

**The Catholic Church as “Guardian of the Faith”?  
Sex, Scandal, and Social Progress in the Republic of Ireland**

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## **Introduction: The Most Virtuous Country in the World**

*There is a danger of losing the name which the chivalrous honour of Irish boys and the Christian reserve of Irish maidens has won for Ireland. If our people part with the character that gave rise to the name, we lose with it much of our national strength. Purity is strength and purity and faith go together. Both virtues are in danger these times, but purity is more assailed than faith.*

- Statement of the Irish Bishops, 1925<sup>1</sup>

## **Creating an Irish Identity**

For most of its modern history, Ireland has defined itself as being a Catholic nation; across Europe, the Irish have historically had a reputation for being particularly devout. The basis for Irish independence from Britain in the 20<sup>th</sup> century was not simply political, then, but religious and moral; therefore, there was a need to draw a sharp distinction between the impure former colonizer and the virtuous new nation.<sup>2</sup> Because of this, it seemed almost inevitable that the Republic of Ireland would institutionalize Catholicism as a way of validating their unique national identity. During the formation of the Republic of Ireland in 1937, there was a consensus between politicians and the clergy: as an almost wholly Catholic country, the laws of the state should be rooted in the moral teachings of the Church. Article 44 of the original Constitution of Ireland (1937) states that “the state recognizes the special position of the Holy Catholic Apostolic and the Roman Church as the guardian of the faith professed by the great majority of the citizens.” Irish nationalism and moral superiority were critical to the construction and fragile ego of the newly independent state. Codifying religion was then in many ways a means to this end: Ireland was explicitly, institutionally Catholic. This influence permeated every aspect of Irish life and society, from education and healthcare to poor relief and social policy. Over education in particular, the Church had almost total control; “as a result,” writes Karen

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<sup>1</sup> “Sermon by Archbishop Gilmartin.”

<sup>2</sup> Fischer, “Gender, Nation, and the Politics of Shame,” 822.

Andersen, “the Church has been able to socialize children within the Catholic faith with relative ease, and due to its powerful position in health, the media and welfare institutions it was able to control the moral discourse and practices of Irish Catholics.”<sup>3</sup> In its early years, the Irish state would not have been able to survive or provide for its citizens without the support of the Catholic Church; religious institutions filled the gaps left by a young government in exchange for significant influence over social and moral policy. As the State’s reliance on this support faded over the years, the formal influence of the Catholic Church waned; however, religion was so deeply embedded in the function and identity of the nation that Ireland would continue to self-identify as a Catholic country well into the 21<sup>st</sup> century.

The legal protection afforded to the Catholic Church was to last just 35 years, an adequate amount of time for the young nation to solidify its national identity and Catholic virtues. In 1972, a national referendum led to Irish citizens decisively rejecting Article 44. The referendum came 50 years since the establishment of the Irish Free State in 1922, and the role of the Church had shifted from “strictly paternalistic” to “the *conscience of society*.”<sup>4</sup> The vote did not signify the end of Catholic Ireland, but a shift from a formally confessional state to a country in which Catholicism was ostensibly a choice. Though overwhelming, the vote was largely symbolic; at the time of the referendum, 95 percent of Irish citizens identified as Catholic, and over 90 percent of those self-identified Catholics reported attending Mass each week.<sup>5</sup> Given these statistics, very few interpreted the removal of the “special position” as a drift away from a national Catholic identity; in fact, the Church did not aggressively campaign against the referendum because, as the *New York Times* wrote, Catholicism was “so deeply entrenched in the

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<sup>3</sup> Andersen, “Irish Secularization and Religious Identities,” 17.

<sup>4</sup> Andersen, 18.

<sup>5</sup> Inglis, *Moral Monopoly*, 17.

minds of so many that the provision served little purpose.”<sup>6</sup> The 1972 repeal of the “special position” doctrine did little to reduce the institutionalized power of the Church; instead, the vote was praised by religious figures. In a 1984 speech, representatives of the Irish Bishops said “we rejoiced when the ambiguous formula regarding the special position of the Catholic Church was struck out of the Constitution by the electorate of the Republic. The Catholic Church in Ireland has no power and seeks no power except the power of the Gospel it preaches and the consciences and the convictions of those who freely accept that teaching.”<sup>7</sup> In denying that it held any power, the Church promoted the claim that the Irish were a uniquely moral people; though it has clear political power, accepting the removal of its special status reinforced the idea that such power came from the strength of its teachings and the force of the electorate’s faith. Because Catholic moral authority was so deeply ingrained in the Irish national psyche, the Church’s power could not be removed through a simple referendum or constitutional amendment.

From the moment of its independence, Ireland was imagined and created as a Catholic country; to be Irish *was* to be Catholic. Regardless of its Constitutional authority, the Church continued to have strong authority over what it saw as the most important aspects of Irish society. Sociologist Tom Inglis attributes the durability of the Church’s ability to create a sort of normative morality to the belief that in order to maintain or improve one’s social status, one must first be viewed as a good Catholic.<sup>8</sup> To be a good Catholic was to attend Mass weekly, observe the sacraments, maintain sexual purity, marry a fellow Christian, and above all, to never question Church doctrine. Being a good Catholic was about being *seen* as a good Catholic; it was a performance rather than necessarily being a reflection of one’s true beliefs or behaviors. This

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<sup>6</sup> Shuster, “Irish Vote to End Favored Status for the Church.”

<sup>7</sup> Andersen, “Irish Secularization and Religious Identities,” 18.

<sup>8</sup> Inglis, *Moral Monopoly*, 17.

emphasis on adherence over piety encouraged what Inglis calls “simple faith,” or the accepting the Church’s teachings without fully understanding them.<sup>9</sup> Arguably, for many people, fear over being exposed as a “bad” Catholic was a more effective driver than true faith. This fear, combined with a deeply instilled sense of guilt and shame over religious shortcomings, created a society that outwardly appeared to be deeply pure and pious. This public demonstration of chastity and religiosity was particularly important for the lower and middle classes, as social and economic success was a prerequisite of upward mobility. Because the Church had almost exclusive control over the education and healthcare sectors, and because of its influence over politics and government, one’s employment prospects were largely dependent on public adherence to Catholic moral doctrine. Failing to attend weekly Mass or becoming pregnant out of wedlock had a profound social and economic impact on the lower classes; they also had fewer resources to conceal their transgressions, such as sending a pregnant daughter to live with family in another town until she gave birth. The all-encompassing influence held by the Church made conformity not only essential for the soul, but imperative for social and economic security.

### **Catholicism and Sexual Morality**

Central to the identity of Ireland as a pure nation is the melting together of public and private morality. Personal transgressions are no longer personal; they are a threat to the entire Irish project. Because of this, even sex – one of the most private acts – must be regulated and policed by the Church and by the community at large. The Catechism of the Catholic Church reinforces this, saying that “Chastity represents an eminently personal task; it also involves a cultural effort, for there is ‘an interdependence between personal betterment and the improvement of society.’”<sup>10</sup> Chastity is of the utmost importance because it is the foundation of

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<sup>9</sup> Inglis, 68.

<sup>10</sup> Catechism of the Catholic Church, 2<sup>nd</sup> ed., (1997), n. 2344

the basic unit of Irish society: the family. The family is “the institution on which moral order is built;” without it, many believed that the economic, political, and social organization of the entire country would fall apart.<sup>11</sup> Gayle Rubin terms this framework the “domino theory of sexual peril” in which a line is drawn between ‘good’ and ‘bad’ sex; this line “expresses the fear that if anything is permitted to cross this erotic demilitarized zone, the barrier against scary sex will crumble and something unspeakable will skitter across.”<sup>12</sup> As Ireland constructed its national identity throughout the twentieth century, the peril of bad sex threatened not only social norms, but the entire project of Irish independence. Because sexual deviation was viewed an existential threat, the Church and the government worked in concert to discourage, uncover, and punish such sins. This preoccupation with sexual purity is directly reflected in crime records of the twentieth century. For example, more than half of all reported crimes in 1940 Dublin were related to sex; a large number of these offenses had to do with homosexual activity.<sup>13</sup> This concern with sexual purity also manifested in the treatment of young girls, whose chastity was of particular importance. The Children’s Acts of 1947 are a critical reflection of this concern, setting up the framework to “protect” pure girls by sending promiscuous or problematic girls away for separate education. Because chastity was so essential to the Irish identity, it needed to be defended at all costs. This often required hiding and segregation as a means of protecting the virtue of pure young women.

Like the temptress Eve caused Adam to sin, the impure few could corrupt the whole. The ways in which the Church and State’s regulation of female sexuality parallel this deeply held Catholic belief that women are both inherently sinful and inherently corrupting. This threat was

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<sup>11</sup> Hug and Campling, *The Politics of Sexual Morality in Ireland*, 3.

<sup>12</sup> Rubin, “Thinking Sex,” 151.

<sup>13</sup> Ferriter, *Occasions of Sin*, 218–19.

believed to extend to reproduction, with poor and illegitimate children understood to be the inheritors of their mothers' impurity; as a 1927 government report on poverty put it, "the illegitimate child, being proof of the mother's shame, is, in most cases, sought to be hidden at all costs."<sup>14</sup> Much of this is wrapped up in notions of class and purity; urban areas occupied by the poor have historically been construed as sites of immorality and vice. Kalifa and Emmanuel argue the biblical city of Sodom "incarnates vice – homosexuality as much as debauchery and lust – *as practiced in the collective mode* and, in this sense, inaugurates the antiurban discourse" associated with the poor.<sup>15</sup> The most enduring message of this story is that sexual immorality is a collective practice; in Ireland, that was interpreted to mean that permitting the impure to remain in society threatened the virtue of the nation as a whole.

Just as important to the collective nature of purity is the treatment of abortion and homosexuality as not only sinful, but against human nature. Of abortion, the Catechism teaches that "life must be protected with the utmost care from the moment of conception: abortion and infanticide are abominable crimes."<sup>16</sup> Of homosexuality, the Catechism describes "homosexual acts as acts of grave depravity" that are "contrary to natural law."<sup>17</sup> The perceived severity of these crimes makes them particularly threatening to Ireland's moral identity, and it also makes those engaged in the acts particularly dangerous; they are both deviant and transgressive. Sociologist Tom Inglis differentiates between "sexual deviants" and "sexual transgressors." A deviant is an individual who may break rules but does not explicitly challenge the existing order. A transgressor, however, is a proud rule-breaker; one who intentionally undermines the existing

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<sup>14</sup> Fischer, "Gender, Nation, and the Politics of Shame," 831.

<sup>15</sup> Kalifa and Emanuel, *Vice, Crime, and Poverty*, 37. *Emphasis added.*

<sup>16</sup> CCC, 2271.

<sup>17</sup> CCC, 2357.

order and is proud of it.<sup>18</sup> A young woman who has sex out of wedlock is certainly breaking the rules of Catholicism, but she does not pose a threat to the existing sexual and social order; someone who has an abortion or engages in a homosexual act, however, threatens the very foundations of Catholic beliefs about sex. Because of this distinction between deviation and transgression, the protection of young girls' chastity described earlier was not extended to all girls. For example, sexual abuse was frequently ignored; if it was addressed, the girl was blamed and often sent away to a separate school. Further action was only taken if a girl became pregnant; illegitimate pregnancy is a public transgression, and someone needed to be punished. As Irish historian Diarmaid Ferriter puts it, "clearly, many girls were regarded as architects of their own downfall."<sup>19</sup> In assigning exclusive blame to the victims of abuse, it was possible to deny that Ireland had a larger problem. The Catholic emphasis on personal accountability immunized the Church and State from criticism and responsibility, despite such an approach being at odds with the collective understanding of purity. In making blame personal rather than cultural, the Church was able to shield itself from accusations of wrongdoing until the last 1990s.

### **Catholic Ireland, Secular Europe**

In order to develop and support its identity as a pure nation, it was not enough to Ireland to institutionalize Catholicism and police sexuality. It also needed to distinguish and protect itself from Britain and the rest of Europe; the ease of traveling to England and Ireland's membership in the increasingly secular European Community made framing Irish identity as distinctly moral both difficult and necessary. In order for Ireland to construct and defend its identity as one of "purity, chastity, and virtue," feminist historian Clara Fischer argues that it was necessary to

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<sup>18</sup> Inglis, "Sexual Transgression and Scapegoats," 6.

<sup>19</sup> Ferriter, *Occasions of Sin*, 227–28, 245.



construe England and Europe as places of “impurity, licentiousness, and vice.”<sup>20</sup> This was first achieved by either hiding sexual deviants and rooting out sexual transgressors within Ireland to maintain the inward appearance of purity. Irish purity was the foundation of and justification for Irish independence; it was necessary, then, for people to believe that this purity was unique to Ireland. Once an internal sense of Catholic righteousness was achieved across Ireland, the gaze turned outwards. Politicians and religious figures emphasized the purity of Irish women in particular. Arthur Griffith, founder of the Sinn Féin party, described the unique morality of his country in 1903: “All of us know that Irish women are the most virtuous in the world.”<sup>21</sup> Yet as large numbers of young people, especially young women, migrated to London, there was an increasing fear that their return would undermine the Church’s hard-fought battle for moral authority. Outside of Ireland, youths were inevitably exposed to unchaste and immoral behavior; when they returned to Ireland, there was a risk that they would bring this sinfulness home with them. The threat seemed especially clear and pressing when it came to abortion: the British parliament had legalized abortion in 1967, and Ireland was the only nation in the European Community to bar the practice in all cases when it joined the group in 1973.<sup>22</sup> Ireland, it seemed, was an island of Catholic morality in an increasingly secular and impure Europe.

At least, Irish moral superiority was the story that Church leadership told: extramarital sex, homosexuality, and abortion were treated as being “inherently un-Irish.”<sup>23</sup> This increase in returning migrants offered the Church a convenient explanation for increases in things like venereal diseases and illegitimate pregnancies, blaming “foreign contamination” rather than

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<sup>20</sup> Fischer, “Gender, Nation, and the Politics of Shame,” 822.

<sup>21</sup> Fischer, 821.

<sup>22</sup> Hug and Campling, *The Politics of Sexual Morality in Ireland*, 144–46.

<sup>23</sup> Ferriter, *Occasions of Sin*, 258.

acknowledging the incompleteness of Irish purity.<sup>24</sup> This fear of foreign interaction undermining Irish moral superiority appeared to be proven further by the opening of the first crisis pregnancy centers in the 1980s. The mere existence of the Dublin Well Woman Centre and the Irish Pregnancy Counselling Centre – the latter of which was opened by Ireland’s most radical feminist group, the Women’s Right to Choose Group (WRCG) – set off alarm bells for anti-abortion activists. These centers did not offer abortions, which were illegal in Ireland at the time; however, they did discuss abortion as an option and provided referrals to English clinics. According to Irish historian Chrystal Hug, these clinics “signalled that the liberalization of socio-moral codes was reaching Ireland, threaten[ing] traditional values and Catholic morality.”<sup>25</sup> These concerns set off a campaign for a constitutional amendment barring abortion in all instances; while this was already the law, a constitutional amendment was seen as the only surefire way to permanently defend Ireland from the moral threat of abortion. And the Irish electorate appeared to agree – the Eighth Amendment, which “acknowledges the right to life,” passed in September 1983 by a margin of 66.9 percent to 33.1 percent. What makes this amendment such a notable reflection of Irish concern over national purity is that there was an anti-abortion campaign where “abortion [was] not legal, and any demand for the ‘right to choose’ was always minimal and marginal,” writes Hug.<sup>26</sup> The amendment was a proactive step, a reaffirmation of Ireland’s commitment to Catholic morality and sexual purity. The overwhelming vote was seen as proof that Ireland was not and would not be influenced by the moral corruption of secular Europe, despite its economic relationship with and close proximity to these impure nations.

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<sup>24</sup> Fischer, “Gender, Nation, and the Politics of Shame,” 259, 267.

<sup>25</sup> Hug and Campling, *The Politics of Sexual Morality in Ireland*, 147.

<sup>26</sup> Hug and Campling, 157.

