Freedom Fighters: Lessons From Irish Women A Study In Irish Gender History

Page Kelly
Carroll College, Helena, MT

Follow this and additional works at: https://scholars.carroll.edu/history_theses

Recommended Citation
Kelly, Page, "Freedom Fighters: Lessons From Irish Women A Study In Irish Gender History" (2007).
History Undergraduate Theses. 33.
https://scholars.carroll.edu/history_theses/33

This Thesis is brought to you for free and open access by the History at Carroll Scholars. It has been accepted for inclusion in History Undergraduate Theses by an authorized administrator of Carroll Scholars. For more information, please contact tkratz@carroll.edu.
CARROLL COLLEGE

FREEDOM FIGHTERS: LESSONS FROM IRISH WOMEN
A STUDY IN IRISH GENDER HISTORY

A PAPER SUBMITTED IN FULFILLMENT
OF REQUIREMENTS FOR
DEPARTMENT OF HISTORY
HONORS THESIS

BY

PAGE COLEMAN KELLY
HELENA, MONTANA

APRIL 2007
This thesis for honors recognition has been approved for the Department of History.

Murphy Fox
Director

Rev. Daniel E. Shea, Ph.D.
Reader

Rev. Jeremiah T. Sullivan
Reader

3-30-07
Date

3-30-07
Date

March 28, 2007
Date
# Table of Contents

Signature Page ............................................................................................................................... ii

Acknowledgements .................................................................................................................... iv

Dedication .................................................................................................................................... iv

List of Illustrations ....................................................................................................................... v

Preface ............................................................................................................................................ vi

Preface Notes ........................................................................................................................ x

Introduction .................................................................................................................................... 1

Introduction Notes ...................................................................................................................... 3

Chapter One: Archeology, Mythology, and Legend: Ireland’s Beginnings ............................. 4

Chapter One Notes ...................................................................................................................... 17

Chapter Two: English Common Law vs. Brehon Law and the Pirate Queen .................... 19

Chapter Two Notes .................................................................................................................... 33

Chapter Three: Revolutionaries ............................................................................................... 35

Chapter Three Notes .................................................................................................................. 51

Chapter Four: Constitutional Oppression ............................................................................. 54

Chapter Four Notes .................................................................................................................... 60

Chapter Five: Contemporary Freedom-Fighters: Máirín and Margaret ......................... 61

Chapter Five Notes ................................................................................................................... 73

Conclusion: Where Irish Women/Freedom-Fighters are Today ........................................... 77

Conclusion Notes ....................................................................................................................... 82

Appendix I ................................................................................................................................... 83

Appendix II .................................................................................................................................. 85

Bibliography .............................................................................................................................. 88
Acknowledgements

There are mentors, friends and family who have supported and encouraged me, each in their own way. First of all, I would like to say thank you to Granddad, Clifton Coleman. To my mother Merrilee Coleman, and my life partner John Piccolo, I owe a tremendous debt of gratitude. Without your endless reading of papers, praise, propping me up and pushing me forward, I could have never completed the monumental tasks that I’d set for myself.

I am deeply indebted to Rev. Jeremiah Sullivan, who retires this year. I discovered a fascination with history that became more than a passing fancy because of you. I will miss attending your classes and listening to your stories. Thank you also, to Rev. Dan Shea, for being my advisor and reader, and for teaching me how to construct proper clauses. And to Murphy Fox, for your quiet acceptance and guidance, and for sharing with me the Ireland that you know. Dr. Bob Swartout, you too, have been a mentor, and I will always be grateful you bullied me into U.S. History.

And to the rest of my friends and family, especially the extended and fabulous Piccolo family, I continue appreciate and be awed by your enthusiasm and interest. I look forward to spending more time with you all. Sláinte!

Dedication

For my ancestral mothers, Helen Newman, Elizabeth Sheehy, and Catherine Murphy.
List of Illustrations

Figure 1 - Newgrange ................................................................. 5
Figure 2 - Queen Maeve ............................................................. 9
Figure 3 - Goddess Brighid ....................................................... 13
Figure 4 - Saint Brigid ............................................................... 14
Figure 5 - Granuaile O'Malley & Queen Elizabeth I; Kildownet Castle .......... 24
Figure 6 - Map of Ireland circa 1450 C.E. ..................................... 26
Figure 7 - Map of Ireland circa 1600 C.E. ..................................... 32
Figure 8 - Coole Park ............................................................... 44
Figure 9 - Maud Gonne, Hanna Sheehy Skeffington, Constance Markievicz ......... 46
Figure 10 - Eamon de Valera ................................................... 58
Figure 11 - Máirín de Burca ....................................................... 62
Figure 12 - Margaret MacCurtain ............................................. 69
Preface

The journey of the past three and a half years at Carroll College that ultimately ends with this topic has been nothing if not circuitous. I began my route in the Classical Studies department and for two years did copious amounts of research on women in Classical Athens (ca. 450 B.C.E.). Greek mythology and literature held a mystery when juxtaposed with how women were actually expected to behave. Greek society changed drastically with the conquests of Alexander the Great and I believe that had a great deal to do with his mother, Olympias.

I found the more research I did the more historians, particularly gender historians, were parroting each other, the literature experts were conjecturing, and until there was some new archeological discovery, only speculation could be used to imagine what life was resembled for women 2,500 years ago. I had no desire to pursue a topic that had so little real evidence.

In June and July 2005, I went to Galway, Ireland to study at the National University of Ireland, focusing upon Irish archeology and Gaelic literature, two topics that are deeply imbedded and intertwined with each other. The literature revival that occurred at the end of the 19th century and the beginning of the 20th not only renewed the Irish mythological culture, but also became portals to see into the minds of the revolutionaries.

I spent a great deal of time observing the Irish. While Ireland is a country of long and colorful history, the people still seemed to be struggling to build an identity, something that would be expected of a people in a newly formed nation-state. The Irish are deeply connected to the past, and recent global and economic events have,
metaphorically speaking, kicked them out of the Middle Ages into a bright new technological future. They are a people in the process of rectifying the past with the present to redefine what it means to be Irish.

I began searching for a subject to research and write about for the research class to obtain my history degree from Carroll College. During this process I used several database and general search engines on the internet; I discovered the University of Delaware held a manuscript collection containing letters from Irish women to American author Kay Boyle.

Boyle was of Irish descent, a world traveler, a professor, and short-story writer who had won the prestigious O. Henry Award, twice, early in her career. Born in 1902, she spent the first part of her adulthood in France as an active member of the avant-garde movement in the 1920s and 30s. Her colleagues and associates were Peggy Guggenheim, Gertrude Stein, and Samuel Beckett, in her later years, her closest friend was peace activist and musician Joan Baez.

In addition, Boyle was a political activist. She protested and marched for and against many causes throughout her life. She spent some time in prison in her late sixties for her protests against the Vietnam War and was a member of the Black Panthers. She was a woman who loved a good fight and never backed down from her opinions even when those opinions seemed contradictory. In 1974, Kay Boyle went to Ireland, the country of her ancestors, because she “wanted to meet Irish women who had been jailed for their beliefs.”

She never produced a book on her research; she did, however, publish one short-story in the Atlantic Monthly, “St. Stephen’s Green.” Boyle worked on her book for ten
years, but a finished product never came together. Biographer Joan Mellen recounted in her book, *Kay Boyle: Author of Herself*: “Sitting down to write about the Irish women, Kay discovered she had arrived at an impasse. ‘Isn’t it the women more than the politics who are important?’ her friend Joan Baez asked her when Kay seemed blocked by the fact that their politics were less than satisfactory.” For Boyle, who believed all people should have equal civil rights—regardless of gender, class, race, or any other identifying demographic, and she felt the fight the women in Ireland were fighting was *feminist*, and Boyle, perceiving feminism as misandry (the hatred of men), would not be defined as a feminist. She was unable to produce a work that supported politics she disagreed with.

The country and the women had made an impression on Boyle, however. In a 1978 peace protest, she marched carrying the tricolor flag of the Irish Republic. She would spend the next few years corresponding with the women; she discussed with them and others about buying a home in Ireland and living there part-time. The relationships Boyle had with Máirín de Burca and Margaret MacCurtain, as seen through their letters to her, initially began as the polite correspondences of people who were acquaintances; however, they developed over the years as the women became friends with common causes.

It is this research of Boyle’s did that caught my eye. I contacted the University of Delaware and received copies of the letters she received from two women in Ireland: Máirín de Burca and Margaret MacCurtain. De Burca was a member of the Sinn Féin and the Irish Women’s Liberation Movement. MacCurtain was a nun and preeminent historian at the University in Dublin, who specialized in Irish women’s history.
It is my goal, with this thesis, to complete Boyle’s work and expand on it in my own way. The figures of de Burca and MacCurtain will be included later. It is necessary first to tell the story of Irish women from the beginning to build the foundation of why their work in the latter half of the 20th century was so vital to Irish history and Irish society today.
Preface Notes


v Mellen, 505.

vi Ibid., 502.

vii Ibid., 505; Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 2 February 1981, TLS (photocopy), Special Collections, University of Delaware Library, University of Delaware, Newark, DE (hereafter cited as Boyle Collection).
Introduction

The term “Freedom-Fighter” is occasionally understood as a pejorative term. Often used in the phrase “One man’s terrorist is another man’s freedom-fighter,” it conjures visions of car bombs in London, Beirut, and Baghdad. For the purpose of this thesis, it is important to define what, exactly, the author means when describing the women of Ireland as “Freedom-Fighters.”

The Oxford English Dictionary defines freedom fighter as “a person who takes part in a revolutionary struggle.”¹ Merriam-Webster takes the definition further: “a person who takes part in a resistance movement against an oppressive political or social establishment.”² Both definitions indicate an effort made on the part of a person against a larger party in order to change their circumstances. Often times it is a group of impoverished, indigent or exploited people fighting against an oppressive regime, and it calls to mind the use of weapons and violence. But being a freedom fighter is also a state of mind. It is about mustering one’s courage to take a stand against what is seen as wrong. It is about organizing other like-minded people. It is, of all things, about an attitude of resistance.

Why is it then, that Irish women, particularly the women portrayed in the following pages, epitomize the definition of freedom fighter? The answer to that question we begin at the beginning of Ireland’s history. Deeply imbedded in the mythology and legends of Eire are fierce and wild women who led their tribes and fought for the livelihoods of their clans along with the men. It is this very journey that we follow, beginning in prehistory, and coming through time to the recent history and the struggles of Irish women in today’s society. We discover the roots of Irish male and
female identity, the legal and customary reasons women were oppressed and why it was they fought—and in some cases are still fighting. Often their goals were for the good of their families, their clans, and their country, not just themselves.
Introduction Notes


Chapter One
Archeology, Mythology, and Legend: Ireland’s Beginnings

Settlement of Ireland begins around 7000 B.C.E., what is known as the Middle Stone Age. From archeological evidence dated to that era, the people who migrated to Ireland were hunter/gatherers, who initially settled in the coast lands of the island. There is evidence of small settlements, with signs of hearths, tool making, as well as evidence of hazelnut shells, bones of fish, boar/pig, rabbit and a few birds such as pigeon and goose. Before long, the entire island was populated by these hunter/gatherers, who adapted to their new environment and quickly learned to take advantage of all the natural resources that Ireland had to offer.

