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Habermasian utopia or Sunstein's echo chamber? The 'dark side' of hashtag hijacking and feminist activism

1. INTRODUCTION

Society thinks, talks, and communicates in ways which are inherently different now from the pre-Internet era. Hashtags in particular have paved the way for online community formation around a particular topic, issue, or goal.¹ The extraordinary growth and spread of social media have fundamentally transformed feminist activism aiming to change legal landscapes.² Although by now it is futile to discuss whether we should or should not use social media (it is far too embedded in the fabric of modern life), feminist debates continue about whether social media revolutionises activism or whether it is the death knell of strategically sound campaigning for legal change.³

A new and relatively under-studied phenomenon which embodies these debates is that of 'hashtag hijacking', where individuals or groups 'hijack' (or co-opt) a particular hashtag to

¹ CA Rentschler, 'Bystander Intervention, Feminist Hashtag Activism, and the Anti-Carceral Politics of Care' (2017) 17 *Feminist Media Studies* 565; CA Rentschler and SC Thrift, 'Doing Feminism: Event, Archive, Techné' (2015) 16 *Feminist Theory* 239.

² Here, the term 'legal landscape' is used to refer to the entire complex web of 'law'. In other words, not just pure constitutional or legislative 'hard' law, but also soft law, law enforcement, the judiciary, budgetary support for legal change, etc.

³ R Karlsen and others, 'Echo Chamber and Trench Warfare Dynamics in Online Debates' (2017) 32 *European Journal of Communication* 257; T Feltwell and others, 'Counter-Discourse Activism on Social Media: The Case of Challenging "Poverty Porn" Television' (2017) 26 *Computer Supported Cooperative Work (CSCW)* 345; D Freelon, C McIlwain and M Clark, 'Quantifying the Power and Consequences of Social Media Protest' (2018) 20 *New Media & Society* 990; A McCosker, 'Trolling as Provocation: YouTube's Agonistic Publics' (2014) 20 *Convergence: The International Journal of Research into New Media Technologies* 201.

draw attention to their own arguments and narratives which undermine or oppose the hashtag's original objective.⁴ The ambition is to reframe the hashtag to subversive ends. The majority of hijacking research has taken the perspective of counter-discourses and the subaltern representing minority voices challenging the dominant discourse.⁵ This article, however, looks at what happens when the original hashtag represents the subaltern counter-public (feminist work) and those wanting to maintain status quo (anti-feminist groups) react by hijacking the campaign hashtag to assert dominance. This research explores the theoretical debate as to whether campaigning online opens women's rights activists to dangerous aggression and 'unsafe' spaces (more so than offline), frustrating or derailing the campaigns, or whether this Habermasian dialogue is actually buoying the campaigns and, in some ways, chipping away at dominant, heteronormative, patriarchal structures and laws. This paper draws insight from empirical evidence from three hashtag campaigns: #NotACriminal/#Repealthe8th on abortion legislation in Ireland, #women2drive on the ban on women driving in Saudi Arabia, and #MyDressMyChoice arguing for better protections for women against sexual violence in Kenya.

This paper first introduces the larger research project from which this study arose, clarifying the methodological approach and addressing challenges. The paper then spends considerable time exploring the theoretical debate, drawing from the literature on trolling and the Alt_Right and framing the debate with scholarly work on feminist activism. Each of

⁴ Freelon, McIlwain and Clark, above n 4.

⁵ For an important discussion of feminist counter narratives, see T Siriphand, 'Counter-Narratives: The Construction of Social Critiques of Women Activists' (1998) 2 *Gender, Technology and Development* 97; See also E Poole, E Giraud and E de Quincey, 'Contesting #StopIslam: The Dynamics of a Counter-Narrative Against Right-Wing Populism' (2019) 5 *Open Library of Humanities* 5; SJ Jackson and B Foucault Welles, 'Hijacking #myNYPD: Social Media Dissent and Networked Counterpublics: Hijacking #myNYPD' (2015) 65 *Journal of Communication* 932; F Toepfl and E Piwoni, 'Targeting Dominant Publics: How Counterpublic Commenters Align Their Efforts with Mainstream News' (2018) 20 *New Media & Society* 2011.

the three case studies are then explored and analysed in detail, weaving the theoretical debate into the analysis. The paper closes with brief discussion, presenting some tentative conclusions.

This paper evolved from its initial presentation at the SLS conference at Queen Mary University, London, in September 2018.

2. EXPLORING THE RELATIONSHIP BETWEEN INTERNATIONAL HASHTAG CAMPAIGNS AND DOMESTIC WOMEN'S RIGHTS

This study was part of a research project which looked at broad relationships between women's rights hashtag campaign behaviours and legal outcomes. The project used ten campaigns, nine countries, and over one million Tweets, framed by the spiral model of human rights change. The spiral model was first developed in 1999, using a series of case studies to create a prediction model of how states move from repressing human rights to institutionalising international human rights norms.⁶ The lynchpin of the model is pressure from international actors through transnational advocacy networks.⁷ The research project specifically looked at five areas of critique of the spiral model matched against five areas of risk in using social media to develop testable variables. The research compared social media campaign behaviours to legal outcomes to better understand the role, both positive and negative, of international hashtag campaigns in achieving positive legal change for women.

⁶ T Risse, SC Ropp and K Sikkink (eds), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge Univ Press 1999); T Risse-Kappen, SC Ropp and K Sikkink (eds), *The Persistent Power of Human Rights: From Commitment to Compliance* (Cambridge University Press 2013).

⁷ ME Keck and K Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Cornell University Press 1998).

All of the campaigns in the larger study ‘took off’ with a Tweet and continued to be driven by Twitter. They were referred to by the hashtag, activities were organised on social media, activists shared information and knowledge on Twitter, and key messages were developed and spread via Twitter. This, by no means, is to claim that there were no other campaign activities taking place; they are *Twitter-based* and *Twitter-driven* campaigns, not *Twitter-only* campaigns.⁸ There is something inherently different about campaign behaviours, messaging and framing, and activist organising online rather than offline. These differences are not very well understood yet, particularly when looking at legal change for women. It is important to note that #notacriminal was eventually excluded from the larger project as it was determined well into the research that the campaign was not *as purely* Twitter-driven as the others were. However, it still a vibrant online campaign with an extremely active Twitter element and therefore is suitable for inclusion in this sub-study. The characteristics as outlined above still hold true.

It is important to underscore at the outset that the issue of correlation versus causation is ripe in any study of this nature.⁹ It is not possible to show direct causation in this kind of research, but it is possible to ensure the study design is rigorous enough to allow for correlations, trends, and patterns to be explored.¹⁰ It is also critical to note that at no point does this study make claims about causation. It is impossible to attempt to assert that the hashtag campaigns, or the hijackers, directly caused any change or lack thereof. However, given that the online, hashtag driven activities played a central role in all of the campaigns,

⁸ RD Willis, ‘Exploring the Relationship between International Twitter Campaigns and Domestic Women’s Rights’ (University of East Anglia 2019).

⁹ Ibid.

¹⁰ Piers Robinson, ‘The CNN Effect: Can the News Media Drive Foreign Policy?’ (1999) 25 *Review of International Studies* 301, p 305; RD Willis, ‘Exploring the Relationship between Global Twitter Campaigns and Domestic Law: Methodological Challenges and Solutions’ (2020) *Forthcoming Information and Communications Technology Law*.

claims *can* be made that there was some relationship between the online behaviours and any resulting legal change.

This sub-study was born from what was initially perceived as a massive methodological roadblock. When the larger project was first conceived, historical Twitter data was readily available through free, accessible online tools. However, although recent Tweets are available for research through its API, Twitter data more than two weeks old is now only available via purchase through a small number of select providers. As the larger project was wholly dependent on historical data in order to gauge long term legal change, the lack of availability of data could have stymied the entire project. However, with a bit of creativity and research, it was determined that historical Tweets were still available for manual collection, using the advanced search function on the live website. This is fully in line with Twitter's terms and conditions.¹¹ Hence began a six-month long journey of manually collecting Tweets. In the end, 1,051,525 unique Tweets were collected. To attempt to counter the algorithms and filter bubbles which create echo chambers, a Twitter account was created with no followers, very few follows, and limited search histories (barring the campaigns themselves) in order to minimise the information which would influence which Tweets were seen and which were not.¹²

While at first this seemed a Sisyphean task, once manual collection began, it became clear that this was actually a useful opportunity to develop intimate knowledge and familiarity with each campaign on a scale which would not have been possible had the Tweets been

¹¹ Twitter, 'Developer Agreement and Policy' available at <<https://developer.twitter.com/en/developer-terms/agreement-and-policy.html>>; 'Archiving Tweets: Reckoning with Twitter's Policy' (*Insight News Lab*) available at <<http://newslab.insight-centre.org/tweetarchivingchallenges/>>.

¹² The author would like to acknowledge Dr. David Willis from the Medical School at UEA for assistance in creating and running a .csv file from the copied Tweets.

delivered in bulk. Having the opportunity to 'see' the campaigns unfold over time, scrolling through each and every individual Tweet, provided rich micro level insight and understanding of these campaigns which, ultimately, became the backbone of the research. Seeing the images which trended and then disappeared, users who were prevalent throughout the campaign, and messaging and framing which organically evolved and changed, without a doubt positively influenced the macro level analyses of these campaigns. Specific to this sub-study, it was this process of manually collecting Tweets and scrolling through each and every day of the campaigns which uncovered the extraordinary prevalence of the phenomena of misogynist (i.e. 'dark') hashtag hijacking.