### Sex, Gender, and Irish Identity

Ireland's self-construction as a uniquely pure and moral country allowed both Church and State to deny any accusations of wrongdoing; instead, the two colluded to conceal anything and anyone that threatened this image. In order to maintain a national and international image of superiority, Ireland relied on what James Smith has termed an "architecture of containment," or a system in which those who reflected Ireland's shame were incarcerated and erased from society.<sup>27</sup> The largest sector of this system was the industrial schools, where children were placed indefinitely due to illegitimacy, poverty, vagrancy, or simple bad luck. Because immorality was seen as being contagious, the children of poor or unmarried mothers were viewed as being morally corrupted by nature of the parentage; the industrial schools were portrayed as a way to protect these children and their peers from bad influences, but in reality they functioned to erase any sense of imperfection in the Irish population. Within these schools, which were run by a number of Catholic religious orders, large numbers of young boys were physically, emotionally, and sexually abused by the priests and brothers entrusted with their care. Though this abuse was endemic and known to Church and government officials, perpetrators went unpunished, and victims were shamed and blamed. A similar system of erasure and incarceration existed for young women and girls accused of promiscuity and sexual impropriety. The Magdalene laundries, named for the prostitute-turned-friend of Jesus, were a series of institutions across Ireland that housed supposedly 'fallen' women. The purported goal of the laundries was to rehabilitate immoral, unchaste women; just as the biblical figure of the prostitute Mary Magdalene had been saved by her faith in Christ, these women could be purified by their holy labor.

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<sup>27</sup> Smith, *Ireland's Magdalen Laundries and the Nation's Architecture of Containment*.

Ireland's system of containment and concealment survived well into the twentieth century, with the last industrial schools and Magdalene laundries closing in 1969 and 1996, respectively. Though the act of incarceration had ended by the start of the new millennium, survivors continued to be haunted by the ghosts of their past while the State and public turned a blind eye; formal government inquiry and acknowledgement would not occur until decades after the physical structures of containment closed their doors. When the extent of the abuse perpetrated against women and children at the hands of the Church was eventually revealed through journalism, activism, and eventual government investigation, Ireland would be shocked and outraged. A new understanding of the Catholic Church as comprised of fallible people emerged; for the first time, many in Ireland viewed themselves as being more sinned against than sinning. In rejecting the presumed perfection of the Church's doctrine and clerics, Irish citizens became free to investigate their own relationship with faith and culture. This Catholic lens that had colored everything in society began to fall away, and the State and public moved towards social policies that stood in direct contrast to the position of the institutional Church. This shift peaked between 2015 and 2018, when over two-thirds of the Irish electorate voted to legalize same-sex marriage and repeal the constitutional amendment banning abortion. In seeing the Church for what it was – a political institution just as much as a religious one – a sort of social revolution swept Ireland from the bottom up. This was more than survivors receiving recognition and apology; it was about redefining Ireland in an increasingly secular world.

## Chapter 1: A Culture of Silence: Sexual Abuse in Ireland's Industrial Schools

*One night I was lying in bed and I was woke up by ... (Br X)... he said "I'm not going to harm you or anything, don't be afraid". At that time I thought he just wanted to chat, I thought it was a normal thing. The next thing he sat on my bed, he said "don't be afraid, I'm not going to hit you". The next thing he took hold of my hand, put my hand on his privates, I took my hand away and with that he slapped me, he slapped me quite a few times and I was crying and he left. He came back later, he opened his trousers and took my hand and put it on his privates, out of total fear I obeyed. He instructed me in what to do and that amounted to masturbation and that continued over the time I was there.*

- Industrial school survivor, testimony to the Ryan Commission<sup>28</sup>

Between 1869 and 1969, over 130,000 Irish children spent time in one of the country's 71 institutions tasked with housing and providing for poor, orphaned, and vagrant children; though the schools were a relic of Victorian-era Britain, over 2,000 children were held in one of Ireland's 31 remaining schools until the final one closed in 1970.<sup>29</sup> Segregated by age and sex, boys over the age of ten were held in one of 11 schools across Ireland before their release upon turning 16. For countless young boys, their time spent in the industrial schools were characterized by many forms of violence and neglect, including rampant sexual abuse. Perpetrated by the Brothers and priests tasked not only with caring for them but with leading them to God, victims of clerical sexual abuse report feelings of shame, fear, loneliness, and disgust that followed them throughout their lives; these emotions were exacerbated by the fact that known abusers were largely allowed to continue working with young boys without consequence. While the phenomenon of childhood sexual abuse by priests and clergymen is not a uniquely Irish phenomenon, the context and scale of the abuse in Ireland sets it apart. The close Church-state relationship means that the Irish government is deeply implicated in the horrors that took place in the industrial schools. The blame was shared, meaning that the entire moral regime

<sup>28</sup> "Commission to Inquire into Child Abuse," vol. 3, chap 7.123.

<sup>29</sup> Raftery and O'Sullivan, *Suffer the Little Children*, 20–23.

of Ireland is called into question in light of these offenses. This is not a story of individual bad actors, although there are plenty; the problem of sexual abuse is endemic to the way that the Irish state and the Catholic Church operate. Yet Ireland offers a unique example of the ways in which class, sex, religion, authority, and silence collude to protect the powerful at the expense of society's most vulnerable: children.

### **Industrial Schools in the Irish Context**

While the practice of institutionalizing children, especially the poor, had the longest lifespan in Ireland, the practice originated during the days of British rule over Ireland. In Ireland, the first reformatory and industrial schools opened in 1958 and 1869, respectively. The reformatory schools, though opened first, were surpassed by industrial schools in both number and size: Ireland had 50 such schools by 1875, reaching a peak of 71 in 1898.<sup>30</sup> The proliferation of Ireland's industrial schools coincided with Englishman Charles Booth's *Life and Labour of the People of London* (begun in 1866), a seventeen-year-long attempt to create a new taxonomy of social class in London. The study referred to the lowest stratum as class A, describing it as a "savage semi-criminal class of people" who refused to work. For the researchers, the greatest threat to the social moral order was the contagions of poverty and vice that plagued class A infecting class B, a vulnerable group of the "very poor" who could hold down temporary jobs at best. In order to prevent the spread of degeneracy up the taxonomy, Booth suggested separating the parents and children of class A to discourage reproduction. The relationship between sexual reproduction and the proliferation of vice is rooted in the centuries-old concept of *residuum*, which is essentially the belief that some degree immorality is passed from poor parents to their children. According to Kalifa and Emanuel (2019), Booth's reclassification of poverty and vice

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<sup>30</sup> "Commission to Inquire into Child Abuse," vol. 1, chap. 2.

as a sociological rather than natural phenomena “helped to inflect all classificatory methods applied after the 1890s.”<sup>31</sup> As Booth’s taxonomy and his ideas about eliminating social and moral ills took root in British policies, the institutionalization of children across the British Isles increased.

English perceptions of poverty as a moral contagion remained influential even after Ireland gained its independence; in some ways, the young country’s desire to set itself apart as a bastion of Catholic morality made these beliefs even stronger. And although the institutional model of care originated in England, the United Kingdom closed or recategorized all of its industrial schools in 1933, after a government inquiry determined that the institutionalization of children was harmful to their development.<sup>32</sup> Similarly, both the Presbyterian Church of Ireland and the Church of Ireland relied primarily on a fostering model for orphans and children with unfit parents. The success of such a system, even in the unique Irish context, suggests that alternative models of care could be effective both in terms of cost and outcome.<sup>33</sup> Despite the fact that there was widespread concern over the impacts of institutionalizing children at home and abroad, the Catholic Church continued to rely almost exclusively on industrial schools to deal with its ‘undesirable’ children. In fact, there was no substantive discussion in the Catholic Church about the quality of care provided in the industrial schools until the 1960s; the last and largest of the industrial schools, Saint Joseph’s (known commonly as Artane) did not close its doors until 1970.<sup>34</sup> By that point, an estimated 150,000 children had passed through the system, many of them deeply and permanently traumatized.<sup>35</sup>

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<sup>31</sup> Kalifa and Emanuel, *Vice, Crime, and Poverty*, 162–64.

<sup>32</sup> Raftery and O’Sullivan, *Suffer the Little Children*, 356.

<sup>33</sup> Raftery and O’Sullivan, 58. There were some Protestant-run industrial schools in Ireland, though they were significantly fewer in number and smaller in scale than those operated by the Catholic Church.

<sup>34</sup> Throughout its nearly 100-year history, over 15,000 boys passed through Artane’s doors. It was not only the largest, but one of the most notorious of the industrial schools.

<sup>35</sup> Raftery and O’Sullivan, *Suffer the Little Children*, 53.

### **Life in the Schools**

The dominant narrative around the industrial schools is that they were institutions of charity. However, the Church received grants from the state in order to operate and maintain the schools; while the buildings themselves were owned by religious groups, the state provided funding for the basic maintenance of residents. Additionally, the state subsidized the salaries of many clerics working at the schools; an inquiry into funding found that “when added to the living expenses provided by the school to the religious staff, [total salaries] amounted to a significant payment for the work. Additional analysis of funding and expenditures showed that very few congregations maintained or preserved payment records. The Ryan Report found that “a significant criticism of the Congregations [is] that they did not maintain sufficient records so as to establish... that they were using all the money that they received from the State to provide for the children in care.”<sup>36</sup> Both the statutory funding schemes and the dearth of proper financial records draw the charitable nature of the religious orders managing the industrial schools into question. In many cases, they solicited funds from congregants to initially purchase the physical space in which the schools existed, but the schools were not particularly well maintained as the twentieth century progressed. The evidence demonstrates that charity played a very small role driving the Church’s support of the industrial schools. If the motivations were not charitable, a different explanation must be sought for why various religious orders were so deeply involved in Ireland’s system of childcare. With this in mind, many scholars suggest that the Church was invested in the proliferation of these institutions because they were a means of social control, rather than social welfare.

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<sup>36</sup> “Final Report of the Commission to Inquire into Child Abuse” (Ireland: Commission to Inquire into Child Abuse, 2009), vol. 4, chap. 2.225.



Ireland's institutional model of care has been described as a system of 'warehousing,' in which institutions rely on an architecture of physical containment to control deviance, immorality, and other social ills viewed as contagious.<sup>37</sup> There was a common misconception among the general population that the children in these schools were orphans, but subsequent investigations have shown that the children typically had one or two living parents; in many cases, they were taken from their homes simply because their parents were poor or because their mothers were unmarried.<sup>38</sup> The focus on poor children, especially those born out of wedlock, is an example of how industrial schools were a tool of social purity. As Ireland sought to solidify its status as a beacon of sexual purity, the confinement of certain populations that challenged that self-imagination became increasingly important. By removing an 'undesirable' portion of the population, both the Church and the state felt that they were removing a potential threat to the morality of future generations. Illegitimate children in particular were a threat, as they were seen as "shameful reminders of the stigma of unmarried motherhood."<sup>39</sup> Poor and destitute children posed a similar threat, even if they were the product of a legitimate marriage, because they undermined the belief that social and sexual morality was the backbone of a successful nation. As a relatively young nation, Ireland relied on the historic association between poverty and immorality to create a "status quo, where children born out of wedlock, uncontrolled or unkempt children, children in poverty, or where parents struggled to care for their many children would quickly come to the attention of the Church with its cooperative state agents."<sup>40</sup> Unlike children from 'respectable' families, who were seen as pure and innocent, poor children were viewed as

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<sup>37</sup> Briggs, "Commentary on 'Managing the Process of Change in Residential Child Care,'" 103–4.

<sup>38</sup> Raftery and O'Sullivan, *Suffer the Little Children*, 11.

<sup>39</sup> McLoone-Richards, "Say Nothing! How Pathology within Catholicism Created and Sustained the Institutional Abuse of Children in 20<sup>th</sup> Century Ireland," 396.

<sup>40</sup> McLoone-Richards, 400.

small adults that had a deeper knowledge of the world. This knowledge made religious and political leaders fear that poor children might corrupt their peers, meaning they posed “a threat to the social order.”<sup>41</sup> Innocence was a privilege not afforded to children from poor families, yet the children themselves were blamed for their perceived corruption. PJ Murray, the first Inspector of Reformatory Schools, wrote that “the children of our neglected homes spread the contagion of their vices abroad... [and become] the seducer of our youth.”<sup>42</sup> This sentiment was common, and the blame placed on poor children contributed to the lack of attention paid to what occurred within the walls of the industrial schools.

This denial of innocence helps to explain why the industrial schools were frequently conflated with reformatories, especially for boys over the age of ten. This presumption of criminality obscured the fact that the only crime these boys committed was the act of being poor.<sup>43</sup> In 1882, records show that 70 percent of children sent to the industrial schools by a judge were committed for begging.<sup>44</sup> That data changed little over the course of the next century; recent analysis of Department of Education data shows that 80 percent of children in the industrial schools were committed due to ‘lack of proper guardianship,’ which was a catch-all term that included illegitimate children, children who had been deserted by one or both parents, those whose families were unable to care for them due to poverty, and the relatively small number of children who had been orphaned. Despite the fact that these children were placed into residential schools because of real or perceived parental failings, Raftery and O’Sullivan note that “in all these cases, the language and procedure of the courts was to place the onus of guilt on

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<sup>41</sup> Raftery and O’Sullivan, *Suffer the Little Children*, 64.

<sup>42</sup> Raftery and O’Sullivan, 64.

<sup>43</sup> Raftery and O’Sullivan, 13.

<sup>44</sup> “Final Report of the Commission to Inquire into Child Abuse” (Ireland: Commission to Inquire into Child Abuse, 2009), vol. 1, chap. 2.09.

the child.”<sup>45</sup> In blaming the victims, even subconsciously, those who were engaged in their incarceration could deny them their childhood without a second thought.

The charity and delinquency myths demonstrate how the policing of morality need not be literal. Instead, the police, courts, government, and Church worked together to create an extrajudicial system of punishment for moral infractions – actual and potential. Working together, they limited the amount of attention paid to what was taking place within the walls of the industrial schools: many were simply thankful that the Church was taking care of these unfortunate and troubled children, while others did not consider ‘undesirable’ children worthy of concern in the first place. Only after reports detailing the extent of abuse in the industrial schools were released did people begin to consider how class facilitated the neglect and erasure of poor children. A 2009 article from *The Irish Times* suggested that the schools’ “function in Irish society was to impose social control, particularly on the poor.”<sup>46</sup> At the same time, the lack of education or personal relationships in the industrial schools meant that victims of abuse lacked the ability to understand what was being done to them beyond the fact that it simply *felt* wrong. Abuse survivors from Artane referred to the abuse as ‘badness’ – they had no words to describe their suffering, even if they had the opportunity.<sup>47</sup> Some victims reported that despite knowing that the abuse was wrong, they accepted it because it made them “feel special and loved” in an otherwise cold place. Others said that some brothers would be kinder to the boys they were abusing.<sup>48</sup> However, most interviewees said that the abuse did not result in any sort of special treatment or the development of a relationship. The assaults seemed largely indiscriminate, and those who

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<sup>45</sup> Raftery and O’Sullivan, *Suffer the Little Children*, 22.

<sup>46</sup> “The Savage Reality of Our Darkest Days.”

<sup>47</sup> Raftery and O’Sullivan, *Suffer the Little Children*, 261.

<sup>48</sup> “Commission to Inquire into Child Abuse,” vol. 4, chap. 5.18.

suffered abuse were largely victims of opportunity. But for being poor, most perpetrators would have never had the chance to victimize so many.

### **Revealing and Reckoning with Abuse**

While the Irish citizenry was not wholly unaware that clerical child abuse existed, few understood the extent to which the industrial schools were plagued by sexual violence. The moment at which a sort of national acknowledgement of the true extent of the abuses that occurred in the industrial schools came after the premiere of director Mary Raftery's *States of Fear* on the Irish television station RTÉ in April 1999. The three-part documentary series was a national expose on the endemic nature of abuse in Ireland's industrial schools. The industrial schools were not shadow homes, and the general public knew both that they existed and that their conditions were less than ideal; because residents were believed to be criminals or objects of charity, though, few asked questions. *States of Fear* was powerful both because it detailed rampant sexual abuse and because it showed the extent to which the Church and State colluded to hide such abuse. This was not the unsavory conditions or mild physical abuse many expected; these damning revelations shocked the nation's conscience. In the days following the documentary was first broadcast, figures from across the government condemned the schools and called for some sort of government action. In the Dáil, Socialist deputy Joe Higgins demanded that the State provide compensation to victims of industrial school abuse, while Labour Party Leader Ruairi Quinn called for a "collective cross-party apology."<sup>49</sup> Outside of the Dáil, Education Minister Micheál Martin called for greater investigation into the schools, telling RTÉ that "the present government... [is] not in the business of defending the indefensible." "I am not in the business of hiding anybody or protecting anybody," he continued, "I think it is time that

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<sup>49</sup> "Political Response To Abuse Revelations."

the shutters were pulled up.”<sup>50</sup> Just days before the final episode in the series aired, Taoiseach Bertie Ahern issued a formal apology on behalf of the State. “On behalf of the State and of all citizens of the State, the Government wishes to make a sincere and long overdue apology to the victims of childhood abuse for our collective failure to intervene, to detect their pain, to come to their rescue,” Mr. Ahern said in a statement.<sup>51</sup> Along with the apology, Mr. Ahern announced the creation of a special commission to investigate the abuse, as well as a £4 million commitment to provide counseling services for victims of the industrial schools. He also announced the Dáil’s intent to pass new legislation and amend current policies to prevent child abuse in the future while making reparations for those who have suffered in the past.<sup>52</sup> According to RTÉ, the outlet responsible for airing the documentary that sparked the apology, both the Christian Brothers and the Oblates of Mary Immaculate, two of the largest groups faced with allegations, “welcomed the establishment of the inquiry.”<sup>53</sup> Following Mr. Ahern’s announcement, a three-person Commission to Inquire into Childhood Abuse was established, chaired by Judge of the High Court Justice Mary Laffoy. The Commission issued two reports in the fall of 1999, and the reports ultimately resulted in the passage of the Commission to Inquire into Child Abuse (CICA) Act of 2000.<sup>54</sup> The purpose of the Act was to create an independent statutory body tasked with investigating allegations, issuing a comprehensive report on child abuse, and providing the government with recommendations for further action. The Act defined abuse as:

- (a) “the willful, reckless, or negligent infliction of physical injury on, or failure to prevent such injury to, the child,

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<sup>50</sup> “Political Response To Abuse Revelations.”