Eventually, as these first Irish developed communities and larger settlements, they developed more tools, and began to affect their surroundings. Evidence obtained from scientific dating techniques such as Carbon-12 and Carbon-14, dendrochronology, and pollen analysis using soil cores, indicate that through various cycles of human development, forests were cleared for building, farming, and mining. Artifacts from burial sites and grave goods such as ornamentation and pottery show a social development and concepts of wealth and power. Extravagant religious and ritual monuments were built of stone, tombs became more elaborate. An example of this is the passage tomb at Newgrange in County Knowth, dated around 3300-2900 B.C.E. (See Figure 1).

By the Bronze Age, circa 2500 B.C.E., the Irish culture was a well-developed tribal hierarchy. Metal working became more developed with the combining of copper and tin to make bronze, which “may have been highly prized and costly commodities, perhaps confined to certain levels of society... [there was] the increasing preoccupation
Figure 1 – Above, a photograph of Newgrange from the exterior after restoration. Below are images of the common triple spiral design in close-up and in context.²
with some pottery types or metal objects which, for their owners, must have been symbols of status and rank.” Along with the development of ornamentations and tools, weapons artifacts show design improvements and increased production. Weapons that had previously been used for hunting began to be used in battle.

Around 700 B.C.E. as the European Iron Age developed, also known as the Hallstatt Iron Age, Ireland remained somewhat isolated. While trade with the continent was conducted by the Irish as evidenced by burial artifacts such as Beaker pottery and demonstrates wealth and status, other developments of the continental Iron Age such as a particular type of bronze sword and other iron work, was never adopted in Ireland. By 500-400 B.C.E., however, a new culture had developed on the continent, called the La Tène. Defined by its curving, circular art and by its language, La Tène is also known as Celtic by the Northern Europeans and Gaelic by the Romans.

The immigration of the Celts to Ireland is a continually debated topic. What is clear is that their language and art influenced the Irish. The question remains as to how this influence came about. Oral traditions hold that the sons of Mil, Celts from Northern Spain invaded Ireland and defeated the Tuatha Dé Dannan, the name used to describe the native Irish. Some argue that it was the process of trading with the continent that forced the Irish to adopt the Gaelic language, and the Irish affinity for showing status through trade goods would have inclined them to first trade for Celtic jewelry, pottery and the like, and then adopt the style for their own. Others, such as Richard Finnegan and Edward McCarron, think that it was a peaceful immigration of a small group of people:

Into this world around 300 B.C. arrived the Celts. Originating in the Bronze Age peoples of central Europe, they brought with them a vibrant assemblage of religion, language, and metalworking. This Celtic culture survived for many centuries in Ireland and parts of Scotland, regions
unconquered by the Roman Empire. There is no surviving evidence of a large-scale "invasion" by the incoming Celts. Rather, it is thought that they formed a dominant minority whose language and culture were rapidly assimilated by the indigenous peoples of Ireland.  

Certainly, the Celts changed the culture of the Irish; among other things the use of horses and chariots was introduced, in addition to the construction of hill-forts made of timber and stone. 

It is this vast period of time from which the most rich and colorful oral traditions, a mixture of a bit of history and a lot of mythology, comes. Similar to most cultural creation stories, there are several variations, so only a summary of two is presented here. In these stories, it is easy to follow where history and myth parallel each other. 

One "history" tells of Banba who, with fifty women and three men, had been refused by Noah to board the ark before the Flood. One of the men is allegedly one of Noah's sons, Bith, and another named Ladru, which means "robber," and a man named Fionntan. Apparently Noah felt they weren't worthy, so Banba promised to take them to safety if they consented to her being their leader. She and her group of "thieves" saved themselves by finding a mountain peak in Ireland, traditionally near the Shannon River and is today called Tul Toinne (hill of the flood), that was not submerged. Banba was one of the Tuatha Dé Dannan, a group of "other-world" people who in the mythological cycle immigrated to Ireland in prehistory and eventually lost a great battle to a new group of migrants, the Celtic Milesians. She plays a part in the other founding "history" of Ireland, as well. 

The myth collected by Lady Gregory from the Irish tenant farmers during the great Irish Literary Revival of the late 19th and early 20th century, is perhaps the most fulfilling. She recorded the oral traditions they told her regarding the arrival of the
Tuatha Dé Dannan, from the north, and like many of the stories from the prehistory period, a genealogy tracing the origins of names and gods that would later lend their names to place names and human developments:

It was Nuada was king of the Tuatha de Danaan at that time, but Manannan, son of Lir, was greater again. And of the others that were chief among them were Ogma, brother to the king, that taught them writing, and Diancecht, that understood healing, and Neit, a god of battle. . . . And greatest among their women were Badb, a battle goddess; and Macha, whose mast-feeding was the heads of men killed in battle’ and the Morrigu, the Crow of Battle; and Eire and Fodla and Banba, daughters of the Dagda, that all three gave their names to Ireland afterwards, and Eadon, the nurse of poets; and Brigit. . . .

On the first day of May, they brought with them four sacred objects—the Stone of Virtue, the Sword, the Spear of Victory, and the Cauldron from which “no company ever went away from unsatisfied.” They cherished the plough, the sun, and the hazel tree.

The residents of Ireland, the Firbolg, and their king, Eochaid, sent a champion, Sreng, to parley with the invaders. The Tuatha then sent their own champion, Bres, and the two became friends after impressing the other with their strength and fine weapons. Sadly, however, the two people were not to find peace. Attempting to persuade Eochaid to share half his island with them, the Tuatha sent enchantments to show their strength, and poets to show their grace. Eochaid would have none of it, and it was arranged that some ninety days later, they would meet in battle, which lasted four days, and ended in defeat for the Firbolg. Thus it was the Tuatha Dé Dannan became the people of Ireland.

Another tradition from prehistoric Ireland is of Queen Maeve, or Medb (See Figure 2). Said to be the daughter of King Eochaid (one assumes this to be a namesake, but could very well be the same, it is unclear whether she was Firbolg or Tuatha), she
Figure 2 – An early twentieth century illustration of Queen Maeve.\textsuperscript{10}
was given the lands of Connacht to rule from her capital of Tara. She was married to Ailill, and one day they got into an argument about which of them had more status and was more powerful. All of the moveable goods and livestock that belonged to each of them was displayed and compared, and they found the quality and quantity of each to be equal. The exception was the white bull named Fionnbanach, which had been bred from Maeve’s herd but belonged to Ailill. He was worth more than any Maeve had in her herds. Maeve called her herald, MacRoth, and asked him if there was a bull to match the greatness of Fionnbanach in all of Ireland. The herald claimed that there was, indeed. A brown bull, named Donn Cuailnge, belonging to a king in Ulster was not only the white bull’s equal, but perhaps its better.¹¹

Historically, the social hierarchy in Ireland was based upon a tribal structure. Chieftains were determined by physical strength, the ability to gain loyalty and trust from other warriors, and the success of raiding cattle from other clans: “If the king is just, his reign will be peaceful and prosperous, whereas if he is guilty of injustice . . . the soil and the elements will rebel against him. There will be infertility of women and cattle, crop-failure, dearth of fish, defeat in battle, plagues, lightning, etc. . . . a king loses his honour-price if he is defeated in battle. . . . A king is expected to have a perfect body, free from blemish and disability.”¹² Supported by archeological findings in addition to the oral traditions, wealth was determined by lands held, also largely by the quantity and quality of moveable goods, such as jewelry, weapons, pottery, and clothing; but a primary symbol of wealth was cattle. The motivation to grow and maintain a herd and the expansion of more wealth led to widely practiced acts of cattle raiding. Since oral
traditions are tied to actual events, so goes the raid on Ulster, led by Queen Maeve, to obtain Donn Cuailnge, the Brown Bull of Ulster.

This myth demonstrates that women in Ireland were not simply bearers of children and caretakers of hearth and home. They were property owners, chieftains in their own right. Queen Maeve symbolized a sovereignty goddess. No man could rule in Connacht unless he married Maeve.13 Maeve was also described as having many husbands and “friendly thighs,” declaring to her husband in the beginning of their argument that she could not possibly marry a jealous man because “I never had one man without another waiting in his shadow.”14 This could be analyzed in two ways—as the sovereignty goddess, many men would follow each other to her bed to become kings. Also, it gives hint to a fertility aspect of sovereignty—when the crops grow and people are fed, the chieftain can more easily maintain his or her status. As queen and goddess, fully in control of her own destiny, Maeve symbolizes power and status, sovereignty and fertility—a woman who was chieftain, warrior and lover.

The influence of Christianity is evident in the first myth presented here. Banba led her tribe because Noah had turned them away. Many of the hero epics of Ireland—Finn MacCumhal, Diarmuid, and CuChulainn, for instance, once written took on biblical characteristics. Maeve, on the other hand, was often portrayed as a harlot. This is due, in large part, to the particular bias of the monks that would eventually write down these oral traditions in medieval times. The early years of the Catholic missionary, Patrick, and his work in Ireland, are traditionally held to be from 456 to 493 C.E. The national saint of Ireland, Patrick established many monasteries in Ireland. It was at these locations that monks in their scriptoria copied down not only massive quantities of manuscripts filled
with western Christian and Pagan thought, but they also copied down the traditions of their own people, the Irish.  

Sometime in the early middle ages, while Christians were assimilating local gods, goddesses and customs in an attempt to convert local populations, the line between myth and history would frequently blur. Such was the case of Brighid.

The mythological character has been previously introduced. Brighid's name is spelled in a myriad of ways, for example, Brigit, Bride, Bridget (See Figure 3). One of the Tuatha De Dannan, as previously stated, "... and Brigit, that was a woman of poetry, and poets worshipped her, for her sway was very great and very noble. And she was a woman of healing along with that, and a woman of smith's work, and it was she first made the whistle for calling one to another through the night. ... And the meaning of her name was Breo-saighit, a fiery arrow." Other aspects contributed to this goddess are as mother-goddess, protector of the hearth, the sacred flame and sacred wells, as well as the inventor of the keening or shrieking and wailing of women upon the death of a loved one. Because of her penchant for fire and craftsmanship, she was especially worshipped by blacksmiths.

The historical person of Brighid is thought to have lived from 439 to 524 C.E., and is frequently described as the "Mary of the Irish" (See Figure 4). It is said that she was born in Leinster, and founded many convents, monasteries, and abbeys while aiding St. Patrick in converting the Irish to Christianity. The most famous of these is the church at Kildare, which in old Irish means "church of the oak tree." That the church is named after an important aspect of the pagan religion supports the idea of assimilation of pagan
Figure 3 – Two illustrations of the goddess Brighid.  

---

17
Figure 4 – Left, a stained glass rendering and right, a statue of St. Brigid. Note the crescent moon in the center of the crucifix.
customs into the Church. Near the church there is a holy well and a sacred flame that are attended to by nuns from the convent. On 1 February of every year, people gather to celebrate the saint’s feast day, it is known as Imbolc, the first day of spring on the Irish calendar.

Many authors suggest that perhaps this person did not exist historically. Professor Dáithí Ó hÓgáin suggests that “It is significant that the saint shares her name with the Celtic goddess Brighid, who in Ireland was honored for her ‘protecting care.’ It is therefore probable that a pagan sanctuary at Kildare was Christianised by a holy woman. . . . This would have meant that the cult of that sanctuary became attached to her, including the goddess-name Brighid, which may have been a title borne by the chief druidess there.”19 Another source suggests that “the saint of Kildare, is a figure of legend more than history. . . . By the mid-7th century Kildare was a major church with a shrine to Brigid. . . . and there is evidence already from the 10th century to suggest that the cult began from the Christianization of a pagan goddess.”20 Regardless of whether or not a person named Brighid ever lived, her existence in the historical mythos of the Irish is an important example of the symbiosis of two distinct socio-religious purviews—Pagan and Catholic—that would come to define Irish identity. Brighid, the goddess and the saint, was a nurturing figure, inspiring poetry, a keeper and protector of sacred things.