3. TROLLING, THE RISE OF THE ALT_RIGHT, AND THE NEW PHENOMENA OF HASHTAG HIJACKING

While hashtag hijacking is relatively under-studied, particularly from a 'dark' perspective (meaning that the hijackers are not part of a subaltern), a substantial body of related research explores the rise of trolls and the Alt_Right in online spaces.¹³ This body of research provides important insight into the 'dark side' of social media which sets the stage for exploring anti-feminist hashtag hijacking. The hijackers in this study may fall just short of being called trolls or Alt_Right, but the mechanics and the subversion of their work is comparable.

¹³ See, e.g. W Phillips, *This Is Why We Can't Have Nice Things: Mapping the Relationship between Online Trolling and Mainstream Culture* (The MIT Press 2015); E Saka, 'Social Media in Turkey as a Space for Political Battles: AKTrolls and Other Politically Motivated Trolling' (2018) 27 *Middle East Critique* 161; J Hannan, 'Trolling Ourselves to Death? Social Media and Post-Truth Politics' (2018) 33 *European Journal of Communication* 214; C Hardaker, "'Uh. . . Not to Be Nitpicky,,,,,But...the Past Tense of Drag Is Dragged, Not Drug.": An Overview of Trolling Strategies' (2013) 1 *Journal of Language Aggression and Conflict* 58; S Herring and others, 'Searching for Safety Online: Managing "Trolling" in a Feminist Forum' (2002) 18 *Information Society* 371; K Lumsden and H Morgan, 'Media Framing of Trolling and Online Abuse: Silencing Strategies, Symbolic Violence, and Victim Blaming' (2017) 17 *Feminist Media Studies* 926; McCosker, above n 4.

'Trolls' are individuals who exploit the functionality of social media to start arguments, offend typical users, or cause significant psychological harm to individuals.¹⁴ While the word 'troll' itself often conjures an image of a fairy tale monster living under a bridge, the original intention in using this word comes from fishing, where the line is 'trolled' behind the boat or vessel to attempt to catch fish.¹⁵ The fairy tale image is, however, quite apt. It can be argued that the very existence of trolls, underscored by their overwhelming prevalence, by definition mars social media as an 'unsafe' space. Using similar tactics, the 'Alt_Right' is an emergent white nationalist sect which finds a perfect outlet in social media.¹⁶ Views which previously would have been seen as 'extremist' are suddenly visible and accessible through the new media.¹⁷ Hannan writes that 'because social media feed a hyperemotional environment of visceral reactions and paranoid instincts, they feed the psychology of reactionary right-wing movements.'¹⁸

The mechanics of social media which allow both trolling and the Alt_Right to flourish online provide an important framework for understanding the misogynist dark side of hashtag hijacking. Studies exploring trolling and the rise of the Alt_Right find that there are specific aspects of social media which encourage hate-driven behaviour, the kind seen in the hashtag hijacking in this study. Strong voices of women calling for changes to the laws that

¹⁴ Phillips, above n 14.

¹⁵ Ibid.

¹⁶ See, e.g. AH Jakubowicz, 'Alt_Right White Lite: Trolling, Hate Speech and Cyber Racism on Social Media' (2017) 9 *Cosmopolitan Civil Societies: An Interdisciplinary Journal* 41; E Poole and E Giraud, 'Right-Wing Populism and Mediated Activism: Creative Responses and Counter-Narratives Special Collection' (2019) 5 *Open Library of Humanities* 31; Poole, Giraud and de Quincey, above n 6; KA Feshami, 'Voices of White Resistance: Democratic Theory and the Task of Contending with White Nationalist Voice' (2018) 4 *Open Library of Humanities* 39.

¹⁷ Poole and Giraud, above n 17.

¹⁸ Hannan, above n 14, p 220.

bind them are almost guaranteed to arouse a reaction from those who see women's liberation as a threat. The Twitter environment not only allows extremism and misogyny to happen, but arguably cultivates, nurtures, and encourages it.

First, it is anonymous.¹⁹ Research has found that social media allow a level of confidence in abusing others because the online perpetrators do not know their victims personally.²⁰ This anonymity frees individuals from consequences or repercussions which would come from tying their identity to their actions.²¹ Things can be said online that, if said offline, would have significant personal consequences. But behind the screen of anonymity, these consequences are removed.

Second, community building online is not reserved for groups with what most would define as 'noble' goals. While online spaces allow protest movements to come together, so too can *all* groups of like-minded individuals.²² 'Tribal' affinity and identity politics tend to dictate individuals' online behaviours.²³ The connectivity provided by social media allows dissonant voices to join together and create a movement fuelled by hatred and anger as much as anything else.²⁴ Whereas these individuals may have been previously silenced through perceived isolation, with an entire global population with which to connect these

¹⁹ Jakubowicz, above n 17.

²⁰ Hannan, above n 14, p 220.

²¹ Herring and others, above n 14; K Kosenko, E Winderman and A Pugh, 'The Hijacked Hashtag: The Constitutive Features of Abortion Stigma in the #ShoutYourAbortion Twitter Campaign' (2019) 13 *International Journal of Communication* 21.

²² Karlsen and others, above n 4.

²³ A Chua, 'Tribal World' [2018] *Foreign Affairs* available at <<https://www.foreignaffairs.com/articles/world/2018-06-14/tribal-world>>; Hannan, above n 14.

²⁴ Poole, Giraud and de Quincey, above n 6.

voices may now more easily find a community which sustains, and strengthens, their viewpoints.²⁵

Third, commitment to freedom of speech renders regulation of social media disagreeable to most.²⁶ The Internet culture is built on a belief in free speech and freedom of expression.²⁷ This upholding of ideals of freedom of speech allows trolls and the Alt_Right to continue to spread their messages of hate and extremism unfettered. Viewed through a feminist lens, boyd finds that ‘technology companies uphold an idealized vision of the First Amendment, rooted in Louis Brandeis’ notion that “sunlight is the best disinfectant,” which suggests that hate speech can be neutralized with nonhateful speech.’²⁸ Further, ‘free’ speech does not translate into ‘equal’ speech and some certainly have greater access than others.²⁹ Again, this value can perversely operate online in a way which reinforces discrimination, rather than challenging it.

Finally, there is something important about the ‘disembodiment’ of speech on social media.³⁰ Strands of feminist theory which draw down from Foucault place particular importance on the physical body in protest and resistance to dominant forces of power.³¹ In studying hashtag feminism, Lang has found that campaigns focussing on rape and sexual

²⁵ Feshami, above n 17.

²⁶ A Gibson, ‘Free Speech and Safe Spaces: How Moderation Policies Shape Online Discussion Spaces’ (2019) 5 *Social Media + Society* available at <<http://journals.sagepub.com/doi/10.1177/2056305119832588>>; Jakubowicz, above n 17; Herring and others, above n 14.

²⁷ Gibson, above n 27 , p 2.

²⁸ J Donovan and danah boyd, ‘Stop the Presses? Moving From Strategic Silence to Strategic Amplification in a Networked Media Ecosystem’ [2019] *American Behavioral Scientist* 000276421987822, p 12.

²⁹ Gibson, above n 27.

³⁰ H Lang, ‘#MeToo: A Case Study in Re-Embodying Information’ [2019] *Computers and Composition* available at <<https://linkinghub.elsevier.com/retrieve/pii/S8755461519300222>>.

³¹ A Travers, ‘Parallel Subaltern Feminist Counterpublics in Cyberspace’ (2003) 46 *Sociological Perspectives* 223; Siriphant, above n 6; Gibson, above n 27; See also M Foucault, *The History of Sexuality, Vol 1* (1st Vintage Books ed, Vintage Books 1988); M Foucault, *The History of Sexuality, Vol. 2* (Vintage Books ed, Vintage Books 1990); M Foucault, *The History of Sexuality, Vol. 3* (Vintage Books ed, Vintage Books 1990).

assault in particular tend to have a decontextualizing effect where the lived experiences of victim survivors are de-coupled from the dialogue and discussion around the wider epidemic. Stories become statistics rather than personal encounters.³² The ‘disembodiment’ also has been shown to pave the way for the Alt-Right narrative.³³ What is important is not that these elements operate independently, but rather intertwine together creating a complexity of opportunities.

‘Hashtag hijacking’ occurs when individuals or groups appropriate or take over a hashtag and use it to serve their own ends or goals, usually the antithesis of the original purpose of the hashtag.³⁴ For example, digital activists may use a particular hashtag at a particular time to specifically and strategically ‘inject’ their counter-discourse into the mainstream conversation.³⁵ Activists ‘position’, quite literally, their counter-discourse next to the dominant discourse.³⁶ It is important to note that most of the literature looks at hashtag hijacking as a *positive* outlet for counter-discourse/counter-narrative to challenge dominant groups.³⁷ This study looks at the ‘dark side’ of hashtag hijacking, where the dominant discourse use trolling tactics similar to the Alt_Right to reinforce misogynistic views through hijacking.³⁸

³² Lang, above n 31; But see CA Rentschler, ‘#MeToo and Student Activism against Sexual Violence’ (2018) 11 COMMUNICATION CULTURE & CRITIQUE 503.

³³ Jakubowicz, above n 17.

³⁴ Feltwell and others, above n 4; Jackson and Foucault Welles, above n 6; J(1) Sanderson and others, ‘“How Could Anyone Have Predicted That #AskJameis Would Go Horribly Wrong?” Public Relations, Social Media, and Hashtag Hijacking’ (2016) 42 Public Relations Review 31; L Recalde and others, ‘Who You Should Not Follow: Extracting Word Embeddings from Tweets to Identify Groups of Interest and Hijackers in Demonstrations’ (2019) 7 IEEE Transactions on Emerging Topics in Computing 206.

³⁵ Feltwell and others, above n 4 , p 362.

³⁶ Ibid 374.

³⁷ Poole, Giraud and de Quincey, above n 6; Jackson and Foucault Welles, above n 6.