<sup>51</sup> “Final Report of the Commission,” vol. 1, chap. 1.01.

<sup>52</sup> “Taoiseach Apologises to Victims of Child Abuse.”

<sup>53</sup> “Taoiseach Apologises to Victims of Child Abuse.”

<sup>54</sup> The Act (known as the Principal) was amended in 2005 to update definitions and clarify certain expectations. The Principal was not substantially altered in terms of purpose or goals.

- (b) “the use of the child by a person for sexual arousal or sexual gratification of that person or another person,
- (c) “failure to care for the child which results, or could reasonably be expected to result, in serious impairment of the physical or mental health or development of the child or serious adverse effects on his or her behaviour or welfare, or
- (d) “any other act or omission towards the child which results, or could reasonably be expected to result, in serious impairment of the physical or mental health or development of the child or serious adverse effects on his or her behaviour or welfare.”

The nine-year inquiry into Ireland’s residential institutions examined abuse over an 60-year period, during which over 35,000 children were wards of the Church. The five-volume report, known commonly as the Ryan Report, stated the problem simply, finding that “sexual abuse was *endemic* in boys’ institutions.”<sup>55</sup> The authors themselves acknowledge that their investigation indicates that they were only capturing a fraction of the abuse. As the *Irish Times* wrote in a piece after the report was released, “Mr Justice Ryan’s report does not suggest that the abuse was as bad as most of us suspected. It shows that it was worse.”<sup>56</sup> Powell et al. summarize the report by writing that “it exposes a catalogue of physical, emotional and sexual abuse, in tandem with neglect *that cannot be explained by unique historical or cultural circumstances.*”<sup>57</sup>

After interviewing ex-residents of the industrial and reformatory schools, the Commission detailed the forms and extent of abuse in the final report. The Ryan Report found that an average of 30 to 40 percent of the boys from any given school reported enduring sexual abuse; while abuse was virtually nonexistent at some schools, at others the number exceeded 50 percent.<sup>58</sup> The vast majority of the abuse was committed by religious staff, rather than visitors or

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<sup>55</sup> “Commission to Inquire into Child Abuse,” sec. Executive Summary. *Emphasis added.*

<sup>56</sup> “The Savage Reality of Our Darkest Days.”

<sup>57</sup> Powell et al., “The Irish Charity Myth, Child Abuse and Human Rights: Contextualising the Ryan Report into Care Institutions,” 13. *Emphasis added.*

<sup>58</sup> “Commission to Inquire into Child Abuse,” vol. 4, chap. 5.17.

laypeople working at the schools. Of the 474 reports of abuse made by male witnesses, 242 (59 percent) reported experiencing some sort of sexual abuse. According to the final report, 565 unique forms of sexual abuse were reported, with the most common being “inappropriate fondling,” which comprised 32 percent of reports. The second most common accusation was “forced masturbation of the witness by the abuser,” which was made up 16 percent. What is most notable is how comparatively rare penetrative or oral sex was in these reports; just 12 percent of allegations referenced anal penetration.<sup>59</sup> A likely explanation for the relative lack of penetrative assault was the belief that fondling or masturbation, while sinful, did not amount to sex as it was commonly understood. Research conducted by Rossetti and Lothstein (1990) suggests that “some priests believe that having sexual relations with teenage boys does not amount to a breach of their celibate vocation.”<sup>60</sup> This also helps to explain why pubescent boys, rather than adult women or young children, were the most common victims of sexual abuse. In *Thinking Sex*, Gayle Rubin outlines a sexual hierarchy in which a line is drawn between ‘good’ and ‘bad’ sex.<sup>61</sup> For Rubin, masturbation falls in a gray zone of pseudo-socially acceptable sex; this can be applied to the clerical context in which sexual contact with women *or* penetrative sex with men would both unequivocally fall on the wrong side of the good/bad line. Regardless of what form sexual abuse took – or its perceived sinfulness – it is clear that abuse was rampant in male industrial schools.

### **Understanding Abuse in the Irish Catholic Context**

As described in the introduction, Catholic culture is one of secrecy and shame, especially in the realm of sex and sexuality. Marie Keenan argues that there are three primary components

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<sup>59</sup> “Commission to Inquire into Child Abuse,” vol. 3 chap. 7.118.

<sup>60</sup> Keenan, *Child Sexual Abuse and the Catholic Church*, 12.

<sup>61</sup> Rubin, “Thinking Sex.”

of the Catholic Church's structure that facilitated endemic sexual abuse: rigid and unchanging moral teachings, especially around sex and sexuality; a clerical culture of silence, created in part by the repressive culture of seminaries; and the strict hierarchy of the church, which placed priests and religious officials on a pedestal.<sup>62</sup> Because Catholic morality is viewed as being rooted in absolute and fundamental truths, the Vatican has been extremely modernize its teachings on sex. This is especially true regarding priestly celibacy, even in light of sexual abuse scandals in dioceses across the world. This rigid morality was most evident in the seminaries, where those hoping to receive their religious orders were required to take a vow of celibacy before developing a true understanding of their sexuality. According to Keenan, "several commentators, themselves priests or former priests, argue that the inadequate theology of sexuality serves to make sexuality into something dark, secretive, and troublesome for many clerical men."<sup>63</sup> By forcing men as young as 18 to effectively deny their sexual self, they are unequipped to deal with 'impure' thoughts and urges. This is not to excuse the abuse perpetrated at the hands of religious staff; rather, it provides critical context for why sexual exploitation is so common in the Catholic culture.

Rigid morality and sexual silence work alongside the Church's ecclesiastical structure to facilitate the abuse of children by allowing unfettered access while promoting silence and shame among victims. The perceived moral superiority of clerics left them beyond reproach; activities that may have otherwise appeared suspicious seemed innocuous when a religious authority was involved. While sexual abuse also occurred outside of residential institutions, the near-total isolation of the schools made children particularly vulnerable, while the constant access to boys created countless opportunities for abuse. Because of the silence surrounding the abuse, the Ryan

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<sup>62</sup> Keenan, *Child Sexual Abuse and the Catholic Church*, chap. 2.

<sup>63</sup> Keenan, 29.



Report found that “boys who were sexually abused felt ashamed and did not discuss what had occurred... The secrecy enforced by threats by the perpetrator was reinforced by the shame and humiliation on the part of the victim and the boys themselves.”<sup>64</sup> On the rare occasion that a victim reported the abuse to school authorities, the boy was usually beaten. This was in large part because the Catholic Church was organized around the belief that “the priest is set apart and set above the laity.”<sup>65</sup> The accusations of boys who were already determined to be deviant were given little credibility when met with the denial of a priest. Ferguson argues that “the assumed deviancy of the children was used to justify them not being treated as victims of child abuse or childhood adversity in the schools, and provided a (hidden) rationale for further brutalising them.”<sup>66</sup> The original sin attributed to poor children meant that those residing in the industrial schools were denied the presumption of innocence afforded to middle- and upper- class children. And the violation of an already-polluted child was viewed as marginal offense; the abuse was a consequence of, rather than a reason for, their impurity.

Arguably more concerning than the pervasive nature of sexual abuse in the institutions, the authors of the Report included in the Executive Summary that “cases of sexual abuse were managed with a view to minimising the risk of public disclosure and consequent damage to the institution and the Congregation. This policy resulted in the protection of the perpetrator. When lay people were discovered to have sexually abused, they were generally reported to the Gardai. When a member of a Congregation was found to be abusing, it was dealt with internally and was not reported to the Gardai.”<sup>67</sup> In cases where the abuse was reported to Church officials, the offender was typically moved from one institution to another. According to the Ryan Report, “it

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<sup>64</sup> “Commission to Inquire into Child Abuse,” vol. 4, chap. 5.20.

<sup>65</sup> Keenan, *Child Sexual Abuse and the Catholic Church*, 39.

<sup>66</sup> Ferguson, “Abused and Looked After Children as ‘Moral Dirt,’” 133.

<sup>67</sup> “Commission to Inquire into Child Abuse,” sec. Executive Summary, 21.

is clear from the documented cases that they were aware of the propensity for abusers to re-abuse. The risk, however, was seen by the Congregations in terms of the potential for scandal and bad publicity should the abuse be disclosed. The danger to children was not taken into account.”<sup>68</sup> One explanation for the protection of predators is the Catholic emphasis on individual moral responsibility; unable to recognize patterns and causes of abuse, individual victims and offenders were blamed. The risk of scandal worked with the refusal to acknowledge institutional failings, all but ensuring that abuse would be written off as isolated problems. Even without Church action, though, the State had the opportunity to make continued funding of the industrial schools contingent on independent investigations. However, Ireland’s Department of Education was rarely informed of instances of abuse; congregations were largely left to their own devices when it came to the running of the schools, meaning that it was easy for them to sweep problems under the rug. In the few instances where the Department of Education was informed of abuse – sexual or other – “it colluded in silence.”<sup>69</sup> This was likely an attempt at self-preservation: by the time word of abuse reached the highest powers, to acknowledge it would be their failure to oversee the schools and protect the children in the State’s care.

The extent of the abuse and the complicity of both Church and State left the Commission grappling with the question of how such atrocities could be prevented in the future, and how victims could begin to be compensated for their suffering. The Ryan Report provided two categories of recommendations: those aimed at addressing the impacts of the abuse, and those aimed at preventing future abuse. The report states that “for the State, it is important to admit that abuse of children occurred because of failures of systems and policy, of management and administration, as well as of senior personnel... The Congregations need to examine how their

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<sup>68</sup> “Commission to Inquire into Child Abuse,” sec. Executive Summary, 22.

<sup>69</sup> “Commission to Inquire into Child Abuse,” sec. Executive Summary, 23.

ideals became debased by systemic abuse. They must ask themselves how they came to tolerate breaches of their own rules and, when sexual and physical abuse was discovered, how they responded to it, and to those who perpetrated it. They must examine... how the interests of the institutions and the Congregations came to be placed ahead of those of the children who were in their care.”<sup>70</sup> The second section provides actionable recommendations based around preventing future instances of abuse and ensuring that perpetrators of abuse will be held accountable. “The overall policy of childcare should respect the rights and dignity of the child and have its primary focus their safe care and welfare... Adults entrusted with the care of children must prioritise the well-being and protection of those children *above personal, professional or institutional loyalty*,” the authors wrote.<sup>71</sup> The media coverage was equally as damning: on May 21, 2009, the day after the report was released to the public, the *Irish Times* published a scathing opinion piece on the report’s findings. “The report of the Commission to Inquire into Child Abuse is the map of an Irish hell. It defined the contours of a dark hinterland of the State, a parallel country whose existence we have long known but never fully acknowledged. It is a land of pain and shame, of savage cruelty and callous indifference,” the article opens.<sup>72</sup> Where the media had often been deferential to the Church, very few people in Ireland were willing to sugarcoat the horrors of the industrial schools. This scathing honesty meant that for the first time, the general public had a true understanding of clerical sex abuse in Ireland. The publicity garnered by the Report meant that it was not only the State or Church that would be grappling with its findings – across the country, people were forced to confront their country’s dark and recent history.

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<sup>70</sup> “Commission to Inquire into Child Abuse,” vol. 4, chap. 7.03.

<sup>71</sup> “Commission to Inquire into Child Abuse,” vol. 4, chap. 7.06. *Emphasis added.*

<sup>72</sup> “The Savage Reality of Our Darkest Days.”

### Between Acknowledgement and Justice

In order to assess the impact and success of the report, we need to consider what its goals were – and what they should have been. The stated purpose of the report was reconciliation and prevention, rather than criminal prosecution. This was in part because the Christian Brothers, one of the orders most implicated in the abuse, succeeded 2004 lawsuit that sought to shield the identities of all of its members in the final report. Ultimately, the report did not provide any real names of victims or perpetrators; the authors also refused to recommend criminal charges. For many survivors, this choice reinforced their belief that the state was protecting abusers, even decades later. Without accountability, they said, there could be no justice and no healing. “I would have never opened my wounds if I’d known this was going to be the end result,” Irish Survivors of Child Abuse member John Kelly told the BBC. “It has devastated me and will devastate most victims because there are no criminal proceedings and no accountability whatsoever.”<sup>73</sup> Many victims felt further silenced and retraumatized when they were barred from protesting at a press conference announcing the release of the report. “We were treated as criminals as children when we were sent to these places and even now... there were Garda officers on call to arrest us if we tried to get in [to the press conference]. It was an absolute disgrace.”<sup>74</sup> While McLoone-Richards (2021) correctly argues that “the shift of focus to the collective responsibility of the institutions of Church and state is important,” many victims believe that institutional reform and individual accountability is not a zero-sum game.<sup>75</sup> While previous inquiries into child abuse based on the so-called ‘bad apple’ model were inadequate, critics of the Ryan Report argue that individual responsibility is critical for closure and for the

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<sup>73</sup> “Irish Church Knew Abuse Was ‘Endemic.’”

<sup>74</sup> McDonald, “Thousands Raped and Abused in Catholic Schools in Ireland.”

<sup>75</sup> McLoone-Richards, “Say Nothing! How Pathology within Catholicism Created and Sustained the Institutional Abuse of Children in 20<sup>th</sup> Century Ireland,” 400.say

protection of future generations. Over a decade after the Ryan Report was published, victim advocacy groups continue to push for accountability. A 2018 report from BishopAccountability.com accused over 1,000 Irish clerics of sexual abuse, saying just 82 had been prosecuted.<sup>76</sup>

Following the Ryan Report's release, Pope Benedict XVI invited a number of Irish Bishop to Rome to discuss the allegations and the Church's response. Following the meeting, the Pope released a letter condemning the abuse and acknowledging that it "contributed in no small measure to the weakening of faith and the loss of respect for the Church and her teachings."<sup>77</sup> He spoke directly to religious officials who had participated in abuse, writing "you betrayed the trust that was placed in you by innocent young people and their parents... I urge you to examine your conscience, take responsibility for the sins you have committed, and humbly express your sorrow... Openly acknowledge your guilt, submit yourselves to the demands of justice, but do not despair of God's mercy."<sup>78</sup> Pope Benedict's early acknowledgement of the damage done to the Church's reputation and credibility may have been important to some, but many victims found that the refusal to remove or prosecute the perpetrators of abuse spoke louder than any apology. Beyond apologies from the top, the individual handling of allegations was largely left up to individual dioceses; this has resulted in predatory priests remaining in their position. Over a decade later, Church leadership continues to grapple with reconciliation. On a 2018 visit to Ireland, Pope Francis delivered what RTÉ news called "the Catholic Church's most comprehensive acknowledgement to date for abuse perpetrated by its representatives" in Ireland:

We ask forgiveness for the abuses in Ireland, abuses of power and conscience; sexual abuses on the part of qualified members of the church...

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<sup>76</sup> Doyle, "OPEN THE FILES."

<sup>77</sup> Pope Benedict XVI, "PASTORAL LETTER OF THE HOLY FATHER POPE BENEDICT XVI TO THE CATHOLICS OF IRELAND," March 19, 2010.

<sup>78</sup> Pope Benedict XVI.

We ask forgiveness for the times that, as a church, we have not looked at the survivors of any type of abuse with compassion in the search for justice and truth, and with concrete actions...

We ask forgiveness for some members of the hierarchy who did not take care of these painful situations and kept silent - we ask forgiveness.”<sup>79</sup>

While the Catholic Church, secretive by nature, continues to pursue reconciliation, it must also grapple with the reality of an increasingly secular Ireland, changed permanently by the horrors that took place in the industrial schools.