It may be considered that the Firbolg, Tuatha Dé Dannan, and the legendary sons of Mil, or Milesians, can be interpreted as the progression of advancement among the Irish people, from the settling hunter/gatherers of nearly 10,000 years ago, to pastoral, and finally fully territorial agricultural groups. These developments in reality happened sporadically throughout the island over long periods of time.
These women—Banba, Maeve, and Brighid—exemplify strength and leadership. They are symbols of creation/creativity, sovereignty, fertility and nurturing aspects of not only women, but humanity. It is from these beginnings that the Irish came. It is in spite of these beginnings that patriarchy and law came to dominate and oppress the lives of Irish women. It is from these beginnings the women of Ireland can, and did, draw inspiration to fight for the freedom that they and their families, as human-beings, have the right to exercise.
Chapter One Notes


9 Gregory, 17.


13 Ó hÓgáin, 339-42.
14 Kinsella, 53.


16 Gregory, 17.


19 Ó hÓgáin, 52.

Chapter Two
English Common Law vs. Brehon Law and the Pirate Queen

The purpose of law is to create a stable social structure to promote community well-being and develop civilization. Unfortunately, throughout history, law has also been used as the most popular vehicle of oppression of a people. Law has been frequently used to promote the interests of the landed classes, often to the detriment of a labor class. For example, this included definitions of who may and may not hold land or currency, enter into contracts, even who could move from one region to another. In many cases the law defined the monetary value of a person based on class, race, social standing, or gender.

Irish law has undergone many complex changes through the centuries, and some educated conjecture must be used from time to time due to the fact that the law was not written down and was strictly oral until around 700 C.E. Tradition holds that when Ireland was Christianized circa 500 C.E., that a chieftain hierarchy was the social construct. This means that there was no city- or nation-state, no centralized government. A region dominated by a particular tribe or clan is a *tuath*, the boundaries of which were flexible as one clan or another was more dominant.

According to Fergus Kelly, in his book, *A Guide To Early Irish Law*, a kind of feudal system also existed where a chieftain could be an overlord of other chieftains, but there was never one chieftain over all of the others, except in the sagas. The chieftain was the person who held the highest currency value, and that value could be lost if the chieftain did not properly uphold his office. Such offenses to cause the loss of his “honour-price” and his position would be cowardice in battle, kin-slaying, some physical disfigurement or dismemberment, or a breaking of a sacred taboo. The Irish culture held
courage, honor, justice, and physical appearance in high regard for their leaders. The
election of a chieftain occurred but could also be hereditary.¹

Chieftains did not make the law, nor was the law codified per se. Law was
customary and may have varied some from tuath to tuath, but mostly held the same
expectations of behavior and rights. For instance, a person of a certain standing would be
free to move from one region to another without losing their rights or honour-price, such
as kings, clerics, and poets. Other freemen, would have no rights under the law if outside
their own tuath unless under the service of the lord or king. Generally speaking these
were warriors, craftsmen, or wealthier farmers who could provide certain services or held
some kind of wealth. Poor farmers were tied to the land that they worked, therefore held
no special or extra rights as tenants. As time progressed through the period of
Christianization, the canonical laws and customary laws coexisted to a degree, and when
the Normans invaded in 1169 C.E., the feudal system they brought with them further
enforced the chieftain-client relationship.

In the myths and sagas of Ireland there are women chieftains and women of
power; one author claims that “[t]he demise in Ireland of a society ruled by powerful,
warrior women coincided with the advent of Christianity and the influence of Roman law
which accompanied it.”² In reality, Ireland was not a matriarchy and few overcame the
social obstacles to gain the status of chieftain, although, unlike most European cultures,
women could legally hold wealth and land, gained usually through inheritance. Irish
women were identified by their marriage status, and depending on that status could enter
into contracts or sell goods. Like most cultures, a woman was admired as a wife who had
a “steady tongue, a steady virtue, a steady housewifery.”³ Many traditions tell of
chieftain's wives being valued for their advice and guidance in addition to being fine warriors themselves.

A woman was always under the guardianship of a man, whether it be father, husband, son (if she were a widow), or if she was a widow without sons she would be under the authority of a male patriarch of her family, for instance a brother or uncle.

Marriages in pre-Christian days were civil and sexual unions rather than religious. There were nine types of these unions in order of distinction:

... 'union of joint property' ... into which both partners contribute moveable goods. ... 'union of a woman on man-property' ... into which the woman contributes little or nothing, and the 'union of a man on woman-property' ... into which the man contributes little or nothing. ... 'union of a man visiting' ... a less formal union in which the man visits the woman at her home with her kin's consent. In the fifth union, the woman goes away openly with the man, but is not given by her kin. In the sixth union she allows herself to be abducted ... and in the seventh she is secretly visited ... in both cases without her kin's consent. The eighth and ninth unions ... are union by rape and the union of two insane persons.4

The status of the woman and what she legally may or may not do—for example, sell a pig or enter into a contract—is based on what type of marriage she has entered into in addition to the social status of her husband. The caveat is that she may do these things with the authorization of her male guardian, whether that may be her husband, father, or son. She may choose to divorce her husband under certain circumstances—for instance, impotency or physical abuse that leaves a mark—but she may not divorce because it suits her or she chooses another man. On the other hand, a man could have multiple wives, though no more than one wife of the first three types of unions. Divorce settlements would vary based on the offences of the two parties, and based on what each brought to the marriage and participated in maintaining the household.
Again, it is noted that women held some status and varying degrees of legal participation before the Christianization of Ireland, but Donncha Ó Corráin in an essay titled “Women In early Irish Society” notes that the restricted status of women changed after the seventh century and that “in the course of time, the position of a woman was made equal to a man in many respects and this change apparently took place relatively rapidly.”5 One argument that Ó Corráin presents is that it was a “natural evolution of society aided perhaps by the influence of the church” and another is that “the high social status of women in early Ireland and the social prominence of women in literature as well as life was something inherited by the pre-Celtic peoples who finally influenced the laws of their conquerors.”6 Neither of these two theories seems particularly viable as the sole cause of women’s social status. It is true, however, that by the eighth century, women, especially married women, were granted similar rights to the standing of men, and would not necessarily require any authorization of a male guardian to conduct legal affairs.

Katharine Simms, in her essay “Women in Norman Ireland” states that “[f]or something like four centuries [after 1169 C.E.] two communities existed side by side on this island, each with its own legal system, and gradually each society came to know and be influenced by, the customs and practice prevailing in the neighbouring culture.”7 She continued, describing how a woman’s possessions were her own and that her family, not her husband’s, retained some level of guardianship over her for life. Under the Anglo-Norman, or English, Common Law, a woman’s possessions would immediately belong to her husband upon marriage, but when he died she could inherit a “life-interest” in one-third of his estate or one-half if there were no children. Divorce remained a civil matter among the Irish, while the now Anglo-Irish had to appeal to the church. Because of the
Simms notes that violence was commonly used to beat the bride into the church to marry her betrothed: “It took three men to drag Isabella Heron half a mile to the church door, crying and sobbing all the while, after which her father beat her and forced her inside.”8 But not all women were subject to these customs, and a woman’s reality would depend on her and her husband’s social rank in addition to her nature. Many of the laws that have been discussed here, due to the nature of the evidence, represent largely a “noble” class and not the realities of the farmer’s wife or the wheelwright’s daughter. These women would often participate in the business of survival, earning a wage of some kind, in addition to participating in the food and clothing production for the every day subsistence of the household. The very nature of survival would put women on even more egalitarian ground. Simms also observes the “vitality of medieval Irishwomen, a vitality shared by both cultures.”9 She states the documented actions of several women who participated in robberies, murders, quarrels and feuds shared with their “menfolk” or on their own. They were truly Irish women, passionate, bawdy, brawlers, who admired honor, valor and loyalty to one’s kin. As Simms so appropriately sums up: “Such diverse women can not be viewed simply as representatives of their sex, they represented the whole of medieval Irish society, with all its colour and contradictions.”10 One such colorful character was Granuaile O’Malley, also known as the Pirate Queen of Ireland.

Granuaile, in Gaelic Gráinne Uí Mháille, and in contemporary English documents any number of variations of Grace O’Malley, was born into this melded Irish/Anglo-Irish world around 1530 C.E. (See Figure 5). A daughter of chieftain Dubhdara O’Malley and
Figure 5 – Above, an engraving of Grace O’Malley meeting with Queen Elizabeth I in 1581 C.E. Below, one of two extant castles belonging to Grace in Achill, called Kildownet.11
his wife Margaret, she was reared under Brehon law in what is now known as County Mayo in the West of Ireland, and England with its common law was restricted to the Eastern coast – Dublin and the nearby area known as the Pale (See Figure 6). Because she was the only child, she inherited her mother’s lands in Umhall. The O’Malley’s overlord was the MacWilliam Bourke, while O’Malley himself was overlord of the MacGibbons and the Clandonnells.

There is no documentation of her early years, but later documentation suggests that Granuaile received an unusual education for a female. Perhaps because she was her parents’ only child, and perhaps because she showed the spirit and affinity for the sea that her father was looking for, but as her biographer Anne Chambers states, “contrary both to law and social convention, and to her undoubted ability and success as leader by land and by sea for over forty years, it is more likely that the brunt of Granuaile’s education was geared where her interest lay, in her father’s world of ships, trade politics and power.”\(^{12}\) It is easy to imagine her wearing breeches, striding along the deck of a ship, first learning the trade of the fishermen, later trading goods and finally confiscating the cargoes of her victims.

Granuaile is attributed to having sailed the roughest of seas and leading the roughest of men during her forty year tenure as chieftain of her clan. Not only did she outwit and outmaneuver other pirate ships ready to relieve her of her cargo and her life, she also outsmarted and outplotted English warships attempting to bring the Irish brigand to heel.

Granuaile’s fight for freedom began when the English Queen Elizabeth I began renewing attempts to colonize Ireland. Elizabeth’s father, King Henry VIII had
Figure 6 – A map of Ireland circa 1450, these lines moved slightly over the next 150 years, to significantly change with England’s final conquest of Ireland in 1606 C.E.¹³
attempted, to a fairly successful degree, to do the same, by granting lordships to those chieftains who pledged their land to him. Chambers describes the policy thusly: “On submission to the king, the chieftain or lord would receive back his lands, in the king’s name, provided he agreed to rule by English law and custom and attend the king’s parliament in Dublin. In return each would receive an English title equivalent to his Gaelic status.”

With very little bloodshed, Henry VIII had gained authority in some parts of Leinster, Ulster, Munster and Connaught. Elizabeth would initially attempt to continue colonization in Ireland using the same methods. It was considerably less expensive than a full military action, both in currency and lives.