³⁸ For further discussion on the ‘dark side’ of social media, see CV Baccarella and others, ‘Social Media? It’s Serious! Understanding the Dark Side of Social Media’ (2018) 36 European Management Journal 431.

In their study of #MyNYPD, Jackson and Foucault Welles found that hashtag hijacking is an important strategy for counter-narratives to successfully challenge dominant discourse, illustrating the 'democratizing potential of Twitter and the evolving strategies of citizen activists in the age of new media.'³⁹ Another study looked at the hijacking of #StopIslam, finding that, while the counter-narrative challenging the discriminatory hashtag was visible, it was only fleeting. The dominant discourse of the anti-Muslim movement, in this case, maintained ultimate control over the hashtag. The authors concluded that: 'these contrasting dynamics of the 'echo-chambers' we identified may, through density or dispersion, block out or shut down the further circulation of counter-narratives, as evident in the longevity of conservative voices.'⁴⁰

Of particular relevance to this study is the work of Kosenko, Winderman, and Pugh on the hijacking of #ShoutYourAbortion.⁴¹ The #ShoutYourAbortion hashtag emerged as a way to optimise online safe spaces for women to share their stories of accessing abortion services, in an attempt to destigmatise. Anti-abortionists, however, hijacked the hashtag to spread messages of the immortality of abortion, rising to the level of threats of violence. Many of the hijacked Tweets conveyed a religious message, a finding which is reiterated across most of the hijacked campaigns in this study.⁴² Unfortunately, the aim of the #ShoutYourAbortion campaign to destigmatise was unrealised due to the stigmatising effect of the anti-abortion message conveyed through the widespread hashtag hijacking.

³⁹ Jackson and Foucault Welles, above n 6 , p 933.

⁴⁰ Poole, Giraud and de Quincey, above n 6 , p 28.

⁴¹ Kosenko, Winderman and Pugh, above n 22.

⁴² Ibid 8–12.

4. FEMINIST SUBALTERN COUNTER-PUBLICS IN ONLINE SPACES

Feminists for decades have debated whether the visibility and anonymity inherent in occupying online spaces foster destructive misogyny⁴³ or whether social media create new spaces for collective action and contestation where before they were not possible.⁴⁴ Rooted in the work of Nancy Fraser, and, to some extent, Sarah Ahmed and Claire Hemmings, this paper explores whether the counter-attack on the feminist campaigners strengthened their work in a Habermasian way, or whether the anti-feminist structures and functions of social media allowed the hijackers to silence the feminist voices.⁴⁵

Habermas's work sets the stage for our understanding of the role of voice, dialogue, and debate in forming societal structures and norms.⁴⁶ He found that dialogue and debate could open spaces for the voice of the bourgeois to gain power from the elite, having a potential redistribution effect. Habermas's view was that true democracy was achieved through this debate, believing in its purest form where decisions are made based on a rational

⁴³ K Ott, 'Social Media and Feminist Values: Aligned or Maligned?' (2018) 39 *Frontiers: A Journal of Women Studies* 93; L Parson, 'Digital Media Responses to a Feminist Scholarly Article: A Critical Discourse Analysis' (2019) 19 *Feminist Media Studies* 576; D Boyd, *It's Complicated: The Social Lives of Networked Teens* (1. Aufl, Yale University press 2014); Donovan and boyd, above n 29; D Boyd, 'Can Social Network Sites Enable Political Action?' [2008] *International Journal of Media and Cultural Politics* 241.

⁴⁴ C Matos, 'New Brazilian Feminisms and Online Networks: Cyberfeminism, Protest and the Female "Arab Spring"' (2017) 32 *International Sociology* 417; Lang, above n 31.

⁴⁵ N Fraser, 'What's Critical about Critical Theory?: The Case of Habermas and Gender', *Unruly Practices* (NED-New edition, University of Minnesota Press 1989) available at <<https://www.jstor.org/stable/10.5749/j.ctts7ps.10>>; N Fraser, 'Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy' [1990] *Social Text* 56; C Arruzza, T Bhattacharya and N Fraser, *Feminism for the 99 Percent: A Manifesto* (Verso 2019); S Ahmed, 'Deconstruction and Law's Other: Towards a Feminist Theory of Embodied Legal Rights' (1995) 4 *Social & Legal Studies* 55; S Ahmed, *Living a Feminist Life* (Duke University Press 2017); S Ahmed, 'Beyond Humanism and Postmodernism: Theorizing a Feminist Practice' (1996) 11 *Hypatia* 71.

⁴⁶ J Habermas, T MacCarthy and J Habermas, *Reason and the Rationalization of Society* (Nachdr, Beacon 2007); J Habermas, T MacCarthy and J Habermas, *Lifeworld and System: A Critique of Functionalist Reason* (1. digital-print ed, Beacon 2005); TA McCarthy, *The Critical Theory of Jürgen Habermas* (2. print, MIT Pr 1982).

understanding and interpretation of information and knowledge, presented in arguments.⁴⁷

Many proponents of the Internet and social media find that online spaces epitomise a Habermasian utopia of rational decision making emerging from the opening of dialogue and debate to the voices of the many in a common public sphere.⁴⁸ Voice is perceived to be the backbone of democracy, and social media is the megaphone.

In her critique of Habermas, Nancy Fraser posits that this idealistic 'public sphere' does not function in the kind of egalitarian way envisioned by Habermas because society itself is not equal.⁴⁹ Structural, political, economic, and social inequalities pervade the so-called 'public sphere', rendering the perfect liberal democratic model a failure. However, she takes the Habermasian perspective further to a place that could 'work' for feminist and minority voices. In her conceptualisation, multiple and competing public spheres could allow for debate and discussion in ways that might challenge dominant, destructive discourse and structures.⁵⁰

⁴⁷ J Habermas, 'Political Communication in Media Society: Does Democracy Still Enjoy an Epistemic Dimension? The Impact of Normative Theory on Empirical Research' (2006) 16 *Communication Theory* (1050-3293) 411.

⁴⁸ Gibson, above n 27; K Lovejoy and GD Saxton, 'Information, Community, and Action: How Nonprofit Organizations Use Social Media*' (2012) 17 *Journal of Computer-Mediated Communication* 337; K Lovejoy, RD Waters and GD Saxton, 'Engaging Stakeholders through Twitter: How Nonprofit Organizations Are Getting More out of 140 Characters or Less' (6) 38 *Public Relations Review* 313; C Shirky, 'The Political Power of Social Media: Technology, the Public Sphere, and Political Change' (2011) 90 *Foreign Affairs* 28; C Shirky, *Here Comes Everybody: How Change Happens When People Come Together* (Updated with a new chapter, Penguin Books 2009); Jackson and Foucault Welles, above n 6.

⁴⁹ Fraser, 'Rethinking the Public Sphere' above n 77.

⁵⁰ Fraser, 'What's Critical about Critical Theory?' above n 77; See also M Salter, 'Justice and Revenge in Online Counter-Publics: Emerging Responses to Sexual Violence in the Age of Social Media' (2013) 9 *Crime, Media, Culture: An International Journal* 225.

Other viewpoints, starting from Sunstein's position,⁵¹ see social media as less of a liberal democratic utopia and more of an 'echo chamber' where the powerful elite alone control the puppet strings of the platforms most used, and where like-minded homogenous groups connect with, and *only* with, each other.⁵² When explored through a feminist lens: 'social network sites create cavernous echo chambers as people reiterate what their friends posted. Given the typical friend overlap in most networks, many within those networks hear the same thing over and over until they believe it to be true.'⁵³ The way social media platforms operate, using data to mould online experiences, simply reflect the biases in offline society, potentially underscoring Fraser's critique of Habermas.⁵⁴ Filtering and personalisation lead to group polarisation.⁵⁵ Although there is a façade of 'openness' and breaking down societal barriers, the reality is that social media solidifies the homogeneity of people's everyday lives.⁵⁶ Online visibility thus becomes a barrier to movements, not a beacon.⁵⁷ In this strand of thinking, social media is in fact the polar opposite of Habermas's ideal space for dialogue, instead reinforcing the offline structures which silence minority or marginalised voices. The debate is far from decided whether online activism is a utopia of access, speed, and connectivity which opens new safe spaces for counter-publics, or a value laden tool of the elite resulting in slactivism, extremism, and the reinforcement of existing, harmful power imbalances.⁵⁸

⁵¹ CR Sunstein, *Republic.Com* (3. print., 1. paperback print, Princeton University Press 2002); CR Sunstein, *Republic.Com 2.0* (1. pbk. print, Princeton Univ Press 2009); CR Sunstein, *#Republic: Divided Democracy in the Age of Social Media* (Princeton University Press 2017).

⁵² Donovan and boyd, above n 29; Boyd, 'Can Social Network Sites Enable Political Action?' above n 75; Karlsen and others, above n 4; Poole, Giraud and de Quincey, above n 6.

⁵³ Boyd, 'Can Social Network Sites Enable Political Action?' above n 75 , p 243.

⁵⁴ Ott, above n 75.

⁵⁵ Sunstein, *Republic.Com* above n 84.

⁵⁶ Ibid; Sunstein, *Republic.Com 2.0* above n 84; Sunstein, *#Republic* above n 84; See also Ott, above n 75.

⁵⁷ Poole, Giraud and de Quincey, above n 6; Freelon, McIlwain and Clark, above n 4.

⁵⁸ Feltwell and others, above n 4; Gibson, above n 27; McCosker, above n 4.

For this study the question then is – does Twitter function as one common public sphere where inequalities are so deeply embedded that minority voices have no hope of being heard? Or does Twitter function as a meeting place for Fraser’s multiple competing public spheres, thus allowing minority, and in this case feminist, voices to be heard?

