despotism to entrench patriarchal authority and restrict women's political agency, factors that continue to obstruct abortion reform. Chiefs, who wield significant informal authority, often derive their legitimacy through patronage networks, exchanging land access or political protection for loyalty (Labonte, 2012; Van de Walle, 2001). In diamond-rich regions, this patronage becomes particularly transactional, with community members expected to offer political support in return for resource access (Labonte, 2012). Patronage is also embedded in systems of land tenure and the designation of "native status," both of which fall under the discretion of chiefs (Labonte, 2012). These mechanisms foster a cycle of dependency on traditional authorities, reinforcing their power and centrality in local governance.

Women's agency is affected by neopatrimonialism through the imposition of an enduring patriarchal source of authority. Chiefs and political elites often resist gender-inclusive reforms, such as the implementation of quotas (Rinck, 2024) and continue to define women's roles narrowly in terms of caregiving. Issues like abortion, framed as morally charged and politically sensitive, are kept beyond the purview of women's political engagement (Rinck, 2024). Invoking absolute moral standards when deliberation surrounding abortion occurs, therefore, serves to silence women who are socialised in a way where they do not feel entitled to partake in the discussion, regardless of whether it has an implication for them (Erdman, 2016). Thus, neopatrimonialism, embedded in both postcolonial governance and traditional structures, perpetuates a system in which women are excluded from shaping laws about their own bodies.

### **Extraversion**

This exclusion is further compounded by the dynamics of extraversion, where international donors have become central to healthcare provision, yet

their influence on gender-sensitive reforms like abortion remains constrained by the same patriarchal structures that dominate domestic politics.

Structural adjustment programmes (SAPs) in some Sub-Saharan African states have led to health systems' collapse; in Sierra Leone, support from the IMF has meant that social spending floors cannot be met due to loan conditionalities (Barr et al., 2019; Herbst, 1990). Along with this, the Ebola crisis and past conflict have meant that spending in healthcare has been filled by international donors and NGOs, embedding foreign actors deeply into health service delivery (Barr et al., 2019). Through SAPs' depleting health service funding and donors filling these gaps in funding, and policies of extraversion have become more prevalent in the sector (Barr et al., 2019; Bayart, 2000). As Peiffer and Englebert (2012) argue, some African states, like Sierra Leone, engage in a process of extraversion, which functions as a deliberate strategy by local elites to sustain power and legitimacy. It involves “the creation and the capture of a rent generated by dependency” (Bayart, 2000).

Between 2006 and 2010, Sierra Leone received the largest per capita aid in the world, with development assistance standing at 9% of GNI in 2013 (Barr et al., 2016). From 2002 to 2014, \$886 million was received in aid (Harris and Conteh, 2020). Within the healthcare sector, \$143,610,224 was financed by donors, while \$40,142,638 was funded by the government (Silver, 2016). Personal and political gains from donor funding can be seen in a variety of areas in the healthcare sector, redirecting funding towards high-visibility projects while sidelining socially divisive reforms like abortion legalisation, illustrating how donor funds are absorbed into the neopatrimonial logic of statecraft (Harris and Conteh, 2020). The redirecting of funding to initiatives which are more normatively accepted also occurs, and this is visible in women's healthcare.

Although donors have pushed for female genital mutilation related reform, there has been no movement in the area (Harris and Conteh, 2020) This can be also seen within abortion reform which does not benefit from the same policy traction as other policy areas despite clear public health implications and is instead an arena where elites resist donor agendas under the guise of protecting local values (Harris and Conteh, 2020). As Peiffer and Englebert (2012) argue, extraversion is not passive dependence but strategic: in rejecting donor-backed abortion reform, Sierra Leonean leaders gain legitimacy with powerful domestic actors, including the IRC. Foreign-led investment in Sierra Leone's health sector, while offering vital resources, has also entrenched patterns of extraversion (Barr et al., 2019; Peiffer and Englebert, 2012).