Irish chieftains would consider surrendering their lands to England if they felt that it was beneficial to them or their clans, or they would stand against England’s invasion. Unity, on the national or even regional scale, was never a goal for the Irish tribes. Each chieftain was constantly maneuvering or fighting to extend his/her own power, and in Mayo a chieftain by the name of Murrough-na-dTuadh attacked the Earl of Thomond and then the Earl of Clanrickard in 1564 C.E. Because the English subjects were defeated, Elizabeth could not ignore the event. Having only been on the throne six years, and still struggling to build her treasury and her military, Elizabeth chose to offer Murrough a pardon and a title if he would swear fealty to the throne. “The appointment was a repudiation of Brehon law. Murrough was a minor chieftain in the O’Flaherty hierarchy. There was already an elected chieftain and Granuaile’s husband, Dónal-an-Chogaidh, was his tanaiste [the chieftain’s chosen successor].” The “divide and conquer policy” was easy to initiate in a country of fractious tribes, and incredibly effective. “The peace of Iar-Chonnacht was shattered as the scene was set for a renewal of inter-tribal warfare,
intrigue and double-dealing as each sept tried to take advantage of the situation.”16

Shortly after, Dónal died, and Granuaile was forced to defend her holdings against another clan, the Joyces, and later the English who came to seize her castle. She eventually escaped with the aid of her followers and returned to her maternal holdings in Clew Bay.

From then to the time that the famous meeting between Granuaile and Elizabeth in 1593, Granuaile had gathered a large force of men, substantial wealth, and powerful enemies. Her most rabid enemy was Sir Richard Bingham who was appointed governor of Connaught in 1584. He is described as a zealot, a man of sharp features and short stature, who was “the executioner of innocent women and children,” using “brutal methods... in subduing Mayo,” and was deeply racist against the Irish.17 Bingham chose to single out Granuaile, imprisoning her son, Tibbot-ne-Long (Theobold of the Ships), the child she’d given birth to on the deck of one of her ships. Bingham even captured Granuaile herself, and locked her up for participating, supporting and encouraging the uprisings in County Mayo. Bingham became a man obsessed with conquering that “nurse to all rebellions.”18 In her sixties by 1593, Granuaile would not submit to Bingham. She had lost her lands, her herds, her fleet, her eldest son, and perhaps worst of all, her freedom to sail. But Granuaile was a politically astute and determined woman. If she couldn’t gain an advantage at home, she would appeal to the highest court.

Sixteenth century Ireland was still a country of heroic epic, medieval politics and fragmentation. “The leadership hierarchy in Mayo, through death and execution was decimated... Granuaile had suffered more than most: death of kith and kin,
imprisonment, impoverishment, confiscations and above all the seizure of her ships. At sixty three years of age without any means of support, her future looked bleak."¹⁹ Her argument was with Bingham, not with Elizabeth, and so it was Granuaile appealed to the court for an audience. She began a correspondence with Queen Elizabeth I in June 1593. Using the art of spin, Granuaile wrote her petition reflecting that she merely wanted to pursue her livelihood as one of Elizabeth’s “fond subject[s]” but that it was necessary “to take armes and by force to maintaine her selfe and her people by sea and land in the space of fortye years past.”²⁰ She also described her marriages and children, how it was she had gained her wealth and holdings, and how she had lost them. She asked Elizabeth “in tender consideracion whereof and in regard of her great age... to grant her some reasonable maintenance for the little tymе she hath to lyve.”²¹ Granuile could have been content to stop there, but she really wanted to get back on the sea and circumnavigate Bingham at home: “grant unto your said subject under your most gracious hand of signet free libertye during her lyve to envade with sword and fire all your highness enemies wheresoever they are or shall be... without any interruption of any person or persons whatsoever.”²² If she could obtain permission from Elizabeth, Bingham would have no power to stop her. In July, she was granted an audience. She had sailed to England and joined the court with the aid of a powerful courtier, Lord Burghly, the Lord Treasurer of England.

She chose to play on Elizabeth’s sympathies, and her ploy worked. Unfortunately, there is little record of the meeting between the two women. One can imagine a queen in her high collars and lace and a pirate aged by weather and war. That these two had so much in common in their personalities can be hardly denied, it would
take a special kind of determination for either of them to have succeeded so well or lived so long in their respective positions. Granuaile did not care at that point about the freedom of her country, she merely was pursuing freedom for herself and her kin. In any case, Elizabeth wrote to Bingham “to have pity for the poor aged woman” in a letter that Granuaile, herself, delivered to him. Hardly pleased, Bingham could not ignore his instructions.

For the next ten years, the chieftains of Mayo continued to battle one another and it was clear that the infighting was eroding any possibility of Ireland remaining free. Granuaile continued to sail and plunder, documents state that one of her galleys faced off against an English warship in 1601. The date and circumstances of her death, like her birth, are unknown, but “it appears that her death occurred at Carraigahowley Castle in 1603.” Elizabeth I died in March of the same year. Granuaile lives on in poems and songs:

‘Twas a proud and stately castle
In the years of long ago
When the dauntless Grace O’Mally
Ruled a queen in fair Mayo.
And from Bernham’s lofty summit,
To the waves of Galway Bay
And from Castlebar to Ballintra
Her unconquered flag held sway.

She had strongholds on her headlands
And brave galleys on the sea
And no warlike chief or Viking
E’er had bolder heart than she.
She unfurled her country’s banner
High o’er battlement and mast
And ‘gainst all the might of England
Kept it flying ‘til the last.
In 1606, three years after the death of pirate and queen, English Common Law took hold in Ireland. Most of Ireland had been granted to lords and earls, some Irish born, but all had sworn fealty to the crown of England. Colonization began in earnest, Scottish and English settlers began plantations (See Figure 7). The role of woman became entirely subject and submissive to her male counterpart. From poems of that period, among the virtues that were admired in women, beauty and passivity became the dominant attributes. No longer were women warriors and equal participants in the household, but property and a burden to be married off or sent to convent. A paradox between Irish female identity in the histories and sagas and actual every day reality for women began.

Many Irish became hereditary tenant farmers of the landholding Anglo-Irish. Large families were born, but only the first born (or eldest living) son could inherit. That left many sons and daughters with few options. Irish youth often joined religious orders, but the primary commodity that Ireland would export was immigrants looking to improve their futures or even just be able to provide extra income for those back home. English common law did not provide for any other options. Soon, this oppression would lead to wide spread revolutionary activity. Men and women would begin to fight not for personal freedom like Granuaile O’Malley, but for the freedom to own their own lands, the right of self-determination, and the independence of their country.
Figure 7 – A map indicating plantations and settlements in addition to clan holdings. Note the Earldoms.²⁵
Chapter Two Notes

1 Kelly, 18-20.


3 Chambers, 69.

4 Chambers, 69-70.


6 Ó Corráin, 1-2.


8 Ibid., 17.

9 Ibid., 22.

10 Ibid., 23.


12 Chambers, 36.


14 Chambers, 40.

15 Ibid., 48.

16 Ibid., 48.

17 Ibid., 91-2.
18 Ibid., 98.

19 Ibid., 118.


21 Ibid., 182.

22 Ibid.

23 Chambers, 153.

24 Ibid., 171.

Chapter Three
Revolutionaries

Several studies have been done in recent years on the effect of colonization on gender identity, and the way gender identity has been used to suppress a people and how it is used to empower a people. Ireland is a perfect case study.

Women of the eighteenth, nineteenth and early twentieth centuries worldwide were being discriminated against in every way. A movement, coined ‘feminism,’ began. One of the earliest writers of feminist social reform was Mary Wollstonecraft who wrote A Vindication of the Rights of Woman published in 1792. Wollstonecraft wrote Vindication as a response to many of the Enlightenment’s philosophes, for instance Thomas Paine who wrote Rights of Man, Edmund Burke who wrote Reflections on the French Revolution, and Jean-Jacques Rousseau who wrote Social Contract. All of these great thinkers recognized a need for deep political and social change, but gave little to no thought of their own oppression of women, or that perhaps women, too, had innate value and rights as human beings. Perceived largely as property and decorations, the mothers, wives and daughters of these men were treated as children, given no education or legal rights, no value outside of what marriage contracts could bring in the form of wealth and status. Wollstonecraft argued that men would get out of women what they put into them—if treated like children, women would behave as children; but if a man were to invest education and equal treatment, then they would get real partners who could participate in the betterment of humanity.

It was in this environment of gender oppression that English imperialists were using their most powerful psychological weapons against the Irish. Perceiving themselves as archly superior, invoking Social Darwinism and the anthem of “survival of
the fittest,” the English writers of the day used feminized terminology when referring to the Irish. A study by Joseph Valente in ELH by Johns Hopkins University Press titled *The Myth of Sovereignty: Gender in the Literature of Irish Nationalism* states that:

This genderizing dynamic found further reinforcement . . . which switched the symbolic focus from the Irish nation to the Irish race and thereby underwrote a burgeoning Anglo-Saxon supremacism. The supposedly virile efficiency of the Teutonic races was contrasted with what Matthew Arnold called the “nervous exaltation” and “feminine idiosyncracy” of the Celts, which made them in his eyes, a naturally subordinate race. Such discourses played on and played into the modern, markedly gendered schism of mind and body, thought and feeling, reason and fancy, in order to suggest that the Irish, like women in general, were constitutionally ill-equipped for the dispassionate pursuit of state and social policy and were for that reason properly dispossessed of any real historical agency.¹

Valente goes on to argue that in reaction to this feminization of the Irish race, the Irish nationalists and their propagandists, such as Padraig Pearce for example, promoted a hyper-masculinized image in order to refute the English and bolster the movement. He then expounds on the identity crisis this induced:

As a result of these twin pressures, Irish colonial hypermasculinity can never have done with the othering process that delimits it. The relation to feminine Ireland—Ireland as feminine or feminized, the women of Ireland as victims of patriarchal exclusion—must be continually disavowed, that is engaged and denied, a process that can only problematize the gender disjunction it aims to consolidate. . . . More specifically, because the various constituencies of the Irish Nationalist movement—Anglo- and Irish-Irish, ascendancy and petit bourgeois, Protestants and Catholics, men and women—had different relations to and stakes in a stereotyped racial and cultural femininity, this ongoing disavowal could not but expose and exacerbate their own intra-party and intra-psychic divisions.²

As the War of Independence and Civil War later would demonstrate, this inner Irish identity crisis among the nationalists would exacerbate tensions between the Irish themselves.
It is important to understand the psychological aspect of Irish identity in order to understand what happened after the Irish War of Independence. Independence, of a sort, had been won and shortly after there was a civil war. However, the Irish had been fighting for independence from England long before either of those two events, from the time of the plantations, and women held a pivotal role in every uprising.

One such uprising is called the Great Rebellion. During the plantation era, many Scottish settlers were moved into Ireland, particularly in the northern region of Ulster. Other areas were also settled by Protestant farmers, leaving approximately fourteen percent of Irish farmland for the Catholics. Taking advantage on the English civil war, in 1641 the Irish “mounted another effort to throw off English domination and were quite successful in controlling a substantial part of Ireland.” It was a particularly violent affair, only to be outdone by the Cromwellian armies that came and “ruthlessly crushed the rebellion in 1650.” The land settlement that followed required the Catholic landowners to move to “hell or to Connaught” and the tenant-farmers stayed and worked for new landlords.