Under the first conceptualisation, social media are not neutral.⁵⁹ Feminist work often points to Twitter in particular as a tool which not only harbours but actually fosters *unhealthy* debate, asking the question: ‘Do 140 characters predispose discussion to a slanted, shallow, gossipy social interaction?’⁶⁰ One researcher stated: ‘If Facebook is a high school popularity contest, then Twitter is a schoolyard run by bullies.’⁶¹ Twitter in particular seems to allow misogyny, bullying, and trolling to thrive, with the character limit acting as a curtailment to proper dialogue. Regardless of whether Twitter is a single public sphere (Habermas) or multiple competing public spheres (Fraser’s reimagining), if the dialogue is curtailed by the mechanism both conceptualisations of the production of knowledge fail.

Other feminists expose inherent gender biases in the framework on which social media are built, the algorithms that allow certain information to flow and other information to fade away, and the filter bubbles which create ‘personalised’ online experiences.⁶² Both creators and users operate within ‘hierarchical’ structures which are replicated or even amplified in online spaces.⁶³ Many also highlight the exploitative nature of the economics of

⁵⁹ Donovan and boyd, above n 29.

⁶⁰ Ott, above n 75 , p 101.

⁶¹ Hannan, above n 14 , p 219.

⁶² Ott, above n 75; Karlsen and others, above n 4; Donovan and boyd, above n 29.

⁶³ Ott, above n 75 , p 94.

technologies which are inherently anti-feminist.⁶⁴ Heteronormative patriarchal structures are rife, favouring not just the stereotypical 'rich white man' but also elite white women.⁶⁵ The voices of minority women and women facing multiple discriminations are certainly not prominent on social media.⁶⁶ As one blatant example explored by Lang, #MeToo was actually not the first 'me too' movement; the first me too movement was started by a black woman named Tarana Burke living in Philadelphia four years earlier. It wasn't until Alyssa Milano took to Twitter that #MeToo became a worldwide 'movement.'⁶⁷ The work of Salter also illustrates the differential impact of social media exposure:

It would seem that a multitude of 'publics' are active online although the boundaries between counter-publics and hegemonic discourse are somewhat permeable, disseminating alternative discourses which in turn can reproduce the structures and norms they are ostensibly critiquing. It may be that the criteria of credibility and rationality applied in counter-public spheres mirror those implicitly gendered constructions that circulate in the public sphere and reflect the viewpoints of established and powerful institutions. This raises questions about the effect that disempowered women can have through an online medium.⁶⁸

⁶⁴ C Fuchs, *Social Media: A Critical Introduction* (SAGE 2014); Matos, above n 76; Jackson and Foucault Welles, above n 6.

⁶⁵ Poole, Giraud and de Quincey, above n 6.

⁶⁶ Lang, above n 31.

⁶⁷ '#MeToo: The World of Million Dollar Cheques - International Law Blog @ UEA - UEA' available at <https://www.uea.ac.uk/law/research/international-law-blog/-/asset_publisher/bS26fAaA3cQa/content/-metoo-the-world-of-million-dollar-cheques?inheritRedirect=false&redirect=https%3A%2F%2Fwww.uea.ac.uk%2Flaw%2Fresearch%2Finternational-law-blog%3Fp_p_id%3D101_INSTANCE_bS26fAaA3cQa%26p_p_lifecycle%3D0%26p_p_state%3Dnormal%26p_p_mode%3Dview%26p_p_col_id%3Dcolumn-3%26p_p_col_count%3D1>.

⁶⁸ Salter, above n 83, p 237–238.

Further, social media by definition are, well, *social*. As Freelon states, ‘movements fortunate enough to attract substantial public attention online quickly find themselves among allies, opponents, journalists, celebrities, curious onlookers, and would-be entertainers seeking to capitalize on the latest trend.’⁶⁹ Similarly, from the feminist perspective, danah boyd points out that ‘the most active egoists on social network sites are musicians, politicians, marketers, and other populations who desperately want the attention of the masses.’⁷⁰ The access, connectivity, and community which fosters feminist work is also used by anti-feminist groups in much the same way. These new online spaces may not offer any safety at all, exposing women to far more abuse, hatred, and danger than offline spaces ever did. Evidence shows that these risks are not contained online as many women have had this abuse come offline and force them to protect their physical bodies.⁷¹

Embodying the second conceptualisation of Twitter as a space for contestation, many women feel that social media allow them to voice opinions and experiences in ways that face to face, physical spaces could not.⁷² They can Tweet, blog, video, or express themselves freely to a potentially sympathetic or empathetic audience without borders. They can connect to other women with similar experiences and more easily establish subaltern counter-publics.⁷³ Rentschler’s work in particular illustrates how social media can be used to find different, alternative forms of justice when the mainstream system fails for women.⁷⁴ Feminists can create movements which cultivate and curate vast amounts of

⁶⁹ Freelon, McIlwain and Clark, above n 4 , p 992.

⁷⁰ Boyd, ‘Can Social Network Sites Enable Political Action?’ above n 75.

⁷¹ Herring and others, above n 14; Kosenko, Winderman and Pugh, above n 22.

⁷² Rentschler, ‘#MeToo and Student Activism against Sexual Violence’ above n 33.

⁷³ Travers, above n 32.

⁷⁴ Rentschler, ‘#MeToo and Student Activism against Sexual Violence’ above n 33; Rentschler, ‘Bystander Intervention, Feminist Hashtag Activism, and the Anti-Carceral Politics of Care’ above n 2; C Rentschler, ‘#Safetytipsforladies: Feminist Twitter Takedowns of Victim Blaming’ (2015) 15 Feminist Media Studies 353.

knowledge, information, and evidence to advocate for change. Voices which were previously suppressed and oppressed are suddenly heard via social media outlets, challenging established elite discourse in new, effective, and, most importantly, visible ways.⁷⁵

In this way, the public sphere created by social media could manifest Fraser's re-imagining of multiple public spheres, opening the door to challenge dominant discourse through self-defined, feminist subaltern counter-publics. Similarly, both Hemmings and Ahmed understand feminist work to almost necessitate anti-feminist backlash in order to truly be 'feminist'.⁷⁶ Hemmings in particular theorises the role of both rage and the clash between dominant and feminist perspectives as necessary for disruption and change.⁷⁷ Ahmed builds this idea of facing challenge into the very fabric of feminism.⁷⁸ Thus combining the perspectives of Fraser, Hemmings, and Ahmed into an understanding of campaigning through social media, perhaps the hashtag hijacking by the dominant anti-feminist voice(s) is actually *necessary* for the work to be truly feminist, and it is only through this hijacking that campaigners can achieve true success. This paper now turns to the empirical evidence to explore this concept.

⁷⁵ J Sutton and S Pollock, 'Online Activism for Women's Rights' (2000) 3 *CyberPsychology & Behavior* 699; Matos, above n 76.

⁷⁶ C Hemmings, 'Affective Solidarity: Feminist Reflexivity and Political Transformation' (2012) 13 *Feminist Theory* 147; Ahmed, *Living a Feminist Life* above n 77.

⁷⁷ Hemmings, above n 109, p 155–157.

⁷⁸ Ahmed, *Living a Feminist Life* above n 77.

5. HIJACKED CAMPAIGNS AND LEGAL CHANGES

#NOTACRIMINAL

When this research began, Ireland had one of the world's most restrictive abortion laws.⁷⁹

Groups had been actively lobbying for change for many years. Article 40.3.3 (the 8th

Amendment) of the Irish Constitution states: 'The state acknowledges the right to life of the

unborn and, with due regard to the equal right to life of the mother, guarantees in its laws

to respect, and, as far as practicable, by its laws to defend and vindicate that right.'⁸⁰ This

has been interpreted to give equal legal rights to both the foetus and the woman.⁸¹ This

amendment was passed by referendum in 1983 with a 67% majority and a 53% turnout,

after a campaign by the pro-life movement which had been launched in 1981.⁸² Over time,

challenges have made their way through the court system with varying success. By

referendum, an amendment which would remove suicide as a permissible factor for

terminations was rejected, while the 13th Amendment and 14th Amendment were passed

which allow women to legally travel to seek terminations and to legally seek information

about termination services.⁸³ However, legislation passed in 1995 (The Regulation of

Information (Services Outside the State for Termination of Pregnancies) Act) restricts the

practical availability of such information.⁸⁴

⁷⁹ A Barry, 'Explainer: What Is the 8th Amendment?' (*TheJournal.ie*) available at <<https://www.thejournal.ie/what-is-the-eight-amendment-abortion-1625596-Aug2014/>>.

⁸⁰ The Irish Constitution.

⁸¹ F De Londras and M Enright, *Repealing the 8th: Reforming Irish Abortion Law* (Policy Press 2018).

⁸² Barry, above n 178; I Bacik, 'Legislating for Article 40.3.3' (2013) 3 *Irish Journal of Legal Studies* 18; E Carolan, 'Article 40.3.3 and the Law on Abortion' (Citizens Assembly 2017).

⁸³ De Londras and Enright, above n 180; Carolan, above n 181, p 11; Bacik, above n 181, p 26.

⁸⁴ Amnesty International Ireland, 'Human Rights Complaint Framework for Abortion in Ireland: Submission to the Citizens' Assembl' (2017), p 13; Amnesty International, 'She Is Not a Criminal: The Impact of Ireland's Abortion Law' (2015) Index: EUR 29/1597/2015, p 8.