### **Unveiling Ireland’s Shame**

While there have been a number of investigations into abuse in Irish residential institutions, including the 1970 Kennedy Report that recommended the closure of residential schools, “Ryan stands out because (i) it is based on a decade of research and (ii) of its designation as a truth and reconciliation commission.” The extensive firsthand testimony from survivors allowed the general public to “gain access into a secretive world, in which a policy of relentless dehumanization shaped their lives.”<sup>80</sup> The endemic sexual abuse in Irish residential institutions was a national scandal not just because the country is majority Catholic, but because Irish identity was deeply wrapped up in Catholic morality. With the purity and infallibility of priests – once the pillars of communities – called into question, many began to grapple with how the nation was run. While the abuse itself is horrific, it alone would not have been the cause of a national reckoning. Instead, it was the Church’s complicity in and concealment of the abuse as an institutional phenomenon that shook people’s faith. For the first time on a national scale, Irish Catholics began to consider “the interrelationship between several factors, including the forces of

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<sup>79</sup> Little, “Pope Asks for Forgiveness for Abuses of Catholic Church.”

<sup>80</sup> Powell et al., “The Irish Charity Myth, Child Abuse and Human Rights: Contextualising the Ryan Report into Care Institutions,” 12–13.

gender and sexuality, power relations, and clerical culture.”<sup>81</sup> This national consideration has had a quantifiable impact on religiosity in Ireland: in 1979, weekly Mass attendance was around 80 percent; in 2018, after years of decline, Mass attendance hovered around 35 percent. After decades of silence and ignorance, historian Diarmaid Ferriter thinks that the damage done by the sexual abuse scandal is permanent: “it’s too late. I don’t think you can reverse this decline.”<sup>82</sup>

However, it was not only the national reckoning was not only a religious one. While the “special position” of the Church had been written out of the Constitution by the time the Ryan Report was published, Ireland was still regarded as being the most Catholic country in the world. Once a point of pride for the young nation, the ways in which the Church and State colluded to protect their own reputations at the cost of innocent children drew the wisdom of the relationship into question. Because of how fundamental the legal and financial support of the Irish state was in maintaining these institutions, it is impossible to assign blame solely to either party. In his groundbreaking 2009 book *The Irish Gulag*, Bruce Arnold argues that primary responsibility for the child abuse lays at the feet of the state. For Arnold, the abuse in Catholic residential institutions amounted to human rights violations; because of this, the government’s failure to protect its most innocent and vulnerable citizens is an utter dereliction of duty.<sup>83</sup> The extent of the abuse clearly implicated both the Church and the State, and both would have to deal with the social, cultural, and political implications that resulted from the violence of the industrial schools. It was clear that no apology or redress scheme would be enough; in acknowledging the truth of the industrial schools, society became more willing to hear and believe other accusations of abuse committed by the Catholic Church.

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<sup>81</sup> Keenan, *Child Sexual Abuse and the Catholic Church*, 25.

<sup>82</sup> Langfitt, “Pope Ends Visit To A Disillusioned Ireland, Where Church Authority Has Plunged.”

<sup>83</sup> See Arnold, *The Irish Gulag*.

## Chapter 2: The Weight of Shame: Ireland's Magdalene Laundries

*Every morning we were up at 5 o'clock in the summer and 6 o'clock in the winter. We slaved all day.... They starved and worked us to death while they lived in luxury. The nuns were all very hard and nasty, they used to shave our hair off ...distressed... we had to suffer in silence. I hope no one has to suffer like us. We had nowhere to run or no one would believe you.... I often burned myself... (while working, ironing) ... but got no sympathy ...distressed.... One time I had a terrible arm, it didn't heal up, I had burned it and the dye of the uniform ran into it, and that was the first time I saw a doctor....*

- Magdalene survivor, testimony to the Ryan Commission<sup>84</sup>

Though the first Irish Magdalene laundries appeared in 1765, they were primarily aimed at addressing prostitution prior to 1922. Following independence, the target of these institutions shifted away from sex workers and towards 'promiscuous' or sexually suspect women more generally; in the newly free nation, the laundries were critical to maintaining an outward sense of purity. Throughout the twentieth century, at least 10,000 women and girls passed through ten laundries operated by one of four religious congregations: Sisters of our Lady of Charity of Refuge, Congregation of the Sisters of Mercy, Religious Sisters of Charity, and Sisters of the Good Shepherd.<sup>85</sup> The purported goal of these institutions was to rehabilitate 'fallen' women, a category that included primarily poor women who had extramarital sex, became pregnant out of wedlock, were sexually abused, or were otherwise deemed "sexually suspect."<sup>86</sup> Named for the biblical figure of the prostitute turned witness to and messenger of the resurrection of Christ, "Mary Magdalene was adopted as the patron saint of the institution because of her example: even the fallen could be saved."<sup>87</sup> In practice, though, the laundries were often sites of prolonged or even permanent incarceration for women believed to be beyond rehabilitation; women and girls

<sup>84</sup> "Commission to Inquire into Child Abuse," vol. 3, chap. 18.25.

<sup>85</sup> This figure is likely much larger, as government inquiries have excluded women living in residential institutions with attached laundries.

<sup>86</sup> Gleeson, "A Woman's Work Is... Unfinished Business," 295.

<sup>87</sup> Simpson et al., "Doing Compassion or Doing Discipline?," 256.



were forced to do commercial laundry work without pay for the duration of their stay, which could last years or decades. Because residents were characterized as ‘whores’ and prostitutes by the Church and public, the sense of shame attached to having been in a Magdalene home allowed the exploitation and abuse of these women to extend until 1996; it would take decades for survivors and the public to be willing to discuss what occurred in the laundries. As with the industrial schools, the Magdalene laundries were a critical part of Ireland’s architecture of containment; they are another example of the ways in which class, gender, and sex were used to silence and shame victims of institutional violence.

### **Magdalene Institutions in the Irish Context**

Nineteenth-century Britain responded to the perceived crisis of prostitution in two primary ways: the rescue movement, which “involved the detention and rehabilitation of all classes of ‘fallen women’,” and the Contagious Diseases Acts, which sought to reduce the transmission of venereal disease from sex workers to military members.<sup>88</sup> Because the Contagious Diseases Acts almost exclusively targeted prostitutes, there was widespread opposition that resulted in the legislation being repealed in 1886. The rescue movement, on the other hand, was more indiscriminate in its targeting: a woman need only to be poor and (allegedly) promiscuous in order to fall into the system. Unlike the Contagious Diseases Acts, which targeted a real public health issue – though in a highly discriminatory way – the Penitentiary Movement was based on broad and “morbid fears of women’s sexuality.”<sup>89</sup> The Magdalene laundries functioned largely as punitive institutions rather than rehabilitative ones; Frances Finnegan argues that religion served as a pretext for incarcerating women in a “largely

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<sup>88</sup> Finnegan, *Do Penance or Perish*, 1.

<sup>89</sup> Finnegan, 1.

irreligious climate,” with nuns operating more as prison guards than as teachers and mentors.<sup>90</sup> In many ways, the Irish laundries operated in the same way that the industrial schools did: by reinforcing a strict nationalist moral order. Survivor testimony given to Justice for Magdalenes Research (JFMR) indicates that the young women placed in the laundries were typically poor, often motherless, and had sometimes given birth out of wedlock; other girls were transferred from industrial schools to the laundries once the State stopped providing funding for their care. “Most strikingly,” McGettrick et al. write, “girls who were committed to the Magdalene institutions were regularly victims of incest, sexual assault and rape.”<sup>91</sup> Because women were seen as bearing the shame of the nation, they were equally responsible for bearing the shame of men; just as Eve was blamed for Adam eating the forbidden fruit, victims were blamed for being objects of lust and victims of abuse. Theologist Miryam Clough, an expert on violence in religious settings, argues that victim-blaming in the Church function to shift responsibility away from respected groups. “Where sexual desire and behaviour transgress socially determined boundaries or contravene personal ideals, they are likely to provoke shame,” she writes. “If this shame is unacknowledged, the object of desire or the sexual partner (whether non-consensual or consenting) will be perceived as the cause of shame and is likely to become a target for aggression.”<sup>92</sup> Placing the blame solely on women and hiding them in the Magdalene institutions allowed Ireland as a nation to simultaneously explain and deny the existence of sexual immorality in the ‘pure’ nation of Ireland. Women were blamed because women have always been blamed; as Eve was responsible for the fall of man, the Magdalenes would be responsible for the fall of Ireland if left free.

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<sup>90</sup> Finnegan, 1.

<sup>91</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 17.

<sup>92</sup> Clough, *Shame, the Church, and the Regulation of Female Sexuality*, 123.

In order to understand the conditions and proliferation of the Magdalene laundries, it is essential to contextualize and understand the nuns tasked with running the institutions. These were women who had essentially reached the glass ceiling for female authority in Ireland; the position was highly respected and highly selective because of this. In many cases, nuns were required to provide a dowry commensurate with the wealth that women were expected to bring into a marriage; the practice lasted until at least the 1960s. In a deeply patriarchal society, the dowry system ensured that Irish nuns “commanded respect on class grounds as well as on the grounds of reverence for their spiritual vocations.”<sup>93</sup> Because Catholicism is deeply hierarchical, female religious staff were entitled to a level respect that most laypeople – including men – were not. Though nuns remained largely at the bottom of the Church’s internal hierarchy, pursuing a spiritual vocation was one of the only ways an Irish middle-class woman could obtain any meaningful amount of power. This disconnect placed nuns in an “invidious position: culturally very powerful in the wider society, yet with very little political power within the patriarchal hierarchy of the Church.”<sup>94</sup> Additionally, the economic status of the nuns helped to further distinguish them from the poor women in their care. While lower class women were seen as naturally sexually corrupt, nuns were the example of purity both because of their class and their celibate vocation. Nuns were quite literally seen as “brides of Christ,” language that highlights their status first and foremost as women. And it was these *women* who were responsible for the gendered violence of the Magdalene institutions. Miryam Clough uses the theory of scapegoating to explain why female clerics would enact such violence against members of their own sex, arguing that “weaker members [of a group] who recognize that their position is in some way precarious will side with the dominant forces in the group against the victim to avoid becoming

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<sup>93</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 15.

<sup>94</sup> McGettrick et al., 16.

victims themselves.”<sup>95</sup> In the Catholic context, scapegoat theory suggests that the nuns would victimize ‘fallen’ women as a form of self-preservation. By distancing themselves from ‘fallen women’, the nuns were able to hold on to their minimal power. In many ways, this is the same reason so many nuns ignored the abuse that occurred in the industrial schools; silence, complicity, and conspiracy are necessary to maintain one’s position in the Catholic Church. It is this precarious power that led to abuse, left unchecked by the State and acceptable in the Church’s hierarchical context.

### **Life in the Laundries**

Unlike the industrial schools, survivors of the Magdalene laundries report experiencing comparatively little physical or sexual abuse. However, this does not mean that abuse did not exist; instead, the nuns took a deeply psychological approach. The physical architecture of containment was extreme, with the girls and women literally being held under lock and key. The buildings were surrounded by high walls, often topped with barbed wire; windows were often too high to see out of; and residents were locked in the dormitories at night. “You didn’t know anything about what went on outside. You weren’t even allowed to stand and look out,” one survivor, Maisie K., recounted. “If you’d seen a gate open or a door it would be immediately closed. It was like you know you were wiped out of that area of the world.”<sup>96</sup> Hidden in plain sight, the function of the Magdalene institutions was more to conceal the nation’s sin than it was to rehabilitate its sinners. This physical concealment of sin was not sufficient, though; the women’s sense of identity and womanhood was also under attack. In describing the conditions of the Magdalene institutions, Finnegan writes: “to discourage vanity and improper thoughts, uniforms were drab and shapeless, and in most Refuges women had their hair cropped, in

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<sup>95</sup> Clough, *Shame, the Church, and the Regulation of Female Sexuality*, 111.

<sup>96</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 18.

hideous contrast to the fashion of the time.”<sup>97</sup> These practices were clearly not essential to the operation of the Homes; instead, they were used to effectively strip these ‘fallen’ women of their very womanhood. Some locations went even further, shaving residents’ head to humiliate them. “When she was shaving it she said ‘Now you will never run away,’” recounts survivor Elizabeth Coppin.<sup>98</sup> Such psychological torment was not a relic of the early homes; in Limerick, women’s heads were still being shaved as late as the 1950s.<sup>99</sup> The removal of hair was a sort of castration of the feminine; at a time where womanhood was a highly visual performance, hair-cutting and shaving was intended to destroy what made these individuals so dangerous in the first place. Making these women ugly changed how they saw themselves, making the later psychological abuse all the more damaging. After physically concealing and symbolically erasing the Magdalene woman, residents of the laundries were deemed ready to begin atoning for their sins.

The initial dehumanization enacted upon the women and girls in the laundries was followed by an ongoing attempt to demean and demoralize the girls. Much of the nuns’ behavior was cruel and unnecessary; of the women interviewed by government investigators, many recalled sisters berating their home and family lives. “I remember a nun telling me that you came from an illegitimate mother. I suppose it was that you were no good and that’s why we were there,” one survivor recalled.<sup>100</sup> Another told interviewers “the nuns were very nasty. They’d say ‘your father is a drunkard’ in front of everyone. It would degrade me.”<sup>101</sup> The sisters were particularly cruel to those who were sent to the laundries after being victims of sexual violence; one survivor recalls a rape victim being told “when you were out, you weren’t able to mind

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<sup>97</sup> Finnegan, *Do Penance or Perish*, 26.

<sup>98</sup> “‘I Wasn’t Even 15. I Hadn’t Even Kissed a Boy’ - A Magdalene Survivor’s Story.”

<sup>99</sup> Finnegan, *Do Penance or Perish*, 26.

<sup>100</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, “Report of the Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries,” 938.

<sup>101</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, 939.

yourself’ when she expressed her desire to leave.<sup>102</sup> Assaults such as these refute the nuns’ claims that their goals were noble; rather than rehabilitation, the goal was to completely break down penitents in order to make them submissive laborers. Verbal attacks were coupled with a sense of complete isolation among the women, giving them no opportunity to process their prior trauma or build allegiances against the sisters. Residents were forbidden from talking about their prior lives and denied visitors, denying them the opportunity to process abuse or mourn the loss of their children.<sup>103</sup> In many cases, this meant total silence at all times and punishments for forming “particular friendships.” More than a stripping of identity, the violence imposed on these women constituted the denial of their very humanity. While the aim of the asylums was to morally rehabilitate ‘fallen’ women, such treatment shows that the reality was that women ended up far more damaged after spending time in a laundry than they could have possibly been when they entered. Their suffering was manipulated to prove permanent detention was necessary, with religious figures arguing that returning the women to society could undermine the moral reform undergone in the homes. Records from the Sisters of the Good Shepherd “contain evidence of this wish to keep inmates incarcerated for life, permanently suspended in a non-sexual, child-like state and unnaturally guarded from re-exposure to sin.”<sup>104</sup> Such practices provide evidence that the laundries were never truly intended to rehabilitate the fallen; instead, their effectiveness in erasing Ireland’s fallen women was rooted in the permanence of that erasure.

### **Determining Responsibility**

Because the Magdalene institutions were exclusively run by nuns and primarily funded by the Church, the State refused to acknowledge that it could have known about or prevented the

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<sup>102</sup> O’Donnell and McGettrick, “Dublin Honors Magdalenes Listening Exercise Report Vol. 1: Report on Key Findings,” 25.

<sup>103</sup> Finnegan, *Do Penance or Perish*, 27–28.

<sup>104</sup> Finnegan, 36.

abuses that took place in the laundries. However, statutory and anecdotal data makes it clear that the government was well aware that the laundries operated on unpaid labor, yet it abdicated its responsibility to ensure the safety and protect the rights of the Magdalene women. “Early on, the Irish State strengthened the religious orders’ hand by deliberately excluding them” from government reports on the laundry trade, despite the fact that nearly half of all laundry jobs were handled by religious institutions. The reluctance to impose government oversight on the laundries is even more concerning when considering the fact that the 1926 report fully acknowledges that the women working in Church-run commercial laundries were not paid for their labor.<sup>105</sup> The State’s deferral to the Church regarding the operation of the laundries shows a refusal to protect the vulnerable, even though people had raised concerns over the treatment of workers in the Magdalene laundries throughout the twentieth century. The extent of government oversight was infrequent safety inspections of the machines; inspectors did not speak to workers or evaluate living conditions.<sup>106</sup> Although some women were sent to the laundries by the State, there was no attempt to ensure their safety or wellbeing after admission. Beyond failing to provide for the safety of the women working in the laundries, the State had a direct role in supporting the laundries through the awarding of government business. Records from the Our Lady of Charity-run Sean McDermott Street Laundry show that 18 percent of sales came from government contracts. The laundry came from a number of sectors, including defense, public hospitals, and other government facilities. While this is the only institution for which ledgers are available, it is reasonable to expect similar business compositions among other laundries.<sup>107</sup> The

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<sup>105</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 10.