As in most cases, any documentation that survives represents an upper echelon of society, so we generally have reports of women who had held and defended their tower houses and castles against the enemy, in addition to religious barricading their convents and abbeys and using them as safe-houses and hospitals to tend to the wounded. As would be seen in later conflicts, many women would become couriers and messengers acting as communications between fighting units. Also women would act as diplomatic negotiators: “The myriad of marriage connections between leaders of the royalist and confederate forces meant that wives or sisters could easily mediate or negotiate between
men on both sides. Women from this type of privileged and politically influential background were also in a position to exert indirect pressure on male relatives. Other women of the gentry were able to pass themselves off as quite innocent bystanders, when in actuality they were smuggling or stockpiling weapons and ammunition. There are some testimonies documented from trials of women who had killed English officers and landowners, one whom made “candles out of the fat sloughed from their cadavers” and another who had burnt down a house with the Englishman inside simply because she was Irish and he was English. Tavern keepers and prostitutes were especially good smugglers and spies.

In keeping with the tradition, women from all economic and social strata continued to fight for Irish independence from Great Britain. During the 1798 United Irish Rising, and the 1848 Young Ireland rising, women assumed roles as warriors, defenders, smugglers, propagandists, nurses, and caretakers.

Political organizations were rather effective, and in 1791 the Society of United Irishmen was formed to “agitate for change . . . and for equal political representation for Irish men of all [religious] denominations.” They had been influenced by the Enlightenment philosophes who had inspired the constitutional revolutions of America and France. Women had a “sister” organization, the Society of United Irishwomen, and participated as organizers, fundraisers, camp cooks and nurses. Women also took part in the fighting themselves, one estimate is that there were around 200 “female combatants at Vinegar Hill.” This was not an uprising of Protestant against Catholic, rich against poor, or men against women; it was a truly unified Ireland against England.
The Young Ireland movement in 1848 was largely a failure, no true insurrection occurred. However, perhaps due to the education movement of the Enlightenment, the presence of women is more documented, through letters and articles written for an Irish newspaper called the *Nation*. One woman was arrested after the only "skirmish," a report from one of the Irish leaders, Terence B. McManus, said the combatants "consisted 'of all ages and both sexes', but with women 'more numerous than the men.'" It is surprising that the Young Ireland movement was so ineffectual, especially as they had a newspaper with which to raise public awareness, public support, and to communicate with each other across the country. The inclusion of women on a more public scale was a notable change; one columnist noted that "what is virtue in man is virtue also in woman. Virtue is of no sex. A coward woman is as base as a coward man. It is not unfeminine to take sword or gun, if sword and gun are required." Certain Enlightenment goals had been obtained: a level of equality – at least among the gentry and the literate, an acceptance of the role women could play in the betterment of humanity.

Economic issues were pressing—Ireland had been suffering from the Great Hunger, also known as the Potato Famine, since 1845. Incredible numbers of Irish had emigrated to other parts of the world, most notably England and America, due to the lack of work and food. Hundreds of thousands of the tenant-farmers and their families had died. Evicted from farms that produced no crops and therefore no rents, many Irish simply took flight. Women had few options or choices in their lives. If they could not be married off to some aged farmer, whom they likely had never met, they could enter convent. In times of economic crisis, the need of the family was so great that emigrating to find work abroad, and a fertile future, was much more appealing. Ireland exported
more single women during this period, as wage laborers, than ever has been seen before or since. Often these women would send a majority of the money they earned home to feed their families or to pay for another's passage abroad.

By 1879, approximately 800 landowners, often absent Englishmen, owned half of the land in Ireland. A minor Irish Protestant landowner, Charles Stewart Parnell, along with Fenian leader Michael Davitt formed an alliance and organized the Irish National Land League. Davitt's objective was to gain Irish ownership of the lands, Parnell's objective was to "form an all-class movement to campaign for Home Rule—a limited form of self-government [where Ireland would have a parliament in Dublin with total jurisdiction over the island, including Ulster, but would have remained a part of the British Empire]—and he believed this would only be achieved when the land question had been resolved."¹⁴ It was not Parnell's intention to start a revolution; he was simply looking to make some political reforms. The crop failures that year led to increased tensions between the tenants and landlords and the Land League declared a rent strike. "If the landlord didn't agree to a reduction in rent, the tenant was to pay only 'at the point of a bayonet.'"¹⁵ This was a fairly successful policy, at the end of the following year, 1880, fewer tenants had been evicted from their farms.

The English government took offence, however, and prosecuted the Land League leaders for conspiracy and obstruction. They were acquitted, but when the Parliament passed a coercion bill, the "Protection of Person and Property (Ireland) Bill," which granted "absolute power of arbitrary and preventative arrest," Parnell and Davit were arrested.¹⁶ It was decided that a transfer of leadership had to occur in order to keep the
movement going, and after returning from New York City, Charles’ sisters, Anna and Fanny, took control.

Anna was an independent woman, not a particularly popular characteristic at the time. She was critical of Church teachings that women were naturally inferior, and was bitter about her socially forced economic dependence on her brother. She empathized deeply with the working class, noting a connection between her own dependence and gender oppression and that of the “class exploitation of labourers and small farmers which underpinned the social and economic structures.” As a woman she could not hold office, nor could she vote. Because of this, she did not have any grand illusions of obtaining any personal political power, so “while [Charles] Parnell was courted by the English Liberals, his sister became an uncompromising nationalist, refusing to surrender political principles for short-term personal or political gains.” When Anna formed the ‘sister’ association, the Ladies Land League, she put all of her formidable convictions to work.

From January 1881 until its dissolution in August 1882, the Ladies Land League underwent fundamental changes as the women forcibly took control. The League had been gathering funds to pay the rents and buy the farms of evicted or soon-to-be evicted farmers. Realizing that this was not the best use of funds, Anna wrested financial control from the men’s League, and began to emphasize public speaking and newsletters. Getting the support—emotional, political and social—of the Irish people themselves was Anna’s primary goal. It was noted in an editorial in United Ireland that the men felt a loss of masculinity due to their dependence on the women to continue the movement. It states: “We only wish the men had done [their business] as stoutly, as regularly, and as
fearlessly. ... Is it easier to cow a nation of men than a handful of women? Shall it be said that, while the Ladies’ Land League met persecution by extending their organisation and doubling their activity and triumphing, the National Land League to which millions of men swore allegiance melted away and vanished the moment Mr. Forster’s policemen shook their batons at it?18 The organization was of critical importance in the rebellion known as the Land War, but was quickly disbanded, after Charles was released from prison because his authority was threatened and he was personally embarrassed by the public and political clout the Ladies League had gained: “The growing panic of both Parnell and the British government finally created a mutual bond between them: a desire to get rid of these unruly women. Negotiations began which eventually culminated in what became known as the ‘Kilmainham Treaty’ [the name of the prison Parnell was held in] of 2 May 1882. By this, the government agreed to release the prisoners . . . and . . . [extend] the fair rent provision to leaseholders. Parnell in return promised to use his influence to prevent further ‘outrages’ [that had been encouraged by the Ladies].”19 The League had become far more revolutionary than he had wanted; his goal of ‘Home-Rule’ was at stake. Charles and Anna became estranged, and after Fanny’s death in July 1882, Anna became a disillusioned recluse and ultimately died in 1911.20

The wanton dissolution of an effective organization made one thing patently clear to the female revolutionaries of the late nineteenth and early twentieth centuries. They could become secondary and subjected members of the men’s organizations, where they could participate only in supportive roles. Or, they could organize themselves and fight for the freedom of Ireland and all her people. Some would attempt to join men’s organizations—such as the Irish National League that had formed out of the ashes of the
Land League—but would find themselves barred from membership entirely. Others would form organizations in attempt to work in association with men’s groups, and to some degree were successful, though they were still kept in subordinate roles.

The Irish, in rebellion against the English Crown, began to promote not only political, economic, and social change, but also cultural change. The educated elite and aristocracy in Ireland, which included such people as George Bernard Shaw, William Butler Yeats, and Lady Augusta Gregory, had begun their own kind of political and literary movement that became known as the Irish Cultural Revival. Lady Gregory was the primary founder of the Abbey Theatre, also known as the Irish National Theatre, in Dublin. At her estate, Coole Park, she sponsored many aspiring Irish writers by providing food and shelter along with a place for them to gather together to converse and write (See Figure 8).

The Gaelic League was founded in 1893, whose purpose was to promote Irish language and literature, revive Irish folk traditions through music and dance, and eradicate all things English. The two organizations found themselves frequently at odds. The Gaelic League wanted to promote a strict Irish identity, while the Anglo-Irish revivalists were promoting an Irish identity within the English language. As Irish writer Padraig Pearse complained, “I have been trying in An Claidheamh Soluis [a newsletter for the Gaelic League] to promote a closer comradeship between the Gaelic League and the Irish National Theatre and Anglo-Irish writers generally. After all we are all allies.”

The rivalry between Gaelic-Irish written literature and Anglo-Irish written literature continues to the present day.
Figure 8 – Above, a photograph of a sign with a picture of Lady Gregory’s house taken at the interpretive center at Coole Park. The quote by W. B. Yeats says “Great rooms where travelled men and children found content or joy.” Below, a photograph of the foundations of the house as it looked in 2005.
Other issues besides gender relations and Irish language usage would cause antagonisms between Irish revolutionary groups. Of primary significance is the dispute between Irish Home Rule—which as previously stated was not a separation from England, but a complimentary parliament in Dublin—and the Republicans — those who wanted absolute independence from England for the entire island.

Notable women from the time of the fight for independence include Maude Gonne, Hanna Sheehy Skeffington, and Countess Constance de Markievicz (See Figure 9). These women had either formed or joined political groups solely for women because they had been deliberately excluded from the Land League and the Irish Volunteers—a military group that was the predecessor to the Irish Republican Army.

Gonne organized the Inghinidhe na h-Éireann (Daughters of Ireland) among whose goals was “[t]he re-establishment of the complete independence of Ireland. To encourage the study of Gaelic, of Irish literature, History, Music and Art. . . . To support and popularise Irish manufacture.”23 In the early years, to help maintain some anonymity, she took the nickname “Maeve.”24 Gonne did not participate militarily, however, she generated massive fundraising and public awareness for various organizations Inghinidhe was associated with, for example the Gaelic League and the Irish National League.

Skeffington founded her own “militant suffrage” organization, the Irish Women’s Franchise League.25 She believed that women had to acquire the vote, or they would never be true participants in government. She would be elected to the post of Director of Organisation for the Sinn Féin in 1917. By 1918, women in Ireland over the age of thirty
Figure 9 – Top, Maud Gonne. Middle, Hannah Sheehy Skeffington. Bottom, Countess Constance Markievicz. \(^{26}\)
were given the vote. Skeffington would spend the rest of her life working for the civil rights of women.

Markievicz was a soldier; she prompted young Irish women to “[a]rm yourselves with weapons to fight your nation’s cause.” She was a member of the Inghinidhe na h-Éireann and later the Cumann na mBan (Women’s League), the women’s militant branch of the Irish Volunteers. She participated as a sniper in the Easter Rising of 1916, and after her arrest spent many months in solitary confinement. “As one of the leaders of the Rising she had been sentenced to death, but the charge was commuted to penal servitude for life because she was a woman.” She was deported to England to serve her time at Aylesbury Jail in Buckinghamshire, and was held there until August 1917. Markievicz was in prison again in 1918 when she was elected for her party, the Sinn Féin, to British Parliament at Westminster.