The story of Savita Halappanavar in 2012 sparked particular outrage across the country. She presented at hospital with a potential miscarriage, but doctors could not terminate the pregnancy until there was a 'real risk' to her life or until the foetal heartbeat stopped. Without termination of the pregnancy, she became septic and died.⁸⁵ In combination with a Supreme Court case⁸⁶ and a European Court of Human Rights case,⁸⁷ the Irish government was pushed to repeal the previous criminal law on abortion and passed the 'Protection of Life during Pregnancy Act' in 2013.⁸⁸ The Act legislated that if two medical practitioners both agree that there is a 'real and substantial risk of loss of the woman's life from a physical illness and...that risk can only be averted by carrying out the medical procedure' then a termination is allowed. The Act also legalised abortion if there is a 'real and substantial risk of the loss of the woman's life by way of suicide', though there were extensive regulations in the Act governing how the decision is to be made and what kind of medical reviews were necessary. The Act also explicitly allowed women to travel outside of Ireland to access abortion services. However, health professionals were entitled to conscientious objection and the Act reiterated that abortion outside of these circumstances remained a criminal offence. Abortions were still not legal in cases of rape, incest, or risk to the physical or mental health of the woman that would not result in death.⁸⁹

In June 2015, Amnesty International, as part of an ongoing campaign, launched a report with an accompanying hashtag #NotACriminal, referring to Ireland's legal landscape which criminalises women seeking abortions. The goal of the campaign was to push the

⁸⁵ Amnesty International, above n 183 , p 33–34.

⁸⁶ *'X' Case* (1992) No. 846P (Supreme Court of Ireland).

⁸⁷ *Case of A, B, and C v Ireland* [2010] European Court of Human Rights 25579/05.

⁸⁸ Carolan, above n 181 , p 10.

⁸⁹ De Londras and Enright, above n 180.

government to call for a referendum on the 8th amendment.⁹⁰ The hope was that the referendum results would allow the decriminalisation of abortion and lead to the repeal of the two additional pieces of legislation creating barriers to accessing services described above.⁹¹

The pro-life movement against changing the law in Ireland was, and remains, strong. Pro-life campaigners co-opting, appropriating, and contesting pro-choice movements is certainly nothing new.⁹² It was not necessarily surprising that there was some pro-life content in #notacriminal, however what was surprising was the sheer volume of pro-life rhetoric and imagery in the #notacriminal campaign. The hijacked Tweets most often attacked the campaigners as baby-killers, specifically using language and imagery of children with Down's Syndrome or disability. The language and imagery were extremely evocative, attempting to smear the campaign as advocating for the murder of children:

'I'm a baby, I'm #notacriminal'⁹³

'#repealthe8th #notacriminal ? - so that sick kids and kids with disabilities can be weeded out?'

Some hijackers took a softer yet more manipulative approach, preying on potential vulnerabilities. These Tweets would often show an image of an 'abortion survivor' or a pregnant belly:

⁹⁰ A Smyth, 'Paper of Coalition to Repeal the Eighth Amendment Delivered to The Citizens' Assembly' (2017) , p 6; Amnesty International Ireland, above n 183 , p 9, 10.

⁹¹ Amnesty International, above n 183 , p 10.

⁹² S Kennedy, "'#Repealthe8th': Ireland, Abortion Access and the Movement to Remove the Eighth Amendment' (2018) 5 Antropologia available at <<http://doi.org/10.14672/ada2018145513-31>>; R Fletcher, '#RepealedThe8th: Translating Travesty, Global Conversation, and the Irish Abortion Referendum' (2018) 26 Feminist Legal Studies 233.

⁹³ Tweets have been edited to remove potential identifiers; the content remains the same but identifiable information has been removed in line with ethical treatment of public Twitter data.

'#notacriminal #repealthe8th Are you or someone you know hurt by abortion? There is help available.'

Others attempted to paint the campaign as anti-woman or to personally smear the campaigners:

'It seems #repealthe8th #notacriminal lobby are more #abortion loving than pro-woman'

'#repealthe8th #notacriminal campaigner admits she does not care that woman was killed in abortion'

'No response from #repealthe8th re leader (*circled in red in an accompanying photo*) guilty of having 7000 images of #childporn #notacriminal'

Hijackers also strategically capitalised on anti-US sentiment, framing the #repealthe8th campaign as a US-driven exportation of American values:

'Lets say NO to US funded #prodeath #repealthe8th #notacriminal lobbyists'

'Read how abortion lobby group Amnesty Ireland is rotting with dollars from the US #repealthe8th #notacriminal'

Finally, in a more expected vein, pro-life campaigners used the pro-choice hashtags to organise their own on-the-ground counter protests, perhaps using exaggerated language and numbers to 'big up' their presence:

'Thousands are expected at #prolife rally in Dublin on Saturday #rally4life'

Of particular note in this hijacking was the repetitive nature of these Tweets. One Tweet which was particularly visible and memorable showed an image of a young girl with Down's Syndrome and the text: 'this young girl is #notacriminal and does not deserve to be tortured and killed'. It was Tweeted at least 91 times over the course of the campaign, at one point

being sent out at least once a day. Another Tweet criticising Marie Stopes for ‘killing women’ was sent out at least 28 times. While this may have, at times, been via an automated bot, this does not detract from the visibility and prevalence of this imagery and language.

In the top 100 hashtags in #notacriminal the following hashtags appeared: #prolife, #preciouslife, #prodeath, #childporn, #lifeequality, #celebratethe8th, #protectthe8th, #handsoffour8thamendment. This reflects the discourse used in the Tweet content itself. #preciouslife frames the pro-choice groups as killers or murderers taking away the lives of innocent children, using the evocative word ‘precious’. #prodeath again tries to label the #repealthe8th activists as murderers, using a play on ‘pro-life’. #childporn is one example of an oft-used attack on an individual campaigner who the pro-life groups accused as a paedophile. The final three are more generalised, showing a deep cultural and religious commitment to the law as it was. These counter-hashtags provide more evidence of the tactics used by the hashtag hijackers and the prevalence of their voice in the campaigns. To have this many counter-hashtags present in the most used hashtags in the campaign underscores the prevalence of the hijacking.

For the most part, there was not much engagement, response, or countering of the hijackers by campaigners. The majority seemed to adopt the ‘don’t feed the trolls’ approach, putting their efforts and energy into the campaign itself rather than into disproving the hijackers. However, there were instances of some engagement with the hijackers. The most clearly seen response was to the prevalence of the hashtag #prolife. Several Tweets, over a lengthy period of time, included the phrase: ‘#prochoice is #prolife’.

This phrase seemed to catch on and was used often by various campaigners. This was an opportunity for the #notacriminal campaigners to send a powerful message, changing a negative hijacking frame to a positive one.

Though fairly isolated, some campaigners did engage in online dialogue with the hijackers (sent to some of the hijacking accounts):

It's not "pro-#abortion" honey. It's #prochoice. Learn the difference. #prolife = #misogyny

Funny how all those goading anti-choice accounts hide their names and faces. You'd swear they knew they were bigoted arseholes.

These responses tend to embody the Fraser/Hemmings/Ahmed perspective that challenge, dialogue between publics, and anger were all necessary ingredients to lead this campaign to such astounding success.

Following on from the online and offline campaigning, the government announced a Citizens Assembly in 2016, which is a group of individuals randomly selected to learn about pressing legal issues and recommend changes through a balloting process. The Assembly considered five different topics, one of which was the 8th Amendment, which was designated the first topic to be discussed.⁹⁴ There were 4 ballots in total which found that Article 40.3.3 should not be repealed, but should be changed to allow for broader legal access to abortion.⁹⁵ While some campaigners were disappointed with this result as it did

⁹⁴ Citizens' Assembly, 'First Report and Recommendations of the Citizens' Assembly: The Eighth Amendment of the Constitution' (2017), p 39.

⁹⁵ Citizens' Assembly, above n 193.

not go so far as to call for a complete repeal, this outcome was far “more liberal” than many had expected.⁹⁶

In June 2017, the Irish Prime Minister announced that a referendum would be held in 2018, stating: ‘I think there are circumstances in which we should allow it that does means replacing the Eighth Amendment with something else.’⁹⁷ The results of the referendum were overwhelmingly positive for the campaign. A large majority of Irish citizens voted to repeal the 8th.⁹⁸ This led to the passing of the Regulation of Termination of Pregnancy Bill in December 2018 which sets out how abortion services will be legally allowed in Ireland. This brings Ireland’s law far more in line with most countries around the world and has been lauded as an extraordinary success for women.

Prior to the referendum, pro-life campaigners were very vocal about their characterisation about the ‘Irish public’; adopting a Habermasian view of one, singular public sphere. For example, after a pro-life rally organised to counter #notacriminal/#repealthe8th, one pro-lifer stated this ‘sends a very strong signal to the Government that they are going to meet tremendous resistance in their campaign to remove from our Constitution the right to life of the unborn’⁹⁹ and ‘he’s [Varadkar] going to lose this referendum. He may think otherwise,

⁹⁶ Repeal8, ‘Repeal Eight | Eoin Daly – “Take the Issue Out of the Constitution” – The Case for Repeal Rather than Replace’ available at <<http://www.repealeight.ie/eoin-daly-take-the-issue-out-of-the-constitution-an-argument-for-repeal-rather-than-replace/>>; ‘Citizens’ Assembly Backs Abortion Rights in Wide Range of Circumstances’ available at <<https://www.irishtimes.com/news/ireland/irish-news/citizens-assembly-backs-abortion-rights-in-wide-range-of-circumstances-1.3058170>>; ‘Irish Citizens Assembly Votes to Amend Abortion Laws | The Independent’ available at <<http://www.independent.co.uk/news/ireland-citizens-assembly-votes-amend-not-repeal-eighth-amendment-constitution-abortion-laws-a7696996.html>>.

⁹⁷ C Simpson, ‘Referendum on Republic’s Abortion Laws to Be Held next Year’ (*The Irish News*, 14 June 2017) available at <<http://www.irishnews.com/news/republicofirelandnews/2017/06/15/news/referendum-on-republic-s-abortion-laws-to-be-held-next-year-1056397/>>.

⁹⁸ Kennedy, above n 191; Fletcher, above n 191.