<sup>106</sup> McGettrick et al., 10.

<sup>107</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, “Report of the Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries,” 662. Numbers are from 1960-1966, the only period for which record survive.

State was clearly aware that these women were not paid for their work, meaning that the State knowingly relied on the use of slave labor.

Even if one accepts the argument that the use of the laundries did not amount to State sponsorship, the government played a substantial role in the placement of women and girls in Magdalene institutions by the 1960s. According to the McAleese Report, of the roughly 55 percent of residents for whom route of entry is known, approximately 8.1 percent entered through the criminal justice system, 7.8 percent were transferred from industrial and reformatory schools, 6.8 percent were referred by health and social services agents, and 3.9 percent came from Mother and Baby homes. In total, 26.6 percent of women for whom entry route is known came to the laundries by way of the State.<sup>108</sup> This is no small number, and many scholars estimate that the true percentages may be much higher. For these cases, though, the most is known about entry through the criminal justice system and industrial or residential schools. The 1960 Criminal Justice Act opened the door for the judiciary to send young women and girls to laundries on remand, a practice that had previously been prohibited. Advocates of this new provision believed that the few women's prisons in Ireland were insufficiently equipped to handle young women convicted of petty or sex-related crimes; by placing these individuals in Magdalene institutions, it was argued, the women would be offered a chance at redemption.<sup>109</sup> Like with the industrial schools, in this sense the laundries were seen as providing a service that the State could not or did not want to provide. However, 'irredeemable' women and 'first fall' cases lived and worked side-by-side in the laundries; prostitutes and children alike were reduced to being Magdalene women.

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<sup>108</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, XIV.

<sup>109</sup> Smith, *Ireland's Magdalen Laundries and the Nation's Architecture of Containment*, 66–67.



As with the remand cases, countless girls were moved from industrial and reformatory schools to laundries once they turned sixteen and their government capitation grants ended. What makes the girls who entered by way of schools unique from all other Magdalene residents is that they had not necessarily committed any sexual or moral offenses, Smith notes.<sup>110</sup> After growing up in the industrial school system, Elizabeth Coppin recalls being sent to three different laundries: “I wasn’t even 15. I hadn’t even kissed a boy. And I was taken into this so-called Magdalene sinners’ place.”<sup>111</sup> Rather than being sent to a laundry to atone for any moral sin, Coppin believes that she was transferred to a laundry to fill the spot of a woman who died. This arbitrary incarceration could not possibly have been so widespread without government referrals. These transfers continued until the closing of the last laundries in the 1990s, though government officials voiced concerns about the Magdalene institutions at least as early as the 1970s. The Kennedy Report, which was an investigation into the residential school systems, went outside its mandate to make this statement on the laundries:

“This method of voluntary arrangement for placement can be criticised on a number of grounds. It is a haphazard system, its legal validity is doubtful and the girls admitted in this irregular way and not being aware of their rights, *may remain for long periods and become, in the process, unfit for re-emergence into society.* In the past, many girls have been taken into these convents and remained there all their lives.”<sup>112</sup>

Despite expressing legal and moral concerns, the Report did not offer any specific recommendations for improving or abolishing the laundries. This is particularly egregious because the State acknowledged that the Magdalene institutions often had a negative impact on women’s ability to function in society. Ostensibly carried out to ‘protect’ the purity of these girls, these preventative transfers were instead used to produce profit and defend the Catholic

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<sup>110</sup> Smith, 72.

<sup>111</sup> “‘I Wasn’t Even 15. I Hadn’t Even Kissed a Boy’ - A Magdalene Survivor’s Story.”

<sup>112</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 11. *Emphasis added.*

moral order from the mere possibility for future sin. Calling attention to the logical fallacy of housing girls deemed unfit for prison or independent living alongside “hopeless cases,” Smith says, “seems incongruous at best.”<sup>113</sup> And at worst, it was simply a rationalization; in reality, the goal of the Magdalene laundries was not to restore any of its penitents to grace. Instead, they were financially rewarded for hiding the dirty laundry of Ireland: its poor, its abused, and those who were unwilling to live by its harsh rules.

### **Unveiling Abuse and Seeking Justice**

Though the general public was less aware of what truly occurred in the Magdalene institutions, the laundries existed in the same realm of national knowing yet unknowing that characterized the industrial schools. This “cognitive dissonance,” Una Mullally wrote for *The Irish Times*, “perhaps is more broadly explained by the idea that people were aware of these places, yet it was hard to discern what was unacceptable in a theocratic society and culture so laden with institutionalization generally.”<sup>114</sup> A 1968 *Irish Times* article lauds the High Park laundry’s rehabilitative efforts seems to prove this point; amid the praise, the author acknowledges that the women are not paid for their work and admits that “the number of girls who can be really be rehabilitated is small.”<sup>115</sup> Yet at the same time that the High Park nuns were advertising the success of their institution’s rehabilitative efforts, they were silently burying women on the very premises. Records show that the most recent death and burial of a woman at High Park was 1987, just four years before the laundry closed its doors.<sup>116</sup> This was perhaps the sisters’ best kept secret, revealed only because the congregation was in debt and needed to sell its property.

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<sup>113</sup> Smith, *Ireland’s Magdalen Laundries and the Nation’s Architecture of Containment*, 72.

<sup>114</sup> Mullally, “The Truth about the Magdalene Laundries Was Hiding in Plain Sight.”

<sup>115</sup> Holohan, “High Park: Laundry with a Difference.”

<sup>116</sup> Humphreys, “Magdalen Plot Had Remains of 155 Women.”

After signing over the High Park Magdalene property to developers in 1993, the Sisters of Our Lady of Charity filed for a permit to relocate 133 bodies buried in a cemetery on the grounds. However, during the exhumation an additional undocumented 22 bodies were found, bringing the total count to 155. Despite laws mandating the reporting of any death on a private property, only 75 of the women had death certificates; true identities were known for an even smaller number; many were recorded with names like “Magdalen of Lourdes” or “Magdalen of St Theresa.” As in life, the women of the High Park laundry were disregarded and discarded in death; buried in a common grave, they were stripped of their names and relatives were rarely informed of deaths in the laundries. For many survivors and relatives, the reburial in a common grave was an additional affront. The women were reinterred largely without the notification of loved ones of the public, denying loved ones the ability to reclaim the bodies and transfer the remains to a family plot. “These women were treated as worthless in life and now they are worthless in death,” Magdalen Memorial Committee founder Patricia McDonnell, whose aunt was incarcerated in a laundry, told *The Irish Times*. “The idea that they should be removed from their final resting place is obnoxious.”<sup>117</sup> The discovery of unnamed and unrecorded bodies led to an outcry among survivors, family members, and activists, sparking a three-year campaign for an official memorial dedicated to Magdalene women. Eventually, in 1996, President Mary Robinson dedicated a plaque to the women and girls who were incarcerated in the Magdalene institutions. The plaque, placed on a bench at St Stephen’s Green in Dublin, reads: *To the women who worked in the Magdalen laundry institutions and to the children born to some members of those communities – reflect here upon their lives.*<sup>118</sup> Yet it was not until six months after this dedication that the last Magdalene institution, the Sean McDermott Street Laundry, finally closed

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<sup>117</sup> O’Loughlin, “Funeral Ceremony Sought for ‘Magdalens.’”

<sup>118</sup> “Magdalen Women Plaque Unveiled.”

its doors; at the time, there were still over forty women, ranging in age from forties to eighties, living under lock and key.<sup>119</sup> Even the exhumations were disregarded, with the women buried at Drumcondra treated as insignificant.

Aside from the plaque at St Stephen's Green, there was little desire on the part of the Church, State, or public to truly acknowledge and reckon with the realities of the Magdalene system. As the era known as the Celtic Tiger – a period of unprecedented economic growth and globalization in Ireland – began, there was little desire for introspection in a country just then entering the modern industrial era.<sup>120</sup> While the 1998 documentary *Sex in a Cold Climate* detailed the abuse that took place in the Magdalene institutions, there was still limited interest in admitting the severity of the mistreatment. What truly changed the tide was the 1999 *States of Fear* documentary detailed in chapter one and the 2002 *Boston Globe* expose of clerical sex abuse in Boston's Catholic churches.<sup>121</sup> The report sparked a wave of accusations against priests across the world, including in Ireland; the increasing understanding of how widespread clerical abuse was undermined the perceived infallibility of the Church and clergy members. These revelations set the scene Peter Mullan's 2002 film *The Magdalene Sisters* to be well received on a global scale. The film depicts a laundry from 1964 to 1968, chronicling the lives of four women who were incarcerated for different reasons: Margaret was raped by her cousin, Rose was an unmarried mother, Crispina was both an unmarried mother and intellectually disabled, and Bernadette was simply too beautiful for her own good.<sup>122</sup> At a moment in which the world was discussing the Catholic Church's dangerous culture of shame and secrecy, films like *The*

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<sup>119</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 44.

<sup>120</sup> Gleeson, "A Woman's Work Is... Unfinished Business," 300. The Celtic Tiger period is commonly understood to have lasted from 1995 to 2008. During that period, Ireland transformed from the "poorhouse" of Europe to an economically competitive modern nation.

<sup>121</sup> See Rezendes, "Church Allowed Abuse by Priest for Years."

<sup>122</sup> Mullan, *The Magdalene Sisters*.

*Magdalene Sisters* reached an Ireland that was increasingly willing to reckon with its past. Beyond Ireland, Smith argues that “given its critical success, *The Magdalene Sisters* did shine the international spotlight on the plight of Ireland’s Magdalen women.”<sup>123</sup> The impact of the film was profound: after meeting Mari Steed, one of the founders of the newly formed group Justice for Magdalenes (JFM), film director Peter Mullan and distributor Miramax offered to fund an outreach campaign that would send out postcards calling for a State inquiry into the abuses committed in the Magdalene laundries.<sup>124</sup>

Though the government refused to respond to the campaign’s demands, JFM continued their work; in 2009, they officially launched a political campaign for investigation and justice. The group, led by human rights attorney Maeve O’Rourke, began petitioning several intra- and international groups to investigate the human rights abuses committed by the Church and permitted by the State. O’Rourke’s argument was rooted in the fact that regardless of entry route (i.e., ‘voluntary’ versus government), the State had an obligation to protect its citizens from slavery and forced servitude under international human rights law. The group was successful in garnering support for their cause: in November 2010, the Irish Human Rights Commission (IHRC) called “for the State to a statutory inquiry” into the abuses; in June 2011, the United Nations Committee Against Torture (UNCAT) demanded not only an investigation, but also a plan for redress.<sup>125</sup> In many ways, this human rights pressure campaign was successful; in July 2011, the government announced the creation of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries (IDC).

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<sup>123</sup> Smith, *Ireland’s Magdalen Laundries and the Nation’s Architecture of Containment*, 140.

<sup>124</sup> McGettrick et al., *Ireland and the Magdalene Laundries*, 44.

<sup>125</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, “Report of the Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries,” 69–75.

Just over a year and a half after the IDC was established, they published their final report (commonly known as the McAleese Report) on February 5, 2013. However, the scope of the IDC was narrow, with its mandate specifying that it was a “fact-finding mechanism,” and that the Report was not “intended to make recommendations or provide redress in individual cases... it was not for the Committee to recommend or issue apology or apologies.”<sup>126</sup> Despite this limited set of goals, the IDC formation marked the first time the Irish government acknowledged that it may have played *any* role in the Magdalene laundries. One of the primary goals of the inquiry was to establish demographic and statistical information on those who were incarcerated in an Irish laundry between 1922 and 1996. This includes the above outlined breakdown of entry routes for the roughly 55 percent of women for whom that information survivors. Additionally, the IDC reported that the while median age of a woman incarcerated woman was twenty, the youngest entrant was just nine years old. Similarly, the Report included data on those who are reported to have died in the laundries after 1922: of the 879 recorded deaths, the youngest decedent was just fifteen years old.<sup>127</sup> These figures work to disprove the claim that most individuals in the laundries were unwed mothers, prostitutes, or repeat offenders; such a low median age suggests that there was a substantial number of women who were still under the purview of the State. The most controversial piece of data was the claim that the median duration of stay was just 27.6 weeks (around seven months).<sup>128</sup> Because the clock was reset each time a woman moved institutions, and because many women report being held in multiple laundries, this figure is a gross understatement.

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<sup>126</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, 11.

<sup>127</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, XIII. Importantly, this figure does not include data from the two Sisters of Mercy-operated laundries, as they did not provide the necessary records.

<sup>128</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, XIII.

The second task of the IDC was to establish the extent to which the State was involved in the laundry, primarily through referrals, funding, and laundry contracts. As detailed above, the Report produced concrete data to verify why scholars and survivors had long believed: at least a quarter of women for whom routes of entry were known entered Magdalene institutions at the direction of government officials. This is a clear collaboration between Church and State, similar to the collusion that took place in the filling and running of the industrial schools. In the same section, the Report used surviving records from the Sean McDermott Street Laundry to estimate the extent to which the State relied on the labor of the Magdalene women themselves. Most damning was the records that “indicated that State authorities were not averse to putting pressure on the Magdalen Laundries” to offer competitive rates.<sup>129</sup> These findings directly disproved the State’s ongoing claims that it had no involvement in the laundries; by establishing government involvement in fact, the Report provided grounds for survivors to demand financial redress from the State. After decades of treating the laundries as wholly separate institutions operated by the Church, this was a significant – if muted – admission.

The final and most compelling aspect of the McAleese Report contained survivor testimony. During the inquiry, the IDC worked with survivors and groups like JFM and the Irish Women’s Survivor’s Network (UK) to collect qualitative information on living and working conditions within Magdalene institutions. The IDC spoke with a total of 118 women who had resided in at least one laundry; however, this is just a fraction of the over 10,000 women and girls who passed through the doors of a laundry in the 75-year history of the institutions. Because of this small sample size, the Report acknowledges that a finding of fact is impossible; at the same time, though, it uses the interviews to minimize the abuse experienced by survivors. One

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<sup>129</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, 658.

question initially raised is *who comes forward?* While the majority of those interviewed had spent time in an industrial school, none of those who came forward had been admitted via the criminal justice system; it is easy to imagine that those who faced the most shame and abuse were the least likely to engage with the IDC. The Report also notes that physical abuse was far less common in laundries than it was in schools; however, this is in part because the Committee seems to weigh physical and sexual abuse more heavily than the rampant psychological abuse that occurred. Regarding hair cutting, none of the women reported having their heads shaved, while some reported having their hair cut upon entering a laundry.<sup>130</sup> Upon reading the final publication, both survivors and activists were upset by the minimization that took place in this section. The McAleese report “contributed to the writing of a state-sponsored narrative and produced an official memory designed to obfuscate the individual memories of the experiences of the laundries.”<sup>131</sup> The limited scope and lack of recommendations highlights that the State did not want to make the same mistake it did with the Ryan Report: it did not want a damning indictment of its role, and it did not want to be cornered into an apology or redress scheme.

Following the publication of the McAleese Report on February 5, the government refused to issue an official acknowledgement of the State’s role in the abuses that took place in the Magdalene laundries. It took a two-week media pressure campaign from JFM before Taoiseach Enda Kenny apologized on behalf of the government, saying:

What we discuss today is your story. What we address today is how you took this country’s terrible ‘secret’ and made it your own. Burying it, carrying it in your hearts here at home, or with you to England and to Canada, America and Australia on behalf of Ireland and the Irish people. But from this moment on you need carry it no more, because today, we take it back. Today, we acknowledge the role of the State in your ordeal.<sup>132</sup>

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<sup>130</sup> This does not include the testimony one individual who reported having her head shaved because she had lice.

<sup>131</sup> Sebbane, *Memorialising the Magdalene Laundries*, 166.

<sup>132</sup> Kenny, “Full Text of Enda Kenny’s Apology to the Magdalene Laundries Survivors.”