The Irish Volunteers underwent several changes due to the circumstances of World War One. One faction, led by John Redmond, who was also the leader of the Irish Home Rule Party, felt that there could be no Home Rule bill passed in English Parliament if England couldn’t quickly win the war. He called on the Volunteers to support England in the war effort. The other faction, a minority of the original Volunteers, led by Eoin MacNeill were utterly opposed to Ireland fighting for her sworn enemy. The Cumann na mBan supported MacNeill’s Volunteers.

The Gaelic League and Sinn Féin were two political organizations that elected women to executive positions. Both were pacifistic in their ideologies and thought that they could effect change through protests, boycotting and “non-violent agitation.”
This changed after the Easter Rising of 1916, and in 1917, the Irish Volunteers evolved into the Irish Republican Army and became the military arm of the now fully recognized political party, the Sinn Féin. The Cumann na mBan continued to recruit women members. In 1919, the first Dáil Éireann (Irish Republic Parliament) session was held. Eamon de Valera was elected President, and he appointed Markievicz as Secretary for Labor, the first cabinet position ever held by a woman in Western Europe.  

Many women held imperative roles in the War of Independence. But in the ensuing years after independence was achieved, their contributions went ignored, as did their basic civil rights. The Anglo-Irish Treaty was signed in December 1921. The Treaty required an Oath of Allegiance to the British crown; in addition, the English government retained six counties in Ireland, located in the north, the result of which was the creation of two nation-states and the modern-day boundaries. Because of these two conditions, the Treaty was unpopular. Some Republicans believed that the Treaty that had been offered was the best they could hope for, while others would not settle for anything less than absolute self-determination. A Provisional Government was set up, led by Michael Collins, and a constitution was written and passed in January 1922. Some articles of note in the constitution stated that the constitution granted equal rights to all citizen without regard to gender; that it recognized jurisdiction over only twenty-six of the thirty-two counties, the six remaining in the area of Ulster and was largely Protestant and loyal to England; and that the Oath of Allegiance must be sworn to enter the Dáil.  

The Dáil was split and the dissenters became known as the Anti-Treaty deputies, one of whom was Countess Markievicz. The Provisional Government and the Dáil could not come to any kind of resolution. Civil war ensued in May, one faction supporting the
Treaty and the Constitution; the other faction opposed the oath and wanted independence for the entire island.

It became the Free-Staters against the Republicans and the Free-Staters held a distinct advantage:

During the War of Independence, women had shown how vital their role could be to the success of a guerrilla campaign. But the republican women were now well known to their former comrades on the pro-Treaty side, who were quick to appreciate the threat they represented. The mass arrest of women supporters of the IRA from the outset of the Civil War must be seen as a major factor contributing to the eventual defeat of the Republicans.33

Not only did their “former comrades” know who they were, where they lived, and what they were capable of; they also had the advantage of public opinion. Many Irish people were tired of the fighting, and the Catholic clergy published a letter in opposition to the Republicans’ continued fighting.34

Thousands of the women that were rounded up and arrested in early 1922 were not released until December 1923. Gonne was arrested in March 1923 for “painting banners for seditious demonstrations and preparing anti-governing literature,” and released twenty days later.35 Markievicz and Skeffington were arrested 20 November 1923 for “collecting signatures on a petition calling for the release of the prisoners.”36 Hundreds had gone on hunger-strikes during the nearly two year detentions to protest conditions; it had been an effective leveraging tool during the War of Independence, but this time, many were allowed to die instead of being released. Public opinion had turned against them.

Nearly a year after it had begun, the treaty supporters had clear advantage; by August 1923, for all purposes, the war was over. The IRA was in hiding for the time
being, and the Sinn Féin as a political party was in tatters. By 1923, many of the original members of the opposition party and the hard-line republicans had left the Sinn Féin and formed a new party, who called themselves the Fianna Fáil led by de Valera.

In order to gain access to the Dáil, the Oath had to be sworn. De Valera, in order to achieve his own political end, took that oath and thereby gained entry to the Dáil for his party. Initially, many women held executive positions in the party, but over time they would resign or simply not be re-appointed. By 1932, Fianna Fáil had gained power in the Dáil, and de Valera pursued the writing of a new constitution.
Chapter Three Notes


2 Ibid., 194-5.

3 Finnegan and McCarron, 10.

4 Ibid.

5 Ibid.


7 Ibid., 94.; Andrea Knox, “Testimonies to History: reassessing women’s involvement in the 1641 rising,” in *Irish Women and Nationalism: Soldiers, New Women and Wicked Hags*, ed. Louise Ryan and Margaret Ward (Dublin and Portland, OR: Irish Academic Press, 2004), 23 (hereafter cited as *Irish Women and Nationalism*).

8 Ibid., 23.


10 Cannavan, 32.

11 Ibid., 35.

12 Ibid., 39.

13 Ibid., 41.


22 Photographs by the Author, Coole Park Interpretive Center, 16 July 2005.


24 McCooe, 23.


29 Ibid., 50.

30 Ibid., 30.

31 Ibid., 26.

32 Ibid., 69.
33 Ibid., 93.

34 Ibid., 94.

35 Ibid., 118, 121.

36 Ward, Unmanageable Revolutionaries, 197.
Chapter Four
Constitutional Oppression

In the light of the imperialist gender disjunction, a religious history of considerable influence by the Catholic Church, and a literary history of epic heroes, one can nearly understand why such blatant constitutional gender oppression occurred. But when one looks at the worldwide strides that were being made in gender equality, for instance, universal suffrage had been granted in all democratic or constitutional governments, it is a little harder to understand. When one is well versed in the participation and contributions made by women in Ireland in the fight for independence and for self-determination, the creation of the constitution and other legislative events surrounding it becomes completely unjustifiable.

It is easy to recognize Eamon de Valera as a misogynist. A man never comfortable with women fighting at his side—he had barred entry of the Cumann na mBan into the building that his unit held during Easter week in 1916—he was publicly calling for the free citizenship of all Irish, but privately felt there was a sacred social order that it was his duty to uphold. After he left the Sinn Féin and formed the Fianna Fail which had come to power in the Dáil in 1932, he began pushing this agenda.

Among other legislation passed, was a bill called “The Conditions of Employment Bill” of 1935. Industrialization in Ireland had its beginnings in textiles, akin to most other countries. A large linen cottage industry had begun in the late nineteenth century, and only after the Treaty of 1921 did any kind of real industrialization begin:

In 1926, six out of ten in the 329,000 women in work were either in farming or domestic service, while less than one in ten worked in industry. But between the years of 1926 and 1936, women’s share of the industrial workforce rose from 20 per cent to almost 23 per cent. . . . The jobs were largely unskilled and concentrated in exclusively female areas, such as
clothing, food, drink and tobacco. The majority of workers were single and under 25 years of age. They hardly posed a threat to male workers and nor did they challenge the conventional wisdom of a woman’s place being in the home. . . .

Yet it was these very women that the bill targeted, the unmarried women in clerk and hospitality jobs.

The bill had several positive aspects: a limited workweek of 48 hours, a required week of vacation, and restrictions on the age that children could work. However, one section “allowed the Minister for Industry and Commerce, Sean Lemass, to prohibit the employment of female workers in industry, fixed the proportion of female workers to the number of other workers and forbade employers to employ more women than men in any cases where a ministerial decision on a specific industry had been made.” Entirely dependent on the whim and personality of the person in the minister’s position, this was a “clear attempt to . . . [remove] women from the workplace [to give jobs] to men.”

Protests and meetings were held, many labor unions and women’s organizations were against the bill because it was a “total contradiction to the 1916 Proclamation, which had given equal rights and opportunities to all citizens.” Suddenly, women from the Republican faction and the Treaty faction found themselves once again allies.

In the Senate, two female senators, Kathleen Clarke and Jenny Wyse Power, who had been active participants in the conflicts as friends and adversaries, began to argue against the bill on nationalist and feminist grounds: “Those in favour of the bill also argued vehemently against the introduction of equal pay for women as a means of ensuring that women would not be used as cheap labour in preference to men. When pressed by the two women, their only riposte was to declare their true feelings, that a woman’s place was in the home. Jenny furiously retorted that they should then
concentrate their energies into setting up a bureau to supply women with husbands and homes.\textsuperscript{5} The women’s arguments were dismissed as hysterical and non-representative of the larger Irish female population, and the bill passed.

Based on de Valera’s own sense of a strictly regulated moral and social order, a new constitution based on democratic ideals and Catholic social and moral codes was introduced. The original objective of the revolutionaries had been “Home Rule,” but the government of Ireland had become synonymous with “Rome Rule.”\textsuperscript{6} Margaret Ward, an historian who in 2004 was an Assistant Director of think-tank Democratic Dialogue in Belfast, tried to identify de Valera’s motivations while constructing the constitution:

The initial impetus behind the proposed constitution was the necessity of establishing the sovereign independence of Ireland, of tearing away the last remnant of the 1922 Treaty Constitution. But de Valera’s new constitution was far removed from the liberal-democratic ethos of the 1922 document, being imbued with all the reactionary values of Catholic social teaching, particularly in its insistence upon the primacy of women’s role within the family. It echoed many Papal encyclicals, all of which de Valera had studied in detail as he formulated what was to be the climax of his political career. He had refused to admit women into Boland’s Mill in 1916 and had disregarded the contribution made by women during the Civil War, finding women activists an anomaly he preferred to ignore in favour of a vision of an Ireland ‘whose countryside would be bright with cozy homesteads, whose villages would be joyous with the romping of sturdy children, the contests of athletic youths, the laughter of comely maidens’. Now as president, he took the opportunity to ensure that women, whether they liked it or not, would give priority to their duties as wives and mothers. He had never wanted women in the public sphere and he was going to enshrine these prejudices within the constitution. His attitudes were so well known that no one was taken in by his protestations of concern for women’s well-being.\textsuperscript{7}

One can only guess at the cause of de Valera’s views, or the reason for the dominance of such unrealistic ideals in a man who had such vision and the necessary motivation to organize people to fight for freedom from an oppressor. One can only guess how a man,
having once been a member of a subjugated class could become the oppressor when he came to power (See Figure 10).

The first article that was called out by the Women Graduates Association along with the Joint Committee of Women’s Societies and Social Workers, Article 16, was not worded in a way that was blatantly offensive, it was the “sinister implications” that it held. Articles 40, 41, and 45 were unashamedly prejudiced, however:

**Article 16**
1-1 Every citizen who has reached the age of twenty-one years and who is not placed under disability or incapacity by this Constitution or by law, shall be eligible for membership of the Dáil Éireann.

1-2 Every citizen who has reached the age of twenty-one years who is not disqualified by law and complies with the provisions of the law relating to the election of members of Dáil Éireann, shall have the right to vote at an election for members of Dáil Éireann.

**Article 40**
1 All citizens shall, as human persons, be held equal before the law. This shall not be held to mean that the State shall not in its enactments have due regard to differences of capacity, physical and moral, and of social function.

**Article 41**
2-1 In particular, the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved.

2-2 The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.

**Article 45**
4-2 The State shall endeavour to ensure that the inadequate strength of women and the tender age of children shall not be abused, and that women and children shall not be forced by economic necessity to enter avocations unsuited to their sex, age or strength.

The women’s groups also called for the “retention of Section 3 of the 1922 Constitution, which simply and unequivocally stated that everyone over the age of 21 who qualified as an Irish citizen was, without distinction of sex, to be accorded that right.” Women
Figure 10 – Eamon de Valera, above, as a prisoner after the Easter Rising, below, as eminently respectable member of the Dáil Éireann.
could now be constitutionally deprived of work and economic security, a situation that would become dire in the ensuing decades.