⁹⁹ TD Williams and PD 2 Jul 2017501, ‘Irish Pro-Life Rally Draws 70,000 in March Against Abortion’ (*Breitbart*, 2 July 2017) available at <<http://www.breitbart.com/big-government/2017/07/02/irish-pro-life-rally-draws-70000-in-march-against-abortion/>>.

because he lives in a media and political bubble, but ordinary people are saying we want to save the Eighth Amendment'.¹⁰⁰ After a public opinion poll, a similar sentiment was expressed: 'public opinion in Ireland is not in favour of abortion on request but only in limited circumstances, with strict gestational limits.'¹⁰¹ Yet it seems that, perhaps, the contestation of this issue in the online sphere may have had a positive effect for the campaigners. Exploring the hashtag hijacking, the limited but powerful responses from campaigners, and the eventual change in the law, it seems that this campaign provides some indication that the Fraser/Hemmings/Ahmed perspective may have been more evident than the boyd/Sunstein conceptualisation. Perhaps, in this instance, hashtag hijacking was to the benefit of the feminist work. This may be particularly relevant as the legal change was eventually determined through a public referendum, rendering the online dialogue critically important.

#WOMEN2DRIVE

Since 1957, women have been banned from driving in Saudi Arabia, unable to obtain a licence and risking arrest for being caught driving. Women relied on male guardians or chauffeurs for transportation.¹⁰² Although it is technically a royal decree and more recently a fatwa, several administrative laws brought it into force, such as traffic laws which do not allow the issuing of licenses to women.¹⁰³ Some commentators were of the view that the

¹⁰⁰ 'Both Sides in Abortion Debate Clash at City Rally' (*Independent.ie*) available at <<http://www.independent.ie/irish-news/politics/both-sides-in-abortion-debate-clash-at-city-rally-35885876.html>>.

¹⁰¹ 'Opinion Poll: Clear Majority against Abortion on Request' available at <<https://www.irishtimes.com/news/social-affairs/opinion-poll-clear-majority-against-abortion-on-request-1.3097896>>.

¹⁰² Center for Security Policy, 'Saudi Women Gain the Right to Drive' available at <<https://www.centerforsecuritypolicy.org/2017/10/02/saudi-women-gain-the-right-to-drive/>>.

¹⁰³ 'Saudi Arabia Agrees to Let Women Drive' *The New York Times* available at <<https://www.nytimes.com/2017/09/26/world/middleeast/saudi-arabia-women-drive.html>>; 'Saudi Arabia to

ban came less from the royal family and more as a means to appease hard line clerics over the years.¹⁰⁴

Beginning in 1990, women activists began to protest the ban by driving, though the protest activities had limited traction in the early days.¹⁰⁵ But when the filming of activist Manal al-Sharif driving a car led to her arrest and detention, the reborn online campaign went viral. According to one activist, 'social networking sites such as Twitter and Facebook have been key for the women drivers, providing support networks and, crucially, publicity outside the kingdom.'¹⁰⁶ The social media aspect allowed women activists to tap into foreign pressure, something they had not been able to successfully do before, using the what must certainly be Fraser's view of multiple contesting public spheres.

#women2drive elicited an expected strong response from hard-line religious clerics, though unexpectedly many took to social media as a battle ground, hijacking the campaign hashtag.¹⁰⁷ This came as a surprise, as it seemed ironic that hard-line clerics would use a modern, Western, liberal platform to attempt to derail the modern, Western, liberal campaign. However, it was again a very visible hijacking, both in data collection and in

Allow Women to Drive in Major Milestone for Country' available at <<http://www.telegraph.co.uk/news/2017/09/26/saudi-arabia-allow-women-drive/>>.

¹⁰⁴ J Kinnimont, 'End of Saudi Women Driving Ban Reflects Deep Changes in Society' *BBC News* (27 September 2017) available at <<http://www.bbc.co.uk/news/world-middle-east-41412022>>; 'Saudi Women Rejoice at End of Driving Ban' *BBC News* (27 September 2017) available at <<http://www.bbc.co.uk/news/world-middle-east-41411799>>; 'Dozens of Saudi Arabian Women Drive Cars on Day of Protest against Ban' *The Guardian* (October 2013) available at <<http://www.theguardian.com/world/2013/oct/26/saudi-arabia-woman-driving-car-ban>>; J Burke, 'Saudi Arabia Women Test Driving Ban' *The Guardian* (17 June 2011) available at <<http://www.theguardian.com/world/2011/jun/17/saudi-arabia-women-drivers-protest>>.

¹⁰⁵ 'Saudi Women Rejoice at End of Driving Ban', above n 203; Human Rights Watch, 'Saudi Arabia: As Women's Driving Ban Ends, Provide Parity' (27 September 2017) available at <<https://www.hrw.org/news/2017/09/27/saudi-arabia-womens-driving-ban-ends-provide-parity>>; Daily Mail, 'Saudi Women Protest Driving Ban in 1990' available at <<http://www.dailymail.co.uk/wires/ap/article-4924266/Saudi-women-protest-driving-ban-1990.html>>.

¹⁰⁶ Burke, above n 203.

¹⁰⁷ N MacFarquhar, 'Saudis Arrest Woman Leading Right-to-Drive Campaign' *The New York Times* (23 May 2011) available at <<https://www.nytimes.com/2011/05/24/world/middleeast/24saudi.html>>.

reports from the activists themselves: 'in the new online battlefield, conservative clerics have been deploying their own Twitter accounts to call on the religious police to be extra vigilant against the prospect of women drivers.'¹⁰⁸

Much of the hashtag hijacking tried to appeal to a conservative but general 'public' (i.e. Habermas), claiming that women were dangerous drivers and featured images of crashed cars with language focussing on women's lack of ability to drive.¹⁰⁹ This rhetoric was extended to allege that those advocating for women's rights were dangerous to the kingdom, in an attempt to demonise the activists and paint them as threats to public society:

women2drive If they drive the cars, girls, you will see the time - before Morocco in Ramadan - the most dangerous time for the market, any accident in which there are fractures, death, permanent disability.

Supporters of driving women to the car and those led by Manal Sharif are more dangerous than the perpetrators of explosions in our country

Other hijacked Tweets took a more traditional approach, seeing women driving as against Sharia, though still echoing the framing which portrayed the women drivers as risks. These Tweets were anti-woman, anti-women's empowerment, and anti-Western, though again appealing to a conservative, religious public:

Women, the media, education ... a dangerous triangle that the secularists and liberals in our country seek to possess and possess a great danger

¹⁰⁸ Ibid.

¹⁰⁹ CB and L Shaikhouni, 'Saudi Women Driving Reform: "We Did It"' *BBC News* (27 September 2017) available at <<http://www.bbc.co.uk/news/blogs-trending-41412237>>.

To attempt to derail the campaign by claiming that the Saudi public did not want women to drive, the hijackers used their own hashtag 'the women of my house won't drive' and 'the people refuse women driving' (translated).¹¹⁰ This framing adopted a Habermasian view of a singular public sphere, sending a message that proclaimed to reflect the dominant, majority voice. By using this kind of language in their hashtags, the hijackers are clearly attempting to continue to frame the issue as a reflection of society, arguing that society still wants the ban in place. This acts in direct contradiction to the framing from the #women2drive activists who claimed that that vast majority of the Saudi public wanted women to drive. The campaigners recognised the importance of using social media for dialogue and debate:

'the most dramatic development is the extent of public debate conducted through social media...Although it does not remove the need for more formal opportunities for freely expressing views and debating policies, it has proved to be a potent tool in many respects and is a constant reminder to the Government of the importance of public engagement, especially in relation to social and economic policies.'¹¹¹

This viewpoint tends to illustrate that social media can be a feminist tool, using Fraser's approach.

Another online debate of note occurred when a religious cleric (Al-Hijri) in response to the campaign publicly stated that women have 'half the brains of men' which then drops to a quarter 'when they go to market'. #women2drive campaigners took to social media to frame their response, using their own hashtag which translates to 'Al-Hijri-women-quarter-

¹¹⁰ Ibid.

¹¹¹ 'End of Mission Statement Special Rapporteur on Extreme Poverty and Human Rights, Professor Philip Alston on His Visit to Saudi Arabia' available at <<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21094>>.

brain'.¹¹² This hashtag was used 119,00 times in 24 hours.¹¹³ The religious conservative hijackers then responded again, deploying yet another hashtag 'Al-Hijri is with the woman, not against her' which was used 20,000 times in the same 24-hour period.¹¹⁴ The debate in this online sphere between the campaigners and the hijackers was palpable. This response tends to show more of the Hemmings/Ahmed conceptualisation of feminist activism as needing opposition, as opposed to the 'don't feed the trolls' approach seen more widely in #notacriminal. Both, however, seemed to have a similar effect.

Shifts began in 2016, when Saudi Arabia released its 'Vision 2030' policy and strategy document, which outlined a major shift towards modernisation, and, in particular, towards women.¹¹⁵ Then in September 2017, the new Saudi King announced that the driving ban would be lifted and women could apply for driving licenses from June 2018.¹¹⁶ There is widespread agreement that the lifting of the ban signifies a wider shift in Saudi politics brought on by the new, young, modern King.¹¹⁷ Additionally, it was not a complete 'victory' as guardianship laws are still in force and some believe the move was to detract attention away from other continued human rights abuses.¹¹⁸ It is seen by some as a 'concession'.¹¹⁹

¹¹² N Khomami, 'Saudi Cleric Banned for Saying Women's Brains "a Quarter the Size" of Men's' *The Guardian* (23 September 2017) available at <<http://www.theguardian.com/world/2017/sep/23/saudi-cleric-saad-al-hijri-banned-woman-driving-cars-quarter-brain>>.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ 'Saudi Arabia to Allow Women to Drive' *Al Jazeera* available at <<http://www.aljazeera.com/news/2017/09/saudi-arabia-women-drive-170926190857109.html>>.