In addition to the apology, Kenny announced during the speech that he had tasked Justice John Quirke with developing a redress scheme for survivors of the ten laundries included in the Report. The Magdalen Commission Report (commonly referred to as the Quirke Report) was published in May 2013 and was wholly accepted by the government. Under the terms of the ex-gratia scheme, survivors were eligible for payments in the range of €11,500 and €100,00 based on duration of stay, rather than severity of abuse. As of January 2022, over €32.8 million in ex-gratia payments has been awarded to a 814 women.<sup>133</sup> While the scheme allows women to receive compensation without being forced to relive their trauma, some advocates argue that uniform payments flatten the experiences of survivors and deny them the opportunity to give voice to their suffering.<sup>134</sup> Despite the progress made in terms of securing reparations, the plan was heavily criticized for being restricted to only the ten laundries included in the McAleese investigation; two additional institutions were added after public pressure from survivors. However, a number of women remained excluded because the government determined they did not officially reside in a laundry. After yet another pressure campaign, the Quirke Report was amended in 2018 to provide compensation to those who worked, but did not live, in one of the twelve laundries.<sup>135</sup> In addition to financial compensation, the ex-gratia scheme called for all survivors to be provided with government health cards with expanded benefits. However, survivors have argued that the cards provide essentially the same level of service they were already receiving due to their income or age. “It is really embarrassing when you see the card,” said one survivor.<sup>136</sup> To many, the redress scheme as a whole was performative rather than

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<sup>133</sup> In order to be eligible for any of the benefits laid out in the Quirke Report, survivors were required to waive their right to sue the government.

<sup>134</sup> Gleeson, “A Woman’s Work Is... Unfinished Business,” 303.

<sup>135</sup> Department of Children, Equality, Disability, Integration and Youth, “The Magdalen Restorative Justice Ex-Gratia Scheme.”

<sup>136</sup> O’Donnell and McGettrick, “Dublin Honors Magdalenes Listening Exercise Report Vol. 1: Report on Key Findings,” 17–20.

substantive; it was an attempt at appeasing survivors and human rights groups without making the financial investment and cultural interventions that were necessary. Though the McAleese Report was published in large part because of pressure from human rights groups, the UN Commission on the Elimination of Discrimination against Women (CEDAW) released a scathing indictment of the Report's shortcomings in 2017. Calling out the narrow scope of the Committee's mandate, they wrote "the State part has failed to establish an independent, thorough and effective investigation... The Committee observes that the historical abuses in relation to the Magdalen Laundries... give rise to serious violations that have a continuing effect on the rights of victims/survivors."<sup>137</sup> The Catholic Church has not made any financial contributions to the redress fund, and the State has refused to name or prosecute those involved in the abuse and forced labor that took place at the laundries. By refusing to hold those directly responsible to account, Ireland has refused to fully acknowledge and reckon with the truth.

Echoing this sentiment, activists and survivors have argued that paying survivors is an insufficient response, especially when many feel that both Church and State have refused to acknowledge the full extent of the harm that was done. For those who managed to leave the laundries, shame and fear followed them throughout their lives. The arbitrary nature of containment caused many to leave Ireland altogether, while those who stayed report looking over their shoulders for the rest of their lives. The McAleese Report acknowledged this harm explicitly:

"The confusion and hurt experienced by these women when placed in a Magdalen Laundry was, undoubtedly, exacerbated by the fact that they had absolutely no idea why they were there. For many of them, this also meant that on leaving the Magdalen Laundry, they were fearful that, for some unknown reason, they might be brought back

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<sup>137</sup> UN Committee on the Elimination of Discrimination against Women, "Concluding Observations on the Combined Sixth and Seventh Periodic Reports of Ireland," 4.

there again. Some of the women told the Committee that they felt free of this fear only after they left Ireland to live abroad.”<sup>138</sup>

In this sense, both the McAleese and Quirke reports failed to grasp the full extent and ramifications of the abuse suffered by the Magdalene women. In the decades between the closure of the last laundry and the distribution of the first reparations, survivors were largely unable to access the resources necessary to process this trauma. For many, the 2018 Dublin Honors Magdalenes event – a two-day meeting where survivors travelled to Dublin to tell their stories – was the first time that had discussed their experiences with another person. Additionally, the redress scheme fails to address the fact that a number of women still reside in nursing homes and other facilities operated by the Church. The failure of the laundries to rehabilitate women meant that by the time of their closure, those who had been there the longest were often unfit for independent living. Because of this, many of the women living in Magdalene institutions at the time of their closure were moved to Church-run nursing homes. Estimates from 2015 suggest that at least 115 women still live in affiliate institutions; as recently as 2013, 97-year-old Madge O’Connell died after sixty years living in religious institutions.<sup>139</sup> While no longer working or suffering the same abuse they did in the laundries, these women will likely die institutionalized and largely forgotten. That is the most egregious shortcoming of the McAleese and Quirke reports: they have largely refused to acknowledge that the Magdalene laundries are far from ancient history. In many ways, the harms are being drawn out by the State’s reluctance to act.

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<sup>138</sup> Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries, “Report of the Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries,” 931.

<sup>139</sup> Gleeson, “A Woman’s Work Is... Unfinished Business,” 296–97.

### Moving Towards Memory

“Human beings and human systems hide what they are ashamed of,” Clough concludes her book by saying. And the Magdalene institutions show that this claim is no truer than in Ireland. This hiding manifested in a physical erasure of the women and girls who were incarcerated in the laundries, but it also proved true in the hiding of documents, the protection of perpetrators, and the State’s refusal to acknowledge its role in a system that enacted violence on thousands of women. This shame continues to operate in Ireland, even after the release of the McAleese Report; the campaign for justice for Magdalene women is an ongoing project, now focused on telling and claiming the stories of survivors.

For Sebbane, the sense of scandal surrounding the Magdalene laundries lies “not in the reality of what women experienced, but in the revelations, exposure and consequences for Ireland’s dignity and sense of national identity.”<sup>140</sup> In many ways, telling the truth of the Magdalene institutions shifted the sense of shame from the survivors who carried it for decades to the Church, State, and society at large. The sense of shock lies not that Ireland was a nation as sinful as any other, but in the lengths it would go to in order to hide that sin. “The Magdalene Laundries have also been associated with the dominating patriarchal model that prevented women from accessing free, safe and legal abortions until the repeal of the 8<sup>th</sup> amendment in 2018. For the history of the Magdalene Laundries belongs to, alongside the history of institutional abuse and the Church-State collusion... a society where the weakest and most vulnerable citizens, that is, women and children, were written out of the official national narrative,” argues Sebbane.<sup>141</sup> While their fight for true justice remains ongoing, in sharing their stories the Magdalene survivors have built on the work clerical sex abuse survivors have done in

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<sup>140</sup> Sebbane, *Memorialising the Magdalene Laundries*, 44.

<sup>141</sup> Sebbane, 215.

holding the Church and State to account. The shock, horror, and disgust with which allegations of abuse – in the laundries and beyond – were received by the public opened the door for a new conversation about who Ireland is and should be.

### Chapter 3: Is Ireland ‘a Catholic country’? From Scandal to Social Progress

*Today the visibility of faith has for all intents and purposes vanished... In my opinion, the handing on of the faith to the young is one of the most serious challenges facing our Church today. The current model of the Church is unsustainable.*

- Dublin Archbishop Dermot Farrell, August 2021<sup>142</sup>

The abuse that took place within Ireland’s architecture of containment was powerful not simply because the abuse was disturbing; the scandals fundamentally altered how people across Ireland viewed the Roman Catholic Church and its relationship with the State. Where religious figures were once infallible and unquestionable, new doubts emerged about whether the influence of religion was truly a positive thing for Ireland. The abuse perpetrated at the hands of priests, Brothers, and nuns undermined the supremacy of the Catholic Church that was at the heart of almost all social policy and culture in Ireland: could this institution truly be trusted to safeguard the morality of Ireland as a nation? This national reckoning manifested in three significant ways: a decline in traditional acts of faith, such as weekly Mass attendance; the overwhelming legalization of same-sex marriage by popular vote; and the repeal of the 8<sup>th</sup> Amendment barring abortion in almost all cases. These three examples highlight the waning power of the Catholic Church; where failing to attend Church or disagreeing with religious doctrine on social issues would once make a person an outcast, these phenomena became more common than not.

The abuse of women and children in Church-run, State-supported institutions undermined the centrality of clerics to family and social life; people no longer turned to their priest with questions, meaning that the Church had far less influence on the personal decisions and practices of laypeople. The harm done in the name of protecting children further undermined the Church’s

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<sup>142</sup> Farrell, A Church in crisis demands creativity.

claims to sexual and moral authority, with concerns about the wellbeing of fetuses and the children of same-sex couples falling flat against the backdrop of a century of sexual abuse and enslavement. By the 2010s, there was an almost universal knowledge of what took place in the industrial schools and Magdalene laundries; one generation of voters had come of age during the height of the revelations, while another had grown up in a profoundly different Ireland. Without widespread understanding of how the Church had abused its power throughout the twentieth century, it is likely that Ireland would remain a deeply devout nation. Telling the stories of harm not only allowed survivors to heal; it allowed Ireland to transform.

### **Revelations and Religious Decline**

Accusations and revelations of abuse at the hands of the Catholic Church fundamentally undermined the credibility that had sustained it for so long; as it became increasingly possible to be both moral and Irish without being devoutly Catholic, the Church felt a clear and material impact. According to data from the European Values Survey (EVS), weekly church attendance had declined from 82.4 percent in 1981 to 44.3 percent in 2009, with the biggest decline occurring between 1990 and 1999.<sup>143</sup> The 1990-1999 dip is best explained by the number of abuse revelations that came to light during that period. In 1995, Andrew Madden became the first Irish victim to speak publicly about clerical sex abuse; two years later, Father Brendan Smyth pled guilty to 74 counts of child sex abuse in Dublin.<sup>144</sup> *Sex in a Cold Climate*, a television documentary detailing the abuses that took place in the Magdalene laundries, premiered in 1998; the following year, journalist Mary Raftery's *States of Fear* series exposed abuse in the industrial schools. In essence, the 1990s marked the first period in Irish history

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<sup>143</sup> Breen and Reynolds, "The Rise of Secularism and the Decline of Religiosity in Ireland: The Pattern of Religious Change in Europe."

<sup>144</sup> "Clerical Child Abuse - an Irish Timeline."

where the media, government, and public were forced to reckon with the reality of abuse in Catholic institutions. Notably, belief in God declined by just 5.3 percent in the same period. Those who stopped attending Church did not necessarily stop believing in God; faith and religion began to become disentangled in the minds of Irish citizens. Inglis describes this new generation of Irish Catholics as being “cultural Catholics [who] tend to identify less with the institutional Church and more with Catholic heritage and being Catholic.”<sup>145</sup> For the first time in its relatively short history, Irish identity has increasingly become distinct from Catholic identity. And when it becomes possible to be Irish without being a devout Catholic, there is a greater freedom for the public to choose their own values.

In a country where every aspect of life was shaped by the Church, it was nearly impossible to make a clean break. Catholic identity and Irish identity were synonymous, although Catholic identity was slowly being redefined. “It is no longer necessary to be a ‘good’ Catholic” to be a respected member of the community, argues Inglis.<sup>146</sup> The 1990s showed that being a good Catholic and being a good person were often in conflict with one another when it came to questions of abuse and accountability; with public reputations no longer being based on Catholic morality, fewer people felt required to adhere to the stringent rules once imposed on the whole of society. Further evidence of the shift towards cultural Catholicism and private religion is offered by data showing a decrease in reliance on clerical guidance in times of personal turmoil. Between 1981 and 2008, EVS researchers measured a 15-to-20-point decline in belief that the Church provides adequate answers to moral, social, and family problems between. While there was a slight rebound between 1999 and 2008, these measures of confidence remain

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<sup>145</sup> Inglis, “Catholic Identity in Contemporary Ireland,” 215.

<sup>146</sup> Inglis, 206.



significantly lower than they were during the height of Ireland's multiple abuse scandals.<sup>147</sup>

Where the proportion of Catholics who reported having "a great deal of confidence" in the Church was over 50 percent in 1981, to around 20 percent in 2009. While declines in confidence have occurred across several institutions, "a lack of confidence is a more important indicator of the institutional health of the Church" than it is of other institutions, as the Church relies on confidence for its longevity in a way that the government does not.<sup>148</sup> Religion is only as powerful as it is credible and trustworthy; the Church only holds moral authority when that authority is granted by the people.

At the heart of these declines is a sense that the Catholic Church is a deeply hypocritical institution. Its prerogatives often came into conflict with its professed teachings, creating a deep contradiction between the function of the Church as a religious body and its actions as a political institution. Parishioners were supposed to place their Catholic identity and obligations above all, relying almost exclusively on the Church and its representatives for guidance on how to live their daily lives; when they fell short of these harsh moral expectations, they were expected to confess to their priest and repent to God. However, when those same priests who were believed to be morally superior conducted horrific abuses, they were shielded in order to protect the Church. As Inglis explains, "a paedophile priest who commits the most horrific crimes against children can maintain his holy orders and even be forgiven" while a troublesome woman or child would be institutionalized indefinitely.<sup>149</sup> In this sense, the public outrage comes not only from the heinous nature of the abusive acts themselves; it is compounded by the hypocrisy inherent in being

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<sup>147</sup> Breen and Reynolds, "The Rise of Secularism and the Decline of Religiosity in Ireland: The Pattern of Religious Change in Europe."

<sup>148</sup> Breen and Reynolds, "The Rise of Secularism and the Decline of Religiosity in Ireland: The Pattern of Religious Change in Europe."

<sup>149</sup> Inglis, *Moral Monopoly*, 215.

punished by those who themselves act above the law. As outlined in the introduction, members of the clergy were of paramount status in Irish society and priests were at the center of their community. They were at schools, on the pulpit, and in the confessional; as Inglis explains, “because they have the most contact with the laity, they are at the forefront of the institutional Church’s struggle to maintain [and display] its moral power.”<sup>150</sup> When those tasked with policing and defending the community were charged with abusing the most vulnerable, the foundation upon which the Catholic Church’s moral authority was built upon crumbled.

Pope Francis’s 2018 visit to Ireland provides clear evidence of how confidence in and support for the Roman Catholic Church as an institution has decline in recent decades. Prior to the 2018 trip, the time the head of the Church stepped foot in Ireland was in 1979, before the scandals of the industrial schools and Magdalene laundries reshaped Irish society. Just as the country itself was transformed from 1979, the reception that the Pope received was also vastly different. In the months and weeks leading up to his arrival, there was considerable discussion around whether he should come at all and how he should address the Church’s history of abuse. Prior to his arrival, former president Mary McAleese condemned the Catholic Church’s perpetuation of “the global virus of misogyny.” Having held office from 1997-2011, McAleese oversaw the State response of sex abuse scandals and has since been active in women’s’ and LGBTQ+ rights. Such a well-known and respected figure condemning the Church so publicly had a clear impact; a *Sunday Independent* survey conducted after the statement found that 55 percent of respondents agreed with the statement “the Church does not treat women equally.”<sup>151</sup> McAleese’s criticisms of the Church represented public opinion in many ways, and the national conversation about Pope Francis’s visit shifted to the Church’s handling of sexual scandals in the

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<sup>150</sup> Inglis, 47.

<sup>151</sup> Corcoran, “Poll: Public Backs McAleese Attack on Church over ‘Misogyny.’”

runup to his visit. As the pontiff was arriving in Ireland, thousands of protestors gathered in Dublin to call for action, apology, and redress; after speeches and performances, an estimated 5,000 people marched to the site of the former Sean McDermott Street laundry.<sup>152</sup>

During his trip, Pope Francis met with a group of individuals who survived abuse at the hands of the Catholic Church, hoping for an apology and a sense of closure. However, multiple survivors expressed frustration with the Pope's apparent ignorance; one person recalled that he had "no idea" what the industrial schools and Magdalene laundries were.<sup>153</sup> While he did apologize for the abuse that ran rampant across Ireland, the majority of Irish people believed that his response was inadequate. In a poll conducted after his visit, the *Irish Times* found that 55 percent of survey respondents believed that the Pope "had not gone far enough" in addressing Ireland's history of abuse.<sup>154</sup> Such widespread criticism of any religious figure, much less the man at the head of the Catholic Church, would have been heretical just decades prior; the willingness to criticize this infallible figure is a clear mark of how far the average person has departed from the state of deference that marked most of Irish history. While the visit took place after both the same-sex marriage and abortion referendums, Pope Francis's reception shows that Ireland had not only shifted politically, but culturally.

### **From Erasure to Equality: The 2015 Marriage Referendum**

The marriage equality referendum was the final installment in a decades-long campaign for LGBTQ+ rights, beginning with the 1993 decriminalization of homosexuality and advancing with the extension of civil partnership rights to same-sex couples in 2010. However, advocates Ireland continued to press for marriage rights, arguing that it was a necessary component of full

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<sup>152</sup> Holland, "Thousands Turn out for Protest over Clerical Abuse."

<sup>153</sup> Burns, "Pope Francis 'Shocked' upon Hearing about Mother-and-Baby Homes."