## **Conclusion**

In conclusion, the contestation surrounding abortion reform in Sierra Leone is deeply rooted in a complex interplay of historical legacies, patriarchal governance, and external influence. While the Safe Motherhood and Reproductive Health Bill presents an opportunity to reduce maternal mortality, its obstruction highlights the enduring power of traditional authorities, religious institutions, and the bifurcated state. Neopatrimonialism, decentralised despotism, and extraversion continue to constrain women's agency and limit reproductive rights.

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**Book Review: Lynch, Marc. *America's Middle East*. C. Hurst & Co., 2025.**

Almha Fitzpatrick

**Abstract**

Marc Lynch's *America's Middle East* is a damning analysis of the role US foreign policy plays in the chronic instability that plagues the Middle East. Lynch contends that this instability, manifested by autocratic rulers and mass violence, is a direct result of the US presence in the region. The book balances historical events with political analysis in a thoughtful and effective manner. It is a remarkable addition to the literature on US foreign policy, as it presents an entirely original analysis, free of the traditional institutional biases typical of the field. It is recommended to policymakers and voters alike, as ignorance of the consequences of US foreign policy will merely perpetuate the status quo—a status quo that Lynch argues is directly responsible for the biggest political and social issues facing the Middle East today. Lynch describes a variety of avenues for foreign policy reform that could enable a regional transition towards stability and peace.

**Introduction**

This book argues that US foreign policy in the Middle East has led to the region's destruction and instability. In the context of US foreign policy, this book represents a view often absent from mainstream policy analysis. The book was written to address a gap in the existing US foreign policy literature, which Lynch often criticises as sheltered from genuine critical debate and analysis. It places US foreign policy in the Middle East in an entirely new context, one which is massively critical of the American status quo and provides a damning review of so-called foreign policy experts.

This kind of analysis is especially interesting when considering the author's background. Marc Lynch is himself a member of the mainstream foreign policy apparatus. He is a Professor in the political science department of George Washington University, where he directs the Middle East studies program. He has also worked in 2 think tanks, was involved in both of Barack Obama's campaigns, and has published articles in journals discussing US foreign policy. This traditional background makes his entirely untraditional, damning analysis all the more surprising and enlightening.

### **Summary of Argument**

The overall thesis of this book is that US foreign policy and primacy in the Middle East have led to the chronic destabilisation of the region, manifesting in a lack of democratisation alongside repressive autocracies, conflict, and destruction. The book addresses the specific policies and their impacts on the region during the post-Cold War era of US Presidents, alongside the stubborn nature of US policy in the Middle East. It discusses why many of these presidents, while often differing in their rhetoric, implemented policies that were within the status quo of US policy despite stated ambitions to make changes. To contextualise the book's argument within the themes of identities, communities, and power, the evidence presented makes clear that this triad of social phenomena in the Middle East has been profoundly affected and infringed by US foreign policy, generating regional tension. Thus, identities, community, and power within the Middle East will continue to be fraught until there is real reform of US Foreign Policy. The extent of the United States' control over the region means that the US decides whether the region's identities, communities, and power are permitted to flourish. The book is certainly an empirical work, using a vast array of primary and secondary sources, including peer-reviewed academic articles and newspaper articles.

The overall goal of the book is to provide a critical assessment of US foreign policy, a field that too often shuns views not considered mainstream. Ultimately, Lynch's objective is for the book to contribute to growing calls for the complete overhaul and reform of US policy in the Middle East and to bring about the end of US imperialism in the region. The catalyst for Lynch's writing of the book was the US response to Israel's genocide in Gaza. Lynch describes the horror he felt at watching the humanitarian crisis unfold, and the rage he experienced at the US role in executing the violence through its provision of weaponry and its sheltering of Israel from the full wrath of international condemnation.