¹¹⁶ Center for Security Policy, above n 201; 'Saudi Arabia Agrees to Let Women Drive', above n 202; 'Saudi Arabia to Allow Women to Drive', above n 215; Human Rights Watch, 'Saudi Arabia: As Women's Driving Ban Ends, Provide Parity' above n 204.

¹¹⁷ 'Saudi Women Can Drive at Last but Some Say Price Is Silence' available at <<https://uk.reuters.com/article/uk-saudi-women-driving-politics/saudi-women-can-drive-at-last-but-some-say-price-is-silence-idUKKCN1C71TJ>>; 'Opinion: Give Saudi Women the Right to Drive' available at <<https://edition.cnn.com/2013/10/24/opinion/begum-saudi-women-driving/index.html>>.

¹¹⁸ Human Rights Watch, 'Saudi Arabia: As Women's Driving Ban Ends, Provide Parity' above n 204; 'What Overturning the Ban on Female Drivers Means for Saudi Arabia and the World' available at <<https://www.newyorker.com/news/news-desk/what-overturning-the-ban-on-female-drivers-means-for->

However the government has pledged to take special measures to ensure that women will be free to take driving lessons, take driving tests, and receive their license.¹²⁰ Saudi women themselves celebrated the move and largely attributed the lifting of the ban to the hashtag campaign.¹²¹

#MYDRESSMYCHOICE

On November 7th, 2014, a woman was publicly stripped and beaten at a bus stop in Nairobi for wearing a mini-skirt and ‘tempting’ men. The attack was caught on film and quickly went viral. In the aftermath, a spate of violent public strippings of women across the country took place.¹²² It became clear that this type of incident was not new in Kenya, but the visibility of the stripping on social media pushed people to take action.¹²³ The #mydressmychoice campaign framed the strippings as acts of violence against women and advocated for stronger enforcement of existing laws. As one campaigner stated, ‘we started on Facebook and later on went to Twitter, and it immediately became viral. With the

saudi-arabia-and-the-world>; Human Rights Watch, ‘Human Rights Abuses Stemming from Male Guardianship and Sex Segregation in Saudi Arabia’ (2008) available at <<https://www.hrw.org/report/2008/04/19/perpetual-minors/human-rights-abuses-stemming-male-guardianship-and-sex>>; Human Rights Watch, ‘Saudi Arabia: Repression Overshadows Women’s Reforms’ (2018) available at <<https://www.hrw.org/news/2018/01/18/saudi-arabia-repression-overshadows-womens-reforms>>.

¹¹⁹ ‘What Overturning the Ban on Female Drivers Means for Saudi Arabia and the World’, above n 218; ‘“Battle of the Sexes”: Saudi Men React to Women Driving’ (*Dhaka Tribune*, 4 October 2017) available at <<http://www.dhakatribune.com/world/middle-east/2017/10/04/saudi-men-react-women-driving/>>.

¹²⁰ ‘“Battle of the Sexes”: Saudi Men React to Women Driving’, above n 219.

¹²¹ Shaikhouni, above n 208.

¹²² ‘#Mydressmychoice v #Nudityisnotmychoice’ (*Go Woman Africa*) available at <<http://gowomanafrika.com/mydressmychoice-vs-nudityisnotmychoice/>>.

¹²³ I Santos, ‘#MyDressMyChoice: Tackling Gender Discrimination and Violence in Kenya One Tweet at a Time’ (16 March 2015) available at <<http://blogs.worldbank.org/developmenttalk/mydressmychoice-tackling-gender-discrimination-and-violence-kenya-one-tweet-time>>.

pressure coming from social media, we hope the president would have to react, and that something will be done finally.’¹²⁴

The legal framework in Kenya prior to the strippings was generally agreed to be strong on paper but weak in implementation and enforcement.¹²⁵ The Sexual Offense Act passed in 2006 was to be a major improvement over previous law. It took many iterations and debates to reach a point of majority support, and is based on a model law in the UK.¹²⁶ Many compromises were made in order to get the bill through; marital rape was removed, chemical castration was removed, and a clause was inserted to deter making false accusations (this was later repealed).¹²⁷

The #mydressmychoice campaign officially called for the following:

- Investigating and arresting all perpetrators of the attacks; urgently deploying police squads to public bus stations to prevent gender violence, including harassment.
- Aggressively cracking down on those inciting violence and similar attacks on women, whether in public or on social media
- Comprehensively and urgently addressing the Kenyan Government’s obligation to combat violence against women, including: community sensitization and awareness campaigns, regulatory action to ensure accountability of bus operators, and necessary legal reforms

¹²⁴ D Welle (www.dw.com), ‘#MyDressMyChoice: Kenyans Hold Rally to Support Woman Beaten for Wearing Miniskirt | Africa | DW | 17.11.2014’ (DW.COM) available at <<http://www.dw.com/en/mydressmychoice-kenyans-hold-rally-to-support-woman-beaten-for-wearing-miniskirt/a-18069645>>.

¹²⁵ Agency for Cooperation and Research in Development, ‘Making the Law Count: Kenya: An Audit of Legal Practice on Sexual Violence’ (2009); Santos, above n 223.

¹²⁶ ‘Choike - Legislating against Sexual Violence: The Kenyan Experience’ available at <http://www.choike.org/nuevo_eng/informes/4717.html>; Agency for Cooperation and Research in Development, above n 226 , p 17.

¹²⁷ ‘Choike - Legislating against Sexual Violence: The Kenyan Experience’, above n 227.

- Urging the media to exercise caution in sharing the graphic videos of the women being attacked and stripped, as the videos re-victimize and stigmatize the survivors and are emboldening copycat criminals¹²⁸

On the other hand, the counter-campaign hijackers used the incident to call for new ‘decency’ laws to be passed to control what women can and can’t wear in public.¹²⁹

Neighbouring Uganda has reportedly used an anti-pornography law to regulate women’s attire.¹³⁰ The Ugandan anti-pornography bill includes provocative dress under its definition of pornography which allows an interpretation of ‘banning the mini-skirt’. After the #mydressmychoice campaign the law was reviewed and passed muster; it is still in place in Uganda.¹³¹ A similar law was proposed in Kenya prior to the campaign, but it did not pass.¹³²

The #mydressmychoice campaign became marred with individuals and groups advocating for these so-called decency laws, blaming the victims of the strippings for wearing revealing clothing. These laws would have regulated women’s dress in public, essentially banning the ‘miniskirt’. Some of the debate thus boiled down to a cultural argument over ‘African/anti-

¹²⁸ ‘Stop the Violent Attacks on Women: #MyDressMyChoice’ (*Equality Now*) available at <https://www.equalitynow.org/stop_the_violent_attacks_on_women_mydressmychoice?locale=en>.

¹²⁹ ‘#MyDressMyChoice - Protests in Kenya after a Woman Is Publicly Stripped’ available at <<https://www.globalcitizen.org/es/content/mydressmychoice-protests-in-kenya-after-a-woman-is/>>; ‘#MyDressMyChoice’ (14 November 2014) available at <<http://africasacountry.com/2014/11/mydressmychoice/>>; ‘My Dress, Whose Choice?’ available at <<http://www.aljazeera.com/blogs/africa/2014/11/99751.html>>.

¹³⁰ ‘Uganda Bans Miniskirts as MPs Pass Anti-Pornography Bill’ *The Independent* (19 December 2013) available at <<http://www.independent.co.uk/news/world/africa/no-thighs-please-uganda-bans-miniskirts-as-mps-pass-anti-pornography-bill-9016686.html>>; But see ‘Women Free to Wear Miniskirts - Lokodo’ (*Daily Monitor*) available at <<http://www.monitor.co.ug/News/National/Women-free-to-wear-miniskirts---Lokodo/688334-2148738-v2a1ai/index.html>>.

¹³¹ B Cummings, ‘Kenyan Protest after Woman Is Beaten and Stripped in Public’ *The Guardian* (17 November 2014) available at <<http://www.theguardian.com/world/2014/nov/17/kenya-mydressmychoice-protest-woman-stripped>>; ‘My Dress, Whose Choice?’, above n 229.

¹³² ‘Kenyan Politician Wants to Ban Miniskirts and Tight Trousers’ (*Index on Censorship*, 12 March 2014) available at <<https://www.indexoncensorship.org/2014/03/kenya-county-wants-ban-miniskirts-tight-trousers/>>.

colonial' values, which would have embraced women's exposed skin in public, miniskirts, even bare breasts, versus 'European/colonial' values, which imbued Christianity, the covering of skin, and the adoption of decency laws for women's dress.¹³³ What was clear throughout the campaign was that, more so here than in any other campaign studied, Twitter was the locus of contestation between the two groups.

The hijacked Tweets were less repetitive or visual than those in #notacriminal but were prevalent enough to be noted during data collection. The language on the whole tended to shift blame to the women, exonerating the men accused of the violence and taking on an anti-woman rhetoric:

'if those ladies ain't decent, heard there is a law of public indecency'

'Decency has to be maintained in society. This will ensure standards of propriety, molarity and decorum.'

'Decency is absolute and not relative as most of you campaigners of scunty dressing are trying to make us believe.'

'Too much women empowerment will be the downfall of our society'

'#MyDressMyChoice but Christian Ladies can't dress the way they want! There is a Kingdom dressing code... Decency, modesty n propriety'

Some hijackers took a less anti-woman approach but still used the #mydressmychoice hashtag to advocate for decency:

'its not cool to strip women but really decency shud be a virtue.'

¹³³ P Mk and eh, 'My Dress, My Choice Protest Sparks a Lot of Questions' (*World Pulse*, 23 November 2014) available at <<https://www.worldpulse.com/fr/node/35187>>; 'Understanding Africa's "Fashion Gestapo": Miniskirts, Maxi Skirts Make-up and Long Beards' (*MG Africa*, 5 December 2014) available at <<http://mgafrica.com/article/2014-12-04-understanding-africas-fashion-police/>>.