Eventually, de Valera was convinced to insert the clause ‘without distinction of sex’ into Article 16 so that the vote could not be taken away by the usage of Article 40. De Valera would not change any other aspect of the offending articles. Round after round of debates were held in the Dáil. Two amendments were made, a subsection to Article 16 was added as well as the deletion of the original sub-section 2 of Article 45 with the addition of a new sub-section (changes noted in italics):¹²

**Article 16**
1-2  *No law shall be enacted placing any citizen under disability or incapacity for membership of the Dáil Éireann on the ground of sex or disqualifying any citizen from voting at an election for members of Dáil Éireann on that ground.*

**Article 45**
4-2  The State shall endeavour to ensure that the *strength and health of workers, men and women, and the tender age of children shall not be abused and that citizens shall not be forced by economic necessity to enter avocations unsuited to their sex, age or strength.* ¹³

The constitution passed in the Dáil on 14 June 1937, and a plebiscite was held on 1 July. It passed 685,105 to 526,945 with the abstention of 31 percent of the voting population. Ireland had “after decades of bloodshed and political upheaval settled down to becoming a conservative, inward-looking, rural society.”¹⁴ The combination of the Employment Bill and the Constitution made legal the ban of married women working outside the home, regardless of their actual social and economic situation. It would take the turbulent global environment of the 1960s and the Vietnam War to bring forth a new generation of freedom-fighters in Ireland.
Chapter Four Notes


2 Ibid., 234-5.

3 Ibid., 235.

4 Ibid., 236.

5 Ibid., 236-7.

6 Finnegan and McCarron, 123-42; Sawyer, 99-109.


8 Ibid., 238.

9 Ibid., 238-9.

10 Ibid., 239.


13 Ibid., 241.

14 Ibid., 245.
Chapter Five
Contemporary Freedom-Fighters: Máirín and Margaret

Máirín de Burca was born in Dublin, Ireland, in 1938 (See Figure 11). Both of her parents were naturalized United States citizens, but her mother had returned to Dublin to give birth. De Burca spent her childhood in the United States and Ireland; the family returned to Ireland permanently after the end of the Second World War. She received her education at convent schools in both countries until the age of thirteen, when she went to work in a “shop and worked at that until I left in Sept. 1969 to work full time for Sinn Féin.”¹ The post she held for eleven years at the organization was that of Secretary of the National Executive within Sinn Féin, which began as the political arm of the Irish Republican Volunteers.²

De Burca was an activist who fought for many causes. During the term of her employment with Sinn Féin, she was an avid protester against the war that the United States was waging in Vietnam. On 5 October 1970, United States President Richard M. Nixon toured Dublin. As de Burca remembered it: “Martin [O’Hagan] and I went out and bought six eggs which we started to throw. We didn’t run fast enough and we got arrested. Luckily for us, the judge didn’t seem to like Nixon either. He fined us £2 each and let us go.”³ This event caused the Federal Bureau of Investigation to open a file on de Burca with a report titled “Dublin Egg-Throwers Gently Treated,” calling the egg that was lobbed at Nixon’s vehicle a “missile.”⁴

De Burca was arrested and jailed many times throughout the 1970s for her protests, her periods of incarceration lasting from less than twenty-four hours up to three months. In April 1971, during another anti-war protest, de Burca “joined others in smashing large bottles of cow’s blood over the [American] Embassy steps, and taking the
Figure 11 - Márín de Burca in the 1970s.
American flag down from its pole and setting fire to it.\textsuperscript{6} For this crime, she spent three months at the Mountjoy women’s prison. Later that same year, de Burca was arrested along with journalist Mary Johnson for a protest against legislation that would have allowed the Gardaí (Irish Police) the ability to arrest, search, and seize, without probable cause.\textsuperscript{7} As part of their political protest, they chose to have a trial by jury, but upon discovering that their jury would not be of their peers, but exclusively of men, they sued the Attorney General of Ireland to have the Juries Act of 1927 struck from the books.\textsuperscript{8}

The Juries Act excluded women and “non-ratepayers” from the jury lists. Their suit was not heard in the Supreme Court until 12 December 1975, when they won their case.\textsuperscript{9}

De Burca’s time spent in jail had a profound effect on her. In a 23 November 1976 letter to Boyle, she wrote: “Obviously the imprisonment of someone like myself would be physically and indeed mentally easier than that of someone with a bad family situation, illiterate, poor and mentally disturbed and a lot of the prisoners [sic] have one or other of these disabilities if not all of them. This is why I feel so strongly that people like us should not waste our time talking about political prisoners (who usually have their own organisations to work for them anyway) but should be vocal on the conditions of prisoners that no one thinks respectable enough to care about.”\textsuperscript{10} She continued to protest for prisoner rights and work for their civil liberties; two of the organizations that she would maintain long membership with was the Prisoners Rights Organisation and the Irish Council for Civil Liberties.\textsuperscript{11}

In the summer of 1970, Máirín de Burca co-founded, with four other women, the Irish Women’s Liberation Movement (IWLM), to change the political and social status of women.\textsuperscript{12} In March 1971, they published their manifesto in the form of a booklet called
Chains or Change. In it, the members of the IWLM addressed the issues of women in Ireland: “equal pay; an end to the marriage bar that kept women from working after they wed; equal rights in law; justice for widows, deserted wives and ‘unmarried mothers’; equal educational opportunities; and contraception as a human right.” 13 Their call for “justice” addressed the law banning the right to divorce or re-marry, regardless of whether or not they had received an annulment from the Vatican. The divorce law and marriage bar custom often left women in a kind of limbo, unable to get employment because they were still legally married, and unable to find a new husband who could support them or their children. Often these women were forced into prostitution or became completely destitute. 14 Because of this reality, the women of IWLM became proponents of “living in sin” because they believed that was a more humanitarian choice than abject poverty and destitution. 15

The destitution of women and men, and the desperate housing shortage in Dublin, was also one of de Burca’s causes. She and one of her co-founders, Máirín Johnston, argued for a “one family/one house” section to be included in the IWLM’s booklet and their list of demands for reform. 16 De Burca would later write several articles for an Irish publication, the *Hibernia*, about the housing issues in Dublin, describing demolition of “perfectly sound residential housing” for the purposes of building new office buildings; landlords “were allowing dwellings to deliberately fall into disrepair in order to clear them of protected tenants who could not legally be displaced any other way.” 17 The Irish poor were being exploited and de Burca and Johnston felt that there could be no liberation of women from their “kitchen sink[s] if [they] hadn’t a kitchen sink to be liberated from.” 18 The other founding members were concerned about taking on too
many issues that would be considered socialist; they were concerned with women’s issues. It was decided to include the “one family/one house” issue in the demands, but it was excluded from *Chains or Change*.19

The housing shortage, exploitation of the poor, the marriage bar, and Catholic influence on Irish society, combined, had an unforeseen consequence that was not exposed or discussed until the latter part of the 1970s. In an article titled, “The Old In An Uncaring Society,” de Burca cited an anonymous report when she wrote about the inhuman condition of elderly men living in Dublin:

Mr. X lives in a two-storey house which has no water supply or gas, there is no toilet facility due to no water supply. The house is in good structural order but is very dirty with a large amount of bottles, papers and other rubbish accumulated in the hall, front room and back room. In the kitchen there was about three inches deep of human excrement and a collection of bottles, papers, etc. There was also the remains of two dead cats among the rubbish. . . . Mr. X receives meals on wheels and he heats the food in old tin containers on the electric fire which is placed on its back under the chair on top of which is the TV. The only clothes he wore were a jacket and overcoat and he was bent over almost completely. The sores on his legs were weeping through the remains of his bandages.20

She continued, “[i]n the case of men, reared in a society which positively encourages boys to rely on women for domestic comforts, many go totally to pieces when wife or sister or other female relative dies. . . . [A]n eminently respectable old man lives in a house slowly crumbling down around him . . . he has never done a hands turn in or to the house since his wife died many years ago.”21 Simply stated, men had been socially conditioned into believing that cooking, cleaning, any and all household chores were solely women’s work; when there were no women left in the lives of these men, they were unable, and perhaps unwilling, to take any of those tasks over themselves. De Burca felt this was a crime committed by the government and the Church against its
people, not just its women. The laws of Ireland had to change, and de Burca’s life mission was to make that happen.

The IWLM which was formed primarily through de Burca’s efforts was not to last long, essentially dissolving by the end of 1971. There were many reasons this occurred. The founding members, who had eventually numbered twelve, were all involved in other social and political groups. All of the women had powerful personalities that had caused friction within the movement; they did not all agree on the order of priorities for their group. The members of the IWLM had set up the organization with no structure, no leadership in an effort to encourage democracy, and they defined their goals as they went. For de Burca’s part, her role in the political party of Sinn Féin frequently was at odds with the others’ goal—she was concerned with national issues, they with feminist issues.22 The lives of the women, families, jobs, and the other organizations with which they were involved all played a part in the IWLM’s demise.

In a letter to Boyle in 1981, de Burca wrote: “The women’s movement survives and, in a way, thrives.”23 She also said: “The women’s liberation movement was a success story. I don’t care what anybody says. . . . I’ve been in a lot of organisations that have split from time to time. . . . The women’s movement didn’t stop, you see. It went on. They [the founders] saw where they wanted to be and they went off and did it.”24 IWLM became the catalyst of other women’s organizations, many which would go on to fight for the same goals of the IWLM. Others would battle for new rights and liberties for women. Some laws have changed in only the last ten years, such as the law banning divorce.25 Domestic violence, rape, contraception, abortion, equal pay, equal education, and more have all been issues addressed in Ireland’s public forum.26
De Burca herself worked for Sinn Féin until early in 1977; she remains a member of the political party. She did not run for re-election as Secretary; she cited her reason as being “tired.” After her resignation, she spent a considerable period of time unemployed. Her history as an activist and agitator made potential employers wary of hiring her. Eventually, she was forced into moving into a small cottage with no phone or bathroom. She realized she had been blacklisted when she applied for a job at a hamburger packing plant. “It was from 5-10 in the evening and would leave me the whole day to write they were very hopeful until they learned who I was and then they refused. It is almost inconceivable that my politics should prevent me from getting a job packing hamburgers but that gives you some idea of what things are like here!” She did find freelance writing jobs—though occasionally she had to write under a pseudonym—and eventually got a job as a typist which she thought was “boring and uninteresting.”

It was 14 September 1978 when she took a full-time position at the Hibernia, moving on to The Sunday Times when the Hibernia went bankrupt.

Although de Burca initially suffered financially from her reputation, she continued to organize and protest. For the rest of the 1970s, she worked for the Prisoners Rights Organisation, protesting the opening of a boys prison called Loughan House. She wrote several articles concerning unemployment, the housing crisis, and abuses of power by people in the government. According to Anne Stopper, the author of Monday at Gaj’s: The Story of the Irish Women’s Liberation Movement published in May 2006, “de Burca will be a politically active person in some capacity until the day she dies.” Máirín de Burca has always been, and will continue to be, a force with whom the Irish government must reckon.
In 1978, de Burca was asked to write a book on women in Ireland’s prisons by a “feminist press group” called Arlen House-The Women’s Press.34 One of the editors, publishers, and founding members, was Margaret MacCurtain.