### **Summary of Chapters**

The book's introduction makes the point that there has been remarkable consistency in Middle Eastern policy across modern US presidencies, despite an otherwise extremely polarised domestic political climate. It also discusses the absence of democracy in the region despite the US's so-called democracy-building, arguing that US primacy in the Middle East cannot operate under democracies because US policies are so broadly unpopular that they can only survive alongside friendly autocracies. Chapter 1 of the book provides background and history, covering the impacts of European colonialism and the Cold War, as well as the origins of the US-Israeli alliance. Chapter 2 describes the colonial nature of US dominance in the Middle East through both tangible policies and policymakers' attitudes. This chapter illustrates that the end of US imperialism is necessary to the region's reconstruction. This would involve reforming think tanks, university courses, and all aspects of the foreign policy apparatus. Chapter 3 describes the Bush to Clinton years, including the post-Cold War construction of the region, the first Palestinian intifada, Iraq under Saddam, Iraqi sanctions, failed Israel-Palestine negotiations, the Oslo process failure,

and the overall lack of US adherence to international law. Chapter 4 describes the Clinton-to-Bush era and largely focuses on the impact of 9/11 on US foreign policy. It discusses the War on Terror and Guantanamo Bay. Chapter 5 covers the Obama years, with President Obama described as the first president to attempt to reconstruct US foreign policy, but ultimately failing to do so. His failure illustrates that reforming foreign policy to enable the region's reconstruction requires more than the president's will; it requires the will of the entire foreign policy apparatus. Chapter 6 covers the first Trump administration, in which Trump veered from norms in his rhetoric, but his actual policies were not necessarily deviations from the status quo. There is perhaps a parallel to Obama in this sense: a president can express rhetoric that indicates a movement away from the mainstream, but the policy status quo remains thoroughly ingrained in the political elite. Chapter 7 describes Biden's term, naturally focusing on the war in Gaza. Lynch describes how US foreign policy created the conditions for the violence that occurred on October 7<sup>th</sup> through its failure to reward Palestinians for restraint and negotiations, its support of autocrats as opposed to democrats and the constant violence suffered by Palestinians. The chapter describes the changing views around Israel, especially amongst young people in the US, as manifested, for example, through nationwide campus protests, raising the question of whether these changes could potentially enable US foreign policy reform. Could these more critical views of Israel provide political incentives for policymakers and lead to more mainstream criticisms of Israel? If so, this could pave the way for regional development through policy reform, enabling the growth of domestic identities, power, and community within the Middle East.

## **Analysis**

This book provides an incredibly thoughtful and well-researched analysis of US foreign policy in the Middle East and the detrimental effects it has

had on the entire region. It eloquently describes why the status quo is so difficult to change, emphasising the US primacy it currently protects. The book contributes a new, much-needed change to the way we think about Middle Eastern US foreign policy. Lynch recognises that many well-meaning officials are involved in policymaking; however, the status quo is fundamentally flawed and requires a complete overhaul for these officials' objectives to be met. The book offers an incredibly innovative analysis and a much-needed fresh perspective on the saturated US foreign policy field. Those who may be interested in this book cover a wide spectrum, from policy-making officials to average voters. Overall, the book was well laid out and organised chronologically, making it easy to comprehend. The quality of the analysis is the book's most impressive asset, especially considering Lynch is a product of traditional foreign policy institutions. There is an effective balance of history and analysis provided, and Lynch consistently engages with the counterargument. Importantly, while Lynch expresses moral outrage at atrocities, this is consistently accompanied by empirical analysis, which ensures the book does not read as overly ideological or value-laden, thereby maintaining its analytical tone. It must be noted that it is incredibly valuable and frankly, brave to publish this book within the current political climate in the US, where those who speak out against Israel's genocide and America's role in executing it are vilified.

The book is an indispensable resource for all who are committed to meaningful growth within the Middle East, both in a developmental sense and within domestic communities, identities, and power, beyond the instability that US foreign policy has caused. It illustrates that, since conflict and instability in the Middle East are linked to and a by-product of US foreign policy, this development will have to occur across the entire region in a unified manner to achieve genuine change, as the region is incredibly vulnerable to its neighbours' actions. Furthermore, the flourishing of community and identity within the Middle East cannot occur

when the conditions that caused the original instability, such as US foreign policy, remain unchanged. Therefore, the institutional structure of US foreign policy must be reformed first. As American primacy in the region has made the US and the Middle East irrevocably interlinked, regional development requires a changing role for the US.