‘If interested in walking half naked then do it to yur bf & NOT to the world, it's embarassin’’

‘ladies should mind thea dressing’

Again, contra to the African/European debate but similar to #notacriminal, there was also decidedly anti-Western rhetoric in some of the hijacked Tweets:

‘If you want to dress like westerns then kindly get a visa to US or Europe. Kindly leave our decency here’

‘being civilised doesn't mean walking almost naked..#mydressmychoice is an idea mooted by people drunk wit westernisation’

For every Tweet read which framed this as a campaign to address violence against women, there was another Tweet defending the perpetrators for stripping the victims and calling for decency laws to be passed. It was unmistakable, unambiguous, public dialogue which clearly reflected deeply rooted cultural beliefs on both sides. One decency law supporter described their work:

We will never support a demonstration seeking a leeway to legalize nudity, a demonstration in support to indecency, a demonstration seeking to hoodwink men and boys into social immorality...In light to the stripping incidences at Kayole and Embassava, a clear message has been sent out, a worthy testimony in the public domain, that it is time we did away with indecent, revealing clothes and just like our neighbors’, Uganda, ban wearing of the miniskirts.¹³⁴

The other side of the debate was described as:

Tragically, the conversation centred on the hemline of dresses instead of the sex gangs. Women blamed women for the indecent dressing that provoked the

¹³⁴ K Abonyo, ‘#mydressmychoice: Utter Nonsense!!’ available at <<http://techparada.blogspot.com/2014/11/mydressmychoice-utter-nonsense.html>>.

strippings. People of stature in the church said that if stripping was the only way to achieve decency, they would support it.¹³⁵

In #mydressmychoice, the hashtag #strippingshame emerged. While its original intention was of course to 'shame' those perpetrators who had 'stripped' the women, the hijackers used this hashtag to identify their narrative. They used it subversively to 'shame' the *women* who had been stripped for being indecent. This was another layer of hijacking, introducing a new framing of a campaign hashtag which runs completely counter to the campaign's goals. It also shows one of the more underhanded tactics of the hijackers, representing much more of the boyd approach which sees danger in online spaces. The victim-blaming strategy, using the campaign's own hashtag, showed a deep level of subversion and misogyny.

The legal outcomes in this campaign were far less clear than the previous two. While a law was passed to criminalise public strippings, it was rife with the potential for human rights violations.¹³⁶ However, a new proposed law, the Sexual Offences (Amendment) Bill 2016 was rejected by MPs in Feb 2017.¹³⁷ The Sexual Offences (Amendment) Act 2016 included amendments to better define 'indecent acts', improve sex education, and improve law enforcement. The amendments were proposed by MP Florence Mutua based on work undertaken by a task force and was supported by women's rights groups. It was reported

¹³⁵ M Yobby, 'Women, Gangs, and Silence' (26 November 2014) available at <<http://forum.ngeckenya.org/chat/women-gangs-and-silence>>.

¹³⁶ 'Stop the Violent Attacks on Women: #MyDressMyChoice', above n 225.

¹³⁷ D Psirmoi, 'MPs Reject Changes to Sex Offences Law' (*The Standard*) available at <<https://www.standardmedia.co.ke/article/2001229527/mps-reject-changes-to-sex-offences-law>>.

that mostly male ministers rejected the amendments, saying they could be easily misinterpreted. The bill was eventually thrown out in its entirety.¹³⁸

No draft decency laws ever even made it to Parliament. Some independent bodies have attempted to pass 'dress codes' but these have been isolated and far from widespread. Although there is still more work to be done, at the very least policing in regard to public acts of violence such as stripping did seem to improve, and the perpetrators in the spark incidents were held to account.¹³⁹

It could be argued that the ferocity of the hashtag hijackers in this campaign was more intense than the others; not in terms of visibility or consistency, but in terms of using more sophisticated online strategies to undermine the campaign. There was much more of a 'fight' in this campaign, and campaigners seemed to engage more with the hijackers than in the other campaigns. As one activist stated:

It is increasingly becoming difficult for women to escape violence with the growing use of cyberspace; facebook, twitter and instagram. Despite the absence of face to face interactions, many African women are attacked and repressed in virtual space because they are transgressing the conventional representations still expected by society. While this protest undoubtedly opens room for further investigations about

¹³⁸ Ibid.

¹³⁹ 'KHRC - Joint Press Statement by Kenyan Women & Civil Society Organizations on the Sexual Offences Against Women' available at <<http://www.khrc.or.ke/2015-03-04-10-37-01/press-releases/375-joint-press-statement-by-kenyan-women-civil-society-organizations-on-the-sexual-offences-against-women.html>>; F Indimuli, "'Anti Stripping Squad' Arrests 5 in Kayole Swoop' (*Mpasho News*, 27 November 2014) available at <<https://mpasho.co.ke/anti-stripping-squad-arrests-5-kayole-swoop/>>; 'Kenya "Anti Stripping Squad" Formed' (*AGR NEWS*, 26 November 2014) available at <<https://agrwm.wordpress.com/2014/11/26/kenya-anti-stripping-squad-formed/>>; 'Death Penalty for Trio Who Stripped Woman' *BBC News* (19 July 2017) available at <<https://www.bbc.com/news/world-africa-40654155>>.

gender and cultural norms regarding the dress code for African women, it also rings a bell as to the crucial role our virtual space occupies in our everyday life.¹⁴⁰

In #notacriminal, while there was some positive reframing of the hijackers' message to the campaign itself, for the most part the campaigners seemed to channel their anger and energy into the campaign. This campaign saw fundamental legal changes as a result of their work. In #women2drive, there was some engagement with the hijackers, and the campaigners did use the public space of Twitter to express anger and to counter the hijackers. This campaign saw meaningful success, though again tempered by the continued existence of guardianship laws. Finally, in #mydressmychoice, the debate between the campaigners and the hijackers on Twitter was far more visible and intense than in the other campaigns. The hijackers showed more maliciously strategic choices in their use of social media, and the campaigners seemed to engage more directly in the fight. This campaign saw the least positive legal changes.

SILENCING FOR STATUS QUO OR PROVOCATION FOR CHANGE?

Silencing in the echo chamber? The Sunstein/ boyd approach

The more prominent side of this debate tends to fall towards trolling and Alt_Right literature, where online spaces are seen as safe havens not for feminists or activists, but for those who wish to express hatred and anger, acting to silence minority voices. Online spaces provide a perfect cocktail of opportunities which favour trolls and extremists over feminists with more 'noble' goals.¹⁴¹ While the hashtag hijackers in the cases in this study

¹⁴⁰ Mk and eh, above n 233.

¹⁴¹ Phillips, above n 14.

are not as extreme as trolls or the Alt_Right, they are arguably on the same spectrum. If this side of the debate were true, dark side hashtag hijackers would be successful in derailing campaigns. Their co-option and appropriation of hashtags advocating for legal change to improve the lives of women and girls would quash the campaigns, using their power to make their voices louder while simultaneously smothering the voices of women.¹⁴² This view of social media takes a more traditional approach to power differentials, favouring the powerful elite (the hijackers) over the minority voice for change (the campaigners). Here, Sunstein and boyd's warnings about the harms of social media are brought to the fore.¹⁴³ It may be that #mydressmychoice fell more towards this end of the spectrum, particularly as evidenced by the harmful misogynistic re-framing of the #strippingshame hashtag to shift blame to the victims. This campaign saw little to no change in the long run, although the campaigners did manage to stave off any legislating around women's dress.

That which is challenged grows stronger? The Fraser/Ahmed/Hemmings approach

This approach finds that the expression of counter-opinion actually serves to strengthen original feminist work. In his YouTube study, McCosker found that antagonistic comments which many would have labelled as 'trolling' actually served a very important 'provocation' purpose: 'provocation and counter-provocation were continually folded into each other in ways that intensified and sustained collective engagement.'¹⁴⁴ He found that, although at times 'uncomfortable', these acts of provocation were actually critically important for online dialogue and discussion to create a 'dynamic participatory space,' just as Fraser's critique of

¹⁴² Kosenko, Winderman and Pugh, above n 22.

¹⁴³ Sunstein, *Republic.Com* above n 84; Sunstein, *Republic.Com 2.0* above n 84; Sunstein, *#Republic* above n 84.

¹⁴⁴ McCosker, above n 4, p 213.

Habermas would predict.¹⁴⁵ The reaction against the opposition is stronger *because* of the opposition.¹⁴⁶ Through this lens, hashtag hijacking can be theorised as ‘provocation’ or ‘contestation’, not trolling.¹⁴⁷ This framing of the opposition activities as provocation allows for a more nuanced understanding and interpretation of the campaigners’ reactions and activities. Rather than obstructing the campaign, the opposition actually strengthens the campaign, making their voice stronger, more active, and more resolute, in line with the theories of Ahmed and Hemmings. This approach would indicate that campaigns which are hijacked would be associated with more positive legal change, closely aligned to the goals of the campaign. The hijackers’ activities would make the campaign stronger and that strength would translate into more positive progress in challenging hetero-patriarchal laws. This seemed to be the case in #notacriminal and #women2drive, where the Fraser/Hemmings/Ahmed conceptualisation of feminist work necessitates angry debate in a public forum.

Further study of this phenomena would take this case study approach further and speak to individuals on both sides of the hashtag – the activists and the hijackers. This additional primary data would help to understand the role of the hijackers in the overall movement for women’s rights.

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¹⁴⁵ Ibid 215.

¹⁴⁶ Karlsen and others, above n 4; Jakubowicz, above n 17.

¹⁴⁷ McCosker, above n 4.

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