<sup>154</sup> Leahy, "Pope in Ireland: Most Think He Did Not Go Far Enough on Abuse Issue."

equality. The issue was central to the 2011 General Election, with the progressive Labour party declaring that marriage equality is “the civil rights issue of this generation.”<sup>155</sup> The election resulted in Ireland being ruled by a coalition government of the center-right Fine Gael and the social democratic Labour Party. As part of their *Statement of Common Purpose*, the two groups agreed to host a Constitutional Convention to discuss national priorities, including the legalization of same-sex marriage. During an April 2013 meeting of the Convention, 79 percent of delegates supported a constitutional amendment to allow for same-sex marriage. Following an official recommendation to the government that summer, Taoiseach Enda Kenney announced in November that a referendum on the issue would be held by mid-2015.<sup>156</sup> Immediately, LGBTQ+ rights groups joined forces to create a coordinated campaign. The primary group behind the ‘yes’ campaign was Yes Equality; the name in itself provides insight into how the campaign would be run, with the rhetorical focus being on equality in general rather than LGBTQ+ rights in particular. Those behind the formation of the group later wrote that the use of equality as a euphemism for same-sex marriage “identified it as the collective values of the Irish people.”<sup>157</sup> While Yes Equality was comprised of LGBTQ+ rights activists, the name rejected identity politics and made the referendum a moral rather than political or religious issue.

The first major push by Yes Equality emphasized the power of storytelling, using the tagline “I’m Voting Yes: Ask Me Why?” to humanize the debate. In January 2015, the ‘Yes’ side gained a powerful supporter when Minister of Health Leo Varadkar came out as gay on national television, making him the most senior government official and only minister to come out publicly. Widely praised for coming out, Varadkar’s announcement inspired a wave of

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<sup>155</sup> Elkink et al., “Understanding the 2015 Marriage Referendum in Ireland,” 362.

<sup>156</sup> Murphy, “The Marriage Equality Referendum 2015,” 318–19.

<sup>157</sup> Healy, Sheehan, and Whelan, *Ireland Says Yes*, 28.

proponents to share their stories; public members of the LGBTQ+ community and their parents took to the media to share what a ‘Yes’ vote would mean to them. Just over a week before the referendum, national news correspondent Ursula Halligan wrote an *Irish Times* opinion piece recalling her Catholic upbringing before announcing that she was gay. “Homophobia was so deeply embedded in my soul, I resisted facing the truth about myself... I had become a roaring, self-loathing homophobe, resigned to going to my grave with my shameful secret. And I might well have done that if the referendum hadn’t come along,” she wrote. She closed with a religious plea: “As a person of faith and a Catholic, I believe a Yes vote is the most Christian thing to do.”<sup>158</sup> More powerful than her national profile was Halligan’s invocation of Christianity; by rejecting the idea that Catholic values and a ‘Yes’ vote were incompatible, she gave the faithful permission to vote for equality.

While Yes Equality used emotional appeals and the language of equality in their campaign, the ‘No’ side attempted to shift the debate from one about marriage to one about preserving families and protecting children, leveraging Irish Catholic values and histories. The main group fighting against same-sex marriage was Mothers and Fathers Matter, and their posters included images of heterosexual families with captions such as “Children Deserve a Mother and a Father.”<sup>159</sup> Another common tactic was to attack surrogacy, specifically attacking male same-sex couples with posters saying “She Needs Her Mother for Life, Not Just for Nine Months.”<sup>160</sup> While Mothers and Fathers Matter was able to appeal to the concerns of those already opposed to marriage equality, the posters largely galvanized the ‘Yes’ base and were easily countered by proponents of equality. Perhaps more influential was the involvement of

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<sup>158</sup> Halligan, “Ursula Halligan: Referendum Led Me to Tell Truth about Myself.”

<sup>159</sup> Elkind et al., “Understanding the 2015 Marriage Referendum in Ireland,” 365.

<sup>160</sup> Healy, Sheehan, and Whelan, *Ireland Says Yes*, 90.

priests and bishops. While Elkind et al. are correct in noting that the institutional Catholic Church “it played a lower key role than it had in previous referendums” related to questions of social policy,” members of the clergy were still vocal and active participants in the campaign against same-sex marriage.<sup>161</sup> Clerics refuted accusations that the Church was hostile to gay people; they argued that the basis for religious opposition was protecting families and children. “We are in fact redefining the family. Throughout history and across all cultures, marriage has been consistently understood to be the union of male and female with procreative potential,” argued the Archbishop of Tuam Michael Neary. “A society that identifies the two parties in marriage as spouse I and spouse II has lost sight of a deep truth of humanity.”<sup>162</sup> The Church’s strict, unyielding essentialist approach to marriage and family is what ultimately proved to be its downfall; rather than trying to reclaim love from the ‘Yes’ movement, the ‘No’ campaign was characterized by a focus on the semantics of what family and marriage mean.

After two years of campaigning, the day of the referendum arrived on May 21, 2015. The referendum passed by an overwhelming margin, with just over 62 percent of the electorate voting in favor of marriage equality and just under 38 percent opposed.<sup>163</sup> While all available polling indicated that the referendum would be successful, it marked a significant departure from decades of declining voter turnout.<sup>164</sup> A large part of why participation was so high is because of how deeply personal this issue is for much of Ireland; for those who grew up in a deeply conservative Ireland and for young people just learning about the brutality of their nation’s history, this vote was viewed as a real opportunity to move Ireland forward. Although Ireland does not allow absentee voting, 60,000 of the country’s three million eligible voters lived abroad.

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<sup>161</sup> Elkind et al., “Understanding the 2015 Marriage Referendum in Ireland,” 365.

<sup>162</sup> “Catholic Leaders Are out in Force Arguing against Same-Sex Marriage.”

<sup>163</sup> Murphy, “The Marriage Equality Referendum 2015,” 326.

<sup>164</sup> Elkind et al., “Understanding the 2015 Marriage Referendum in Ireland,” 362.

On election day, thousands of these expatriates returned to Ireland to cast their ‘Yes’ ballot, many of them having left the country because of its repressive social policies. Irish emigrants filled Twitter with tag #hometovote, sharing support and images of solidarity. “I’m coming back to @ireland to vote in #MarRef. I’m coming back to help make history. I’m coming back for the future,” Twitter user Ian McCafferty shared.<sup>165</sup> “Maybe they had to leave, maybe they chose to leave. But tonight they are coming home,” another user tweeted.<sup>166</sup> The #hometovote movement reflects more than just the passion that the referendum elicited; it shows a real sense of hope and progress among those who had left Ireland for any number of reasons. Casting a ballot allowed people across Ireland to have a say in who they want to be and what they want their country to stand for; in a nation where silence had been the norm, young and old voters refused to be silent about their identities and beliefs any longer.

The hope that characterized the ‘Yes’ campaign was palpable across Ireland after the results were announced, with supporters flooding the streets to celebrate. Fine Gael Secretary Tom Curran, who has a gay son, called the day one of the happiest of his life, telling reporters “I tonight will go to bed knowing that my son is now treated the same as my other two sons and my daughter.”<sup>167</sup> Much of the celebration was stepped in national pride in the fact that Ireland was the first country to legalize same-sex marriage by popular vote. Rather than legislative or judicial action, it was the majority of Irish voters that decided to grant their fellow citizens the right to marry. While the ‘Yes’ side – and the majority of Ireland – was elated with the referendum’s passage, the Catholic Church largely framed the result as part of an existential threat to

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<sup>165</sup> McCafferty, Ian (@iamianami). Twitter, May 21, 2015, 12:08 PM.  
<https://twitter.com/iamianami/status/601419259672158208?s=20&t=f07dCjVh0OqdRwc2QsgnnQ>.

<sup>166</sup> Simone (@TweetsbySimone). Twitter, May 21, 2015, 5:55 PM.  
<https://twitter.com/TweetsbySimone/status/601506749774979072?s=20&t=f07dCjVh0OqdRwc2QsgnnQ>.

<sup>167</sup> “Ireland Says ‘yes’ to Gay Marriage - Reaction.”

Catholicism. While the Vatican did not address their loss for several days, the silence was finally broken when secretary of state Cardinal Pietro Parolin called the result “a defeat for humanity.”<sup>168</sup> Legalizing same-sex marriage was regarded by the Church as the legalization of sin; since marriage is a sacrament, extending the right to gay people was viewed as a desecration of one of the holiest acts. In their disappointment, though, many in the Church seemed to recognize the greater significance of the vote; Dublin Archbishop Diarmuid Martin admitted that the Church needed a “reality check,” saying “it’s clear that if the referendum is an affirmation of the views of young people, the Church has a huge task in front of it.”<sup>169</sup> The successful repeal of an amendment barring abortion just three years later would confirm Martin’s fears, setting Ireland in a new direction.

### **Whose Life? Legalizing Abortion**

Because abortion has historically been one of the Catholic Church’s most salient political issues, Ireland has a long history of restricting and punishing the practice. However, successful campaigns for abortion in other western countries heightened the perceived threat of women’s political advocacy in Ireland. Legalization of abortion in England in 1967 provided an easy way for Irish women to get abortions abroad, while the 1972 *Roe v. Wade* decision further heightened concerns that abortion may soon be on the table in Ireland, especially given that prior rulings on contraceptives in part relied on American jurisprudence for guidance.<sup>170</sup> The Pro-Life Amendment Campaign (PLAC) formed to pursue the idea of an amendment, and in 1983 about two-thirds of the Irish electorate voted in favor of the 8<sup>th</sup> Amendment, which “acknowledges the right to life of the unborn.”<sup>171</sup> There were few real challenges to the law until 1992, when a 14-

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<sup>168</sup> McMahon, “Catholic Church ‘Bereavement’ after Same-Sex Marriage Vote.”

<sup>169</sup> “Ireland Says ‘yes’ to Gay Marriage - Reaction.”

<sup>170</sup> Smyth, *Abortion and Nation*, 8–9.

<sup>171</sup> Eighth Amendment of the Constitution Act, 1983.



year-old girl named X was barred from traveling to England for an abortion after being raped by a family friend; after she was placed on suicide watch, the Supreme Court intervened to determine that suicide was a substantial enough risk to justify abortion.<sup>172</sup> That year, two amendments inspired by the X Case passed: one allowing the dissemination of information about foreign abortion services and another establishing a right to travel abroad for an abortion.<sup>173</sup> The 1992 changes to abortion law has led to what Calkin and Kaminska call a “literal ‘exit’ from the state and its legal regime,” undermining both the government’s credibility and its ability to oversee abortion in the state. Just as Ireland sought to distinguish itself from perceived British immorality in the early years of independence, transnational abortion allowed Church and State to deny that Irish women had abortions because the procedures were not taking place on Irish soil.

An informal system of information, financial assistance, and emotional support has popped up in the decades since the X case, all acknowledging that travel was the best and often only option to obtain an abortion. In 2001, an estimated 18 women traveled to Britain each day to receive an abortion; while that number fell to about 3,265 total trips for 2016, a decline largely facilitated by the availability of abortion pills by mail. For comparison, just 25 legal abortions were performed on Irish soil in the same year.<sup>174</sup> All of these were cases in which continuing the pregnancy would almost certainly result in the death of the mother. This is not to say that abortion does not take place in Ireland: the rise of the internet has made access to illegal abortion pills easier and more common. Despite the existing barriers, travel and illegally obtained abortion medications contributed to a “progressive delegitimization of Ireland’s abortion law,”

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<sup>172</sup> Smyth, *Abortion and Nation*, 3–6.

<sup>173</sup> Calkin and Kaminska, “Persistence and Change in Morality Policy,” 90.

<sup>174</sup> Calkin and Kaminska, 91.

and their impact was heightened by an increasing willingness of women to share their stories of abortion.<sup>175</sup> The pro-choice movement was bolstered by a 2010 ruling from the European Court of Human Rights that determined that Ireland did not fully implement the provision allowing for abortion in cases where the life of the mother was at risk.<sup>176</sup> The decision confirmed what many women already knew: medical professionals and the law were not concerned with protecting the lives and rights of women.

While activists were pushing for change and leaning on the EU for support for years, there was little sign of progress until the fatal consequences of Ireland's restrictive abortion policies did not become a part of the national conversation following the October 2012 death of Savita Halappanavar. Halappanavar was 17 weeks pregnant with a much-wanted baby when she went to the hospital with severe back pain; soon after, she was informed that she was in the early stages of a miscarriage. After a day of "agony," Halappanavar requested an induction; because a fetal heartbeat could still be detected, her request was denied. She grew increasingly ill and repeated her termination request multiple times before she "spontaneously delivered a female foetus" and fell into a coma on her third day in the hospital. After entering septic shock and multiple organ failure over the next few days, Savita Halappanavar died of cardiac arrest at the age of 31.<sup>177</sup> After Halappanavar's death, her husband Praveen recalled being told "this is a Catholic country" by medical staff, despite the fact that the couple were Hindu, rather than Catholic or even Christian.<sup>178</sup> "She wanted to live, have babies," he told reporters in the weeks following his wife's death. "We just can't believe that in the 21<sup>st</sup> century, something like this

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<sup>175</sup> Calkin and Kaminska, 91.

<sup>176</sup> O'Brien, "Irish Abortion Laws Breach Human Rights, Court Rules."

<sup>177</sup> Holland, "How the Death of Savita Halappanavar Revolutionised Ireland."

<sup>178</sup> Sherwood, "'Remember Savita': Father's Plea for Voters to End Ireland's Abortion Ban."

would happen.”<sup>179</sup> Mr. Halappanavar’s statement called attention to the fact that Irish law was not in line with its modern reality: Ireland was becoming increasingly less Catholic and less white, yet abortion law remained deeply entwined with Catholic doctrine. In Europe and beyond, Ireland was an outlier not because of its high moral standards, but because of the extent to which women were denied critical health care on the basis of a faith that a shrinking number of individuals adhered to.

Two weeks after the news of Halappanavar’s death reached the national media, between 700 and 2,000 people gathered outside of the Dail to protest Ireland’s restrictive abortion laws; on the same night, smaller protests were held across the country. Independent TD member Clare Daly told *The Irish Times* that “her office was inundated with calls from people who said they are ashamed to be Irish.”<sup>180</sup> The protests were accompanied by calls from Ireland’s Health Service Executive (HSE) for the incident to be investigated by independent experts, the hospital’s clinical director commissioned an independent external report chaired by St. George’s University of London obstetrics professor Sir Sabaratnam Arulkmaran. After conducting an official inquiry into Halappanavar’s death, the investigative committee determined that “there are no accepted clear local, national, or international guidelines on the management of inevitable early second trimester miscarriage,” likely because “clinical practice in other jurisdictions would have led to an early termination of pregnancy.”<sup>181</sup> The report concludes that “guidelines be developed for such patients [as Halappanavar] *as a matter of urgency*,” while acknowledging that “the guidance so urged may require legal change.”<sup>182</sup> Where much of the debate around

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<sup>179</sup> Sherwood.

<sup>180</sup> Roche and Kennedy, “Vigils and Protests over Savita Held.” TD stands for Teachta Dála, the Irish equivalent of a Member of Parliament (MP).

<sup>181</sup> “Investigation of Incident 50278,” 55.

<sup>182</sup> “Investigation of Incident 50278,” 59. *Emphasis added*.

abortion is focused on political, moral, and religious questions, the HSE report stood out because they offered a compelling and unbiased indictment of Irish abortion laws solely on medical grounds. The report was unequivocal in its conclusion that but for the 8<sup>th</sup> amendment and the fear that the law placed in healthcare providers, Savita Halappanavar would have lived. As was the case with X, an innocent child and rape victim, Halappanavar was a perfect victim: a married, successful, middle-class dentist who was seen as doing everything right. Even though this is not the typical profile of an abortion patient, she nonetheless became the new face of the Repeal the 8<sup>th</sup> movement.

The immediate outrage surrounding Halappanavar's death and the subsequent inquiry didn't fade with the next news cycle – instead, it acted as a catalyst for the push to repeal the Eighth Amendment. After years of increasing pressure from activist groups, in July 2016 the Oireachtas, Ireland's parliament, called a Citizens' Assembly to discuss the 8<sup>th</sup> Amendment.<sup>183</sup> Over the course of five weekends between November 2016 and April 2017, the Assembly met to discuss the future of the 8<sup>th</sup> Amendment; during the final weekend, the members voted that the 8<sup>th</sup> Amendment should be replaced or amended, and that the Oireachtas should be given authority over abortion policy. Eighty-seven percent of members believed that the Amendment should not be retained in full, and 64 percent believed that abortion without restriction should be allowed up to at least 12 weeks gestation made reform all but inevitable; while the calling of a Citizens' Assembly was initially viewed as way to placate the public without enacting reform, the overwhelming support for expanded abortion rights made a referendum all but inevitable.<sup>184</sup> After consideration of the Assembly's recommendations, the government announced in March

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<sup>183</sup> A Citizens' Assembly is 100-person body comprised of a government-appointed chair and 99 randomly selected citizens. The purpose of an Assembly is to provide the Oireachtas with legislative and policy recommendations directly informed by public opinion.