Reforming the role of the US in the Middle East is an undeniably daunting task, and Lynch does not deny or shy away from this reality. His calls for reform do not read as idealistic or removed from reality, but in fact as a sobering necessity to prevent further bloodshed. This quality of his analysis is one of the greatest features of this book: Lynch is appropriately emotional about many of the effects of US foreign policy in the Middle East, manifesting in his rage at the Israeli genocide against Palestinians and his hope for a better future with reformed foreign policy. Vitally, this emotion is consistently supported by empirical analysis, which provides an exceptionally powerful argument and a profoundly interesting, at times moving read. An example of this impressive achievement can be found in Lynch's chapter on the Clinton-to-Bush era, where he writes, "The starting premise of American policy has always implicitly been that Palestinians are not fully human beings" (Lynch, p. 118). This is an evocative sentence; however, Lynch provides an empirical argument that contends that this mindset is strategically necessary to justify why Palestinians do not have their own state and are consistently victims of terror and violence. It may be argued by some that, despite the critical argument provided alongside this provocative sentence, such strong language is not appropriate in an empirical piece of work, contending that it undermines the legitimacy and seriousness of the work or exacerbates an already polarised political environment. However, perhaps evocative language is actually necessary when writing as an American to an American audience, attempting to convey the argument that mainstream US foreign policy has consistently resulted in horrific, destabilising violence in the Middle East. When tasked

with alerting people to an urgent issue, evocative language is indeed essential.

## **Conclusion**

To conclude, Marc Lynch's *America's Middle East* is an enlightening critique of US foreign policy in the region and the chronic instability he contends it has caused, resulting from US support for autocracies at the expense of democracies and mass violence. This book is highly recommended to those who wish to gain further insight into the history and development of the Middle East, US foreign policy in the Middle East, and the profound impact it has had on the region and its people. It is an invaluable resource for policymakers and voters alike, as a thorough understanding of the region is essential if there is any hope of aiding its consolidation of domestic power, community, and identity through foreign policy reform. This book stands out from the saturated field of foreign policy literature, as its thoughtful analysis offers invaluable insights into the real outcomes of US foreign policy. In a domain that lacks original analysis, Lynch fills a vital gap in the literature and opens our eyes to the harsh reality of American foreign policy built on the subjugation of an entire region of people. Perhaps US foreign policy reform could begin with more pundits, academics and experts providing the kind of thoughtful critical analysis that Lynch has contributed to here.

## **“I Am Not a Scrounger”: How Welfare Conditionality Fuels Bureaucratic Distress in *I, Daniel Blake***

Lucia Demuth

### **Abstract**

This review analyses Ken Loach’s film *I, Daniel Blake* (2016) and how it depicts the effects of welfare conditionality and bureaucracy on people who rely on the welfare state. Through the story of Daniel Blake, a man who becomes unable to work after a heart attack, the film highlights how strict administration and modern digital systems can create stress, shame, and exclusion rather than providing aid. Using concepts such as welfare conditionality, administrative burden, and bureaucracy, the review links the film to wider debates about how the state treats those who rely on its support. Although *I, Daniel Blake* has received criticism for its emotive and partial portrayal of welfare institutions, this review argues that its emotional approach plays an important role in making the lived consequences of welfare policy more visible.

### **Introduction**

Modern welfare systems are intended to provide security for those in need. For many, they have instead become sources of confusion, stress, and exclusion. Ken Loach’s film *I, Daniel Blake* (2016), set in Newcastle, follows Daniel Blake, a 59-year-old carpenter who has spent his life in continuous employment. After suffering a heart attack, Daniel is advised by his doctor that he is no longer fit to work. The medical assessment is overridden by the welfare system, which deems him capable of employment following a work capability assessment. This decision marks the beginning of a long and frustrating struggle with the benefits system. Through Daniel’s experiences, the film demonstrates how welfare systems intended to protect people can, in turn, cause distress and exclusion. This

review argues that *I, Daniel Blake* is effective not because it offers a detailed policy examination, but because it presents the everyday human consequences of welfare policy.

One of the main ideas explored in the film is welfare conditionality. Welfare conditionality refers to the requirement that benefit recipients meet specific behavioural conditions, such as job searching or attending mandatory appointments, in order to receive support (Dwyer et al., 2022). In the film, Daniel is assessed as “fit for work” even though his doctor clearly states that working could seriously harm his health. As a result, he must apply for jobs and follow strict rules or risk losing his benefits. This situation reflects a key criticism of welfare conditionality: assessments often rely on rigid criteria and fail to consider individual circumstances (Patrick, 2017). Daniel is not portrayed as lazy or unwilling to work; rather, he repeatedly states that he wants to work but cannot do so safely, challenging stereotypes about welfare claimants. The film directly confronts this stigma through Daniel’s declaration, “I am not a scrounger” (Lehtonen, 2022, pp. 50–52).

Research shows that welfare systems often divide people into the “deserving” and “undeserving” poor, increasing stigma and shame (Moynihan et al., 2014). *I, Daniel Blake* makes this division visible by portraying how easily someone can move from being a respected worker to being treated with suspicion. By showing Daniel’s frustration, these abstract categories become emotionally tangible for viewers.

Another major theme is bureaucracy and the stress it can impose on already vulnerable individuals. Daniel constantly struggles with phone calls, paperwork, and online systems, illustrating administrative burden—the learning, compliance, and psychological costs people face when interacting with the state (Moynihan et al., 2014). These costs are overwhelming, as he is frequently left on hold, given conflicting information, or required to

follow rules that make little sense. The film also highlights how digitalisation can exclude certain groups, as Daniel is expected to apply for jobs online despite having limited computer skills (Hodkinson et al., 2016). This reflects wider concerns that “digital-by-default” welfare systems may increase inequality rather than reduce it (Henman, 2010).

Katie, a single mother whom Daniel befriends, offers another perspective on welfare conditionality. After being sanctioned for missing appointments, she struggles to provide enough food for her children. A well-known scene in a food bank reflects research linking benefit sanctions to food insecurity (Loopstra et al., 2018). Katie’s experience highlights how welfare policies can have particularly harsh effects on women and single parents, who are already more vulnerable to poverty (Pearce & McAdoo, 1981). Through her story, the film suggests that the human cost of sanctions may far exceed their intended policy goals (Wright et al., 2020).

The portrayal of welfare workers has been criticised as overly negative. However, the film suggests that individuals are not cruel but are constrained by institutional forces. This can be understood through Lipsky’s (1980) concept of street-level bureaucracy, which argues that frontline workers function under pressure, high caseloads, and limited discretion. The critique is therefore directed at the system rather than at individuals.

Loach’s use of social realism strengthens the film’s message by focusing on ordinary people and everyday settings, creating a sense of authenticity (Lay, 2005). Cultural texts such as films can help audiences connect abstract policy debates to lived experiences (Gray & Lotz, 2019). In this sense, social realism is not simply an artistic style but part of the film’s broader social critique.

The film, however, has limitations. It does not fully explore the political or economic rationale behind welfare reforms and focuses largely on negative

outcomes. Some research suggests that conditionality can encourage employment and reduce long-term dependency (Dorsett, 2014). As such, the film should not be treated as a balanced account but as a cultural intervention that stimulates discussion.

Despite this limitation, emotional engagement plays an important role in shaping public attitudes toward welfare and poverty (Jensen, 2014). By encouraging viewers to identify with Daniel and Katie, the film challenges dominant narratives and invites reflection on how welfare systems might be organised more humanely. Through its focus on lived experience, *I, Daniel Blake* makes the human costs of welfare policy visible in ways that policy debates alone often cannot.

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