<sup>184</sup> "First Report and Recommendations of the Citizens' Assembly: The Eighth Amendment of the Constitution."

2018 that a referendum would be held on May 25 of that year; the announcement was accompanied by a piece of draft legislation to provide context for what abortion law might look like without the 8<sup>th</sup> Amendment.<sup>185</sup>

After the announcement that a referendum would be held in just two short months, both pro- and anti-repeal campaigns quickly sprung to action. Interestingly, the role of the Catholic Church was even less pronounced than in the marriage referendum; largely leaving the politics to outside groups, priests and bishops urged their congregations to vote no from the pulpit. In the days leading up to the referendum, bishops from across the country published letters urging Catholics to reject abortion; in one letter, Bishop of Cloyne William Crean called the campaign “a great struggle between light and dark, between life and death.”<sup>186</sup> The overwhelming support for marriage equality in 2015 signaled to the Catholic establishment that its political power and credibility was dwindling; by 2018, it was clear that formal Church involvement would have little impact on the outcome of the referendum. Instead, the ‘No’ campaign was largely driven by religious groups that did not have formal ties to the Church. While the movement relied on the same rhetoric as the Church, the message was delivered and executed by laypeople. The main groups advocating against repeal were Love Both, Save the 8<sup>th</sup>, and the Iona Institute, a prominent Catholic think-tank. All three groups had strong histories in the anti-abortion campaign, with Love Both being one of the heirs to the legacy of the PLAC.<sup>187</sup> The name Love Both stands out for two reasons: it draws on the rhetoric of love used in the campaign for marriage equality, and it claims to be concerned with the welfare of *both* woman and child.

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<sup>185</sup> Browne and Calkin, *After Repeal*, 12.

<sup>186</sup> Humphries and Roe, “Church and Religion Take Back Seat as a Secular Ireland Votes on Abortion.”

<sup>187</sup> de Londras and Enright, “‘The Only Lawyer on the Panel’: Anti-Choice Lawfare in the Battle for Abortion Law Reform,” 60–61.

Despite this rhetorical maneuvering, the majority of the anti-abortion literature, imagery, and discussion was highly fetocentric, with ‘No’ campaigners calling themselves the defenders of fetuses’ rights and painting pro-choice activists as ‘baby killers.’<sup>188</sup> Because all available polling showed the the ‘No’ side to be the underdog from the early days of the referendum debate, these groups believed that severe language was necessary to convey the perceived danger of legalized abortion. While such an approach did elicit strong emotions, the ‘No’ campaign was most effective in provoking voters and rallying support for repealing the 8<sup>th</sup>. Ultimately, exit polling showed that the ‘No’ campaign changed the minds of very few voters.<sup>189</sup> By the time the referendum had arrived, Ireland had already moved firmly in the direction of allowing women the right to choose.

Drawing on the successful playbook used by Yes Equality in 2015, the ‘Repeal’ side presented a unified front and a coordinated campaign under the umbrella group Together for Yes. The coalition was comprised of over 70 organizations, including the National Women’s Council, the Abortion Rights Campaign, and the Irish Family Planning Association. Together for Yes framed its arguments around compassion and autonomy, with co-chair Orla O’Connor telling the *Irish Times* that the campaign’s visual materials were intended to convey that abortion is a “personal and private decision and one that should be between a woman and her doctor.”<sup>190</sup> Rather than engaging in debates about religion, personhood, or even general feminism, the ‘Yes’ movement largely centered its campaign around privacy and medical autonomy. This approach was bolstered when the HSE investigation’s chairman called for the repeal of the Eighth

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<sup>188</sup> de Londras, “‘A Hope Raised and Then Defeated’?,” 38.

<sup>189</sup> de Londras and Enright, “‘The Only Lawyer on the Panel’: Anti-Choice Lawfare in the Battle for Abortion Law Reform,” 64.

<sup>190</sup> McGreevy, “Together for Yes Campaign Says It Is on Course to Raise €500,000.”

Amendment “for the sake of women’s health and rights.”<sup>191</sup> That a professional with intimate knowledge of the life-and-death nature of the referendum would call publicly for repeal added credibility to the campaign. Further support came from Halappanavar’s parents, with her father telling reporters “I hope the people of Ireland remember my daughter Savita on the day of the referendum, and that what happened to her won’t happen to any other family... She didn’t get the medical treatment she needed because of the Eighth Amendment. They must change the law.”<sup>192</sup> Savita Halappanavar’s story – the story of a respectable, married professional – moved Irish voters in a way that few others would. Her name became a rallying cry; Facebook users changed their profile picture and marched through the streets with photos of her, using her image as a battle flag.

Using Halappanavar as a martyr seemed to work: ten percent of ‘Yes’ voters cited her story as part of their reasoning for supporting the repeal.<sup>193</sup> For younger women, Savita’s death was the first time that abortion debates had made national headlines. They were aware of the abuses that took place in the name of Catholicism, such as clerical sex abuse and the Magdalene laundries. But this was a generation who had not yet seen the Church and State indicted on a national stage. Twenty-year-old medical student Melissa Barnes told the *New York Times* that “when Savita died, that was kind of the point at which people my age, in that kind of young bracket, were made aware of what was going on. We weren’t even around when the Eighth Amendment was introduced.”<sup>194</sup> Outrage over Savita’s death brought the debate over abortion to the national stage once more, ultimately serving as a catalyst for a conversation about where Ireland stood 25 years after the amendment went into effect. The death of this Hindu immigrant

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<sup>191</sup> Edwards, “Head of Savita Halappanavar Inquiry Calls for Yes Vote.”

<sup>192</sup> Sherwood, “‘Remember Savita’: Father’s Plea for Voters to End Ireland’s Abortion Ban.”

<sup>193</sup> Roche and Kennedy, “Vigils and Protests over Savita Held.”

<sup>194</sup> Specia, “How Savita Halappanavar’s Death Spurred Ireland’s Abortion Rights Campaign.”

begged difficult questions for an increasingly diverse, secular, and European Ireland: *how much influence should the Church have in politics? Is Ireland still a Catholic country?* These were questions that were raised but not quite answered in 2015. By putting the question of abortion – one of the Catholic Church’s most central political issues – before the people of Ireland, the vote was also a referendum on whether Irish law should be dictated by religious beliefs.

Despite some last-minute concerns that the final result might be close, the May 25 referendum was a landslide; 66.4 percent of voters cast their ballots in favor of repealing the 8<sup>th</sup> Amendment. Once again, turnout was exceptionally high, even exceeding the 2015 marriage referendum numbers. As was the case in 2015, Irish expats returned #hometovote once again. “Just collected eldest son from Dublin Airport. In 2015 Ireland gave him his right - the right to get married. On Friday he’ll return the favour and vote to give women the right to make decisions about their own bodies,” one mother tweeted.<sup>195</sup> There was a sense of solidarity between those who had fought for marriage equality in 2015 and those fighting for reproductive rights in 2018; the list of Together for Yes members include multiple LGBTQ+ rights organizations, and many of those on the frontlines for marriage equality lent their time and support to the ‘Repeal’ campaign. Another traveler recounted her own experience with Ireland’s restrictive abortion laws, writing “Travelling home from the very airport I found myself in nearly 9yrs ago on a very sad journey. I'm hopeful this is not going to be a sad journey and compassion and sense will prevail.”<sup>196</sup> For many who were victimized by the Catholic Church’s policies, like those who fled the Magdalene laundries and women who had to travel abroad for access to reproductive healthcare, Ireland was a place of haunting memories rather than hope. The journey

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<sup>195</sup> McHugh, Noeleen (@MchughNoeleen). Twitter, May 23, 2018, 1:43 PM. <https://twitter.com/MchughNoeleen/status/999345202354638848?s=20&t=i79y0omx-p1dICNE-kxN6w>.

<sup>196</sup> Bowie, Ruth (@rlbowie). Twitter, May 24, 2018, 2:09 PM. <https://twitter.com/rlbowie/status/999714108458008576?s=20&t=gqzzkVyAvf42XQzfLOpdgA>.



home was a chance to reclaim their country and ensure that not another woman would suffer simply because of their gender. Among those who supported the repeal, this was a moment in time that seemed consequential not only for women but for the future Ireland. After the recent vote to allow same-sex marriage, the referendum on abortion felt like one of the last steps towards rejecting the Catholic Church's influence and ushering Ireland into the twenty-first century.

When the final result was announced, pro-choice supporters took to the streets of Dublin to celebrate; at one point, the crowd cheered "Savita, Savita" in honor of the woman who set the referendum in motion.<sup>197</sup> While the 'Repeal' side celebrated their victory, representatives of the Catholic Church quickly decried the vote, framing abortion as an existential moral threat to the nation. On the Sunday following the referendum, Archbishop Eamon Martin, the leader of the Catholic Church in Ireland, told a crowd that he was "deeply saddened that we appear to have obliterated the right to life of all unborn children from our Constitution, and that this country is now on the brink of legislating for a liberal abortion regime."<sup>198</sup> Though the condemnation was not as extreme as in 2015, the Catholic position was not wholly defeated yet; there remained a hope that legislative action could be shaped by the Church, and there was a promise that the Church would try. In the end, though, the Oireachtas passed a bill allowing 'on demand' abortion up to 12 weeks gestation, as well as in cases of fatal fetal anomaly and where there is a danger to the health or life of the mother. The framework has fundamentally changed: beyond the fact that most women now have access to safe, free, and legal abortions, de Londras writes that Institute of Obstetrics and Gynecology guidance "is striking for its insistence on listening to and

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<sup>197</sup> NewstalkFM (@NewstalkFM). Twitter, May 26, 2018, 1:20 PM.

<https://twitter.com/NewstalkFM/status/1000426493024104451?s=20&t=JI7iUIGvsPxuTbQzmym8Ig>.

<sup>198</sup> McGarry, "Church Leaders Dismayed at Vote to Lift Restrictions on Abortion."

respecting the needs and views of pregnant people.”<sup>199</sup> This was what those on the front lines of the repeal movement were fighting for: above all else, they wanted women to be treated with dignity, respect, and trust.

### **A New Day for Ireland? The Lessons of 2015 and 2018**

What makes the 2015 and 2018 referendums significant, beyond the social progress they brought about, is the fact that the Irish people, rather than the State or Church, were largely for the first time able to determine the direction in which they wanted their country to go. It was a moral proclamation on behalf of the people, rejecting the timidity of the State and the hypocrisy of the Church. The abortion referendum had the third highest turnout in history, with 64.1 percent of the electorate casting a ballot; in 2015, the turnout was 60.5 percent. While young people tend to participate in elections at lower rates, both referendums concerned issues that resonated with the 18–24-year-old age group, who turned up at the polls in droves. For example, exit polling conducted by *The Irish Times* during the abortion referendum estimated that about 87 percent of voters aged 18-24 voted for repeal.<sup>200</sup> However, in some ways the credit given to the youth vote as a deciding factor has been overblown; in both referendums, the only age group in which the majority cast ‘No’ votes was the 65+ bracket.<sup>201</sup> Those who voted against the two referendums were the ones who spent most of their lives under the strict control of the Catholic Church: someone who was 65 years old in 2015 would have been 43 when homosexuality was decriminalized, and 45 when divorce was legalized. It was the children of this generation who grew up watching the Church and State slowly separate; they came of age during a time of scandal and social pressure. The impact of age on support for marriage equality and abortion

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<sup>199</sup> de Londras, “‘A Hope Raised and Then Defeated’?,” 39.

<sup>200</sup> Leahy, “Irish Times Exit Poll Projects Ireland Has Voted by Landslide to Repeal Eighth.”

<sup>201</sup> Elkind et al., “Understanding the 2015 Marriage Referendum in Ireland,” 375–76.

legalization highlights just how young these movements are; if the referendums had been held just a few years earlier, the results would likely have been quite different.

Just as turnout and age link the outcomes of these referendums, both opposition campaigns relied on the language of protecting families and children. In one poster from the group Mothers and Fathers Matter, text reading “Surrogacy? She needs her mother for life, not just for 9 months. Vote no” is placed over the photo of a toddler.<sup>202</sup> Such an image ignores the reality that children were systematically ripped away from their parents and placed into industrial schools, often for no other reason than being poor. It neglects the fact that unwed mothers were separated from their children and forced to sign adoption papers before being placed in Magdalene laundries for years at a time. Years after the national secret of abuse and exploitation at the hands of the Church and State were uncovered, the idea of the good Catholic family was redefined. Similar child-oriented messaging was used by the anti-abortion movement: a key poster from the Save the 8<sup>th</sup> campaign displays a fetus with the text “A LICENSE TO KILL?” above it and “vote NO to abortion on demand” below. Browne and Nash analyze this particular image, writing that “the focus of ‘saving the 8<sup>th</sup>’ is very foetocentric... Women are absent, whilst abortion related directly to ‘killing babies.’”<sup>203</sup> They go on to argue that anti-woman imagery and rhetoric coming from the anti-abortion side reinforce ideas of promiscuous “bodies [who] have had sex and refuse to that responsibility, sully the nation.”<sup>204</sup> This emphasis on defending babies stands in direct contrast to the revelations around what occurred in the Magdalene laundries; there was no concern for the lives of the countless women who died and were buried anonymously, including the 22 additional bodies uncovered at the High Park

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<sup>202</sup> Browne, Nash, and Gorman-Murray, “Geographies of Heteroactivism,” 531.

<sup>203</sup> Browne and Nash, 60-1.

<sup>204</sup> Browne and Nash, 62.

laundry. While the circumstances are clearly different, the continued reliance on Catholic claims to protection of families and children fell short because of their inherent hypocrisy in the wake of scandal.

As this paper has outlined, the Church and State have justified arbitrary detention, enslavement, and horrific abuse by claiming that such actions were undertaken to protect children and families from moral corruption; the anti-marriage and anti-abortion movements' claims of protection fall short when considered in the context of institutional abuse in Ireland. Industrial schools were supposed to protect children from neglect or immorality, yet they often facilitated sexual abuse and other trauma. At the same time, Magdalene laundries claimed to protect women from themselves and defend Ireland's virtue; in reality, women were often irreversibly harmed in these institutions. In reality, Ireland's architecture of containment was used to protect the Church and the State from themselves; containment and concealment were used to promote a nationalist moral image. Because of the work of survivors and the revelations of the Ryan and McAleese Reports, Irish voters twice signaled support for autonomy over paternalism. One might argue that without these revelations, Ireland would not have been forced to reckon with its past and decide on its future to the extent that it has in the 21<sup>st</sup> century. The abuses that took place in the industrial schools, the Magdalene laundries, and other Church-run institutions did not only shock the conscience of the nation; they fundamentally changed the morals of the nation.

## Conclusion: Protecting Whom? Lessons from Ireland

*“As a person of faith and a Catholic, I believe a Yes vote is the most Christian thing to do.”*

- Ursula Halligan, 2015<sup>205</sup>

What makes Ireland’s social and political trajectory notable is not that the debates over marriage equality and abortion departed from the traditional framework used in the West. Instead, it is the distinct historical context Ireland is situation within that undermined conservative and Catholic arguments against the two referendums; the nation’s history of intra-institutional traffic, endemic abuse, and systematic protection of those who perpetrated violence caused the Church’s claims over the welfare of children and families to fall flat. This legacy of abuse and hypocrisy undermined the power of opposition groups who rooted their arguments in religion; though the Church was once seen as the protector of the Irish people through its role in government, education, and healthcare, the abuse committed in religious institutions was viewed as an abdication of this responsibility; the 21<sup>st</sup> century marked the beginning of a widespread belief that the duty to protect fell upon the State rather than the Church. This does not necessarily mean that Ireland is no longer a ‘Catholic country,’ though. Instead, Breen and Reynolds argue that recent European Values Survey data shows that “the overall picture seems to be one of a church-oriented decline, but a relatively persistent religious sentiment.”<sup>206</sup> Ireland is not rejecting the Catholic faith itself; instead, younger generations are questioning and redefining what it means to be a ‘good Catholic.’ Following Ursula Halligan’s argument in support of marriage equality, the Irish people have made the case through these two referendums that defending the rights of their neighbors is “the most Christian thing to do.”<sup>207</sup>

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<sup>205</sup> Halligan, “Ursula Halligan: Referendum Led Me to Tell Truth about Myself.”

<sup>206</sup> Breen and Reynolds, “The Rise of Secularism and the Decline of Religiosity in Ireland: The Pattern of Religious Change in Europe.”

<sup>207</sup> Halligan, “Ursula Halligan: Referendum Led Me to Tell Truth about Myself.”

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