MacCurtain was born in the city of Cork, Ireland, in the 1920s (See Figure 12). Perhaps explaining her penchant for publishing books and telling a story, her family history boasts of a rich Irish tradition; her people were bards, poets, folklorists, actors. MacCurtain’s father was an inspector of the gaeltacht (Irish-speaking district) schools as part of the new 1928 Free-State. The family survived the depression of the 1930s moving from district to district, “living in old houses rented at absurdly cheap rates.”35 Both of her parents were passionate in their desire for the children to have good educations; all four daughters earned college degrees.

MacCurtain went to Cork University: “I loved [it] and it loved me.”36 She was an exceptional student, and was granted the Graduates Gold Medal for being a student “In bonis studiis praestanstissima” (In virtue of the best studies).37 She was enthralled with the academic environment and actively participated in many student activities. She was a student leader and organized rallies in support of a legislative bill that the then Minister of Health, Dr. Noel Brown, had submitted to change healthcare for pregnant women, children and mothers called the Mother and Child Scheme. The bill failed and Brown’s political career ended in ruins, but it had inspired MacCurtain to become a political activist.38

Much to her family’s mortification, in the late 1940s at the age of twenty-one, MacCurtain joined a cloistered Dominican convent and taught at a convent school called Sion Hill for the next decade.39 She took the name Sister Benvenuta which quickly
Figure 12 – Margaret MacCurtain, aka Sister Benvenuta.
became shortened to Sister Ben. During those ten years she studied—reading books by candlelight in her cell, reviewing microfilm, and corresponding with other scholars by mail—and obtained her Masters degree in Irish History through the National University of Ireland, University College Dublin. From there she was “hurtled into the bustle of Rome on the eve of Vatican II, hurrying to the Vatican Archives for research. . . . My Ph.D. thesis was on counter-reformation vatican diplomacy and involved a wandering Irishman. . . . Subsequently I worked in the archives of Spain, Portugal and France and gained a healthy respect for the ability of Irishmen to become politically involved wherever they settled.” After receiving her doctorate, MacCurtain began lecturing at University College Dublin and continued to work there until her retirement in the late 1990s.

MacCurtain described her life as “one of dissent against certain aspects of Irish social life.” She was an advocate for students in the revolution of 1969-1970. As an editor and founding member of the women’s press, Arlen House, MacCurtain edited, wrote, and published many books on Irish women’s history. Perhaps influenced by Boyle, MacCurtain started an Amnesty International chapter at the university, and gave many speeches opposing apartheid in the 1980s.

Although she was involved in humanitarian causes such as protesting the war in Vietnam and apartheid in South Africa, MacCurtain was most concerned with equal education in Ireland. In 1964, MacCurtain wrote her first article about the struggles of Irish women obtaining equal education. In the 1970s MacCurtain began to introduce women’s history into the curricula of the classes she taught, noting it was “almost subversive on my part . . . with the take off of the second wave of the women’s
movement in Ireland.” In 1978, MacCurtain edited and published a book of essays, *Women in Irish Society: The Historical Dimension*, which has been described as a book that “has influenced most works of Irish women’s history.” Also in 1978, MacCurtain invited de Burca to write a book on women in the prisons of Ireland, furthering her goal of expanding the women’s movement and social consciousness of Irish citizens.

MacCurtain was also a founding member of the Irish Association for Research in Women’s History and Women’s Education and Research Centre. On women’s history and education, Alan Hayes, author and editor of the *Irish Women’s History Reader*, wrote, “since the rise of second-wave feminism, apart from a few dozen examples, there has been no substantial effort from the majority of historians, who are male, to incorporate the experiences of women into their writing and research. The challenge from MacCurtain . . . to all scholars, both male and female, to examine gender and explore its implications still needs to be cohesively addressed by the entire academic community. . . . Histories of women written by men can be either feminist or not . . . as long as the work is of an acceptable standard.” Equal education and recognition of the historical contributions of women has been the common theme throughout MacCurtain’s life.

In the 1990s, MacCurtain took on a controversial role as supporter of the Right to Remarry Campaign. Calling it a “canonical conundrum” because Irish citizens could obtain annulments from the Catholic Church—even if there had been children produced in a marriage—but they could not obtain a civil divorce in the Irish Republic. The Irish law was based on canonical law, and yet did not recognize divorce even if the Church did. MacCurtain spoke publicly for a yes vote in the Dáil. She felt that the children in
such a situation would struggle with self-worth issues if their parents were not allowed to remarry—a kind of family identity limbo. She was quoted by the president of the Sinn Féin, Gerry Adams, in his opening speech at the launch of the referendum campaign in 1995: “The determining factor for Catholics has to be about the requirements of justice and not to force the church’s teaching on those whose conscience as well as their civil and religious liberties are threatened by such an imposition.”51 Because she was a Dominican nun, and because she taking what appeared to be an opposing view to the Catholic Church’s moral and social codes, MacCurtain spent a significant period of time in the media, explaining and defending her controversial role. Her background in history gave her a distinct advantage in the debate, and her campaign was ultimately successful.52

Kay Boyle, Mairin de Burca, and Margaret MacCurtain were all women who fervently believed in humanitarian causes. For all three, human issues were women’s issues, and for the lives of all people to be productive and happy, women’s lives had to improve. Not only did all three become political personalities who protested and rallied against injustice in countries like Vietnam, Cambodia, South Africa, and America, but they significantly influenced the laws and policies of the government, universities and corporations of the Republic of Ireland. United in cause, united in gender, supporting a feminist agenda without being misandrist, these women improved the lives of women and men in Ireland.
Chapter Five Notes

1 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 20 September 1977, TLS (photocopy), Boyle Collection.


3 Ibid. Martin O’Hagan was a journalist and friend of de Burca who was killed in Belfast on 28 September 2001.


5 Photo courtesy of Máirín de Burca to Anne Stopper and included in the photograph pages of Monday’s at Gaj’s.


7 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 25 October 1977, TLS (photocopy), Boyle Collection; Stopper, 27.


9 Ibid.

10 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 23 November 1976, TLS (photocopy), Boyle Collection.

11 Michael Denieffe, “‘Nighties in Mountjoy are sexy’ says Mairn de Burca,” n.p., n.d., n.p., (photocopy), Boyle Collection; For more information on prisoners and prison conditions, see: Geraldine Curtain, Women of Galway Jail: Female Criminality in Nineteenth-Century Ireland (Galway: Arlen House, 2001).


13 Stopper, 71.

14 Ibid., 69-78; Mary Cullen, “History of Women and History of Men: The Politics of Women’s History,” History Ireland, 2 (Summer 1994), pp. 31-6; reprinted in Alan Hayes and Diane Urquhart, eds., The Irish Women’s History Reader (London and

15 Stopper, 80-1.

16 Stopper, 77.


18 Stopper, 77.

19 Ibid.


21 Ibid.

22 Stopper, 203.

23 De Burca, 2 February 1981.

24 Stopper, 211.


27 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 4 February 1977, TLS (photocopy), Boyle Collection.

28 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 9 June 1977, TLS (photocopy), Boyle Collection; Ibid., 20 September 1977; Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 29 December 1977, LS (photocopy), Boyle Collection.

29 Ibid., 20 September 1977.

30 Ibid., 29 December 1977.
31 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 29 August 1978, TLS (photocopy), Boyle Collection; Stopper, 216.

32 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 21 April 1978, LS (photocopy), Boyle Collection.

33 Stopper, 217.

34 Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 4 July 1978, TLS (photocopy), Boyle Collection; Máirín de Burca, Dublin, to Kay Boyle, San Francisco, 24 October 1978, TLS (photocopy), Boyle Collection.

35 Margaret MacCurtain, Dublin, to Kay Boyle, San Francisco, 7 September 1976, TLS (photocopy), Boyle Collection; Mairin de Burca, Dublin, to Kay Boyle, San Francisco, 24 October 1978, TLS (photocopy), Boyle Collection.

36 Ibid., 2.

37 Ibid.; The translation is the author’s.


39 MacCurtain, 7 September 1976, 2; Margaret MacCurtain, “Margaret,” Interview.


41 MacCurtain, 7 September 1976, 2-3.

42 Ibid., 3.

43 MacCurtain, “Margaret,” Interview.


45 MacCurtain, 7 September 1976, 4.

46 MacCurtain, “Margaret,” Interview.
47 Alan Hayes, “Conclusion: Irish women’s history – a challenge,” *The Irish Women’s History Reader*, 229

48 Women’s International Center, “Sr. Margaret Maccurtain, O.P.”

49 Hayes, 232. The emphasis is Hayes’s.

50 MacCurtain, “Margaret,” Interview.


52 MacCurtain, “Margaret,” Interview.
Conclusion:
Where Irish Women/Freedom-Fighters are Today

So much and yet so little has changed. A modern look at Ireland at the civic state of affairs discovers some staggering statistics. A report done in 1993, by the Central Intelligence Agency of the United States found:

The Government created in early 1993 a new department, Equality and Law Reform, for the purpose of legislating gender equality and the prohibition of all forms of discrimination. Women were overrepresented in the lower grades of the public service and underrepresented in the higher grades. The Antidiscrimination (Pay) Act of 1974 and the Employment Equality Act of 1977 sought to provide protection and redress against gender and pay discrimination. In 1993 the average hourly wage for women was 60 percent of what men received and their weekly earnings averaged 68 percent of men's weekly pay. Violence against women occurs, and while no one has systematically studied the extent of the problem, it is believed to be serious. In addition to rape and other sexual abuse, beatings of women and children are common; they are frequently related to alcohol abuse. The Rape (Amendment) Act of 1990 criminalized rape within marriage and provided for free legal advice to the victim. Women's groups are seeking the extension of this provision to that of actual legal representation, as well as increased counseling and other support services for the victims of rape and domestic violence.¹

A similar report was released by the State Department of a study done in 2006:

Domestic violence, including spousal abuse, was a problem. A July 2005 study by the National Crime Council and the Economic and Social Research Institute reported that 15 percent of women at some time experienced domestic abuse by a partner. The law criminalizes rape, including within marriage, and provides for free legal advice to victims of serious sexual assault. Strengthened statutory rape legislation to eliminate ignorance of the victim's age as a mitigating circumstance in sentencing prevented convicted perpetrators from leaving prison by arguing that they were unaware of the victim's age, an acceptable legal argument under the previous law. Women enjoy the same legal rights as men, including rights under family law, property law, and in the judicial system. Nonetheless, inequalities persisted regarding pay and promotions in both the public and private sectors.²
There is a significant disparity between the law and the reality of life for every
day women in Ireland. Statistics being arbitrary in that the numbers can only be collected
if they are reported, spousal abuse, violence, rape, not to mention economic oppression is
a real possibility for every woman in Ireland (See Appendix I and II for full excerpts
from the Human Rights Reports). A manifesto published 8 March 2007, by the National
Women’s Council of Ireland states that “one in five women experience significant
physical, sexual or psychological abuse in the course of their lives” and that “[p]arents in
Ireland pay up to 90% of their childcare costs in comparison to parents in Sweden who
pay 20% and Denmark 33%.” This contributes to enormous strain on families and single
mothers, especially since there is a 19.9% risk of poverty for women, a 14% gender pay
gap, and “[i]t will take 370 years for women to gain equal representation [in the Irish
government] at the current rate of change.”\(^3\) A recent article in the *Irish Times* about the
leader of the Irish Congress of Trade Unions calling for women to take action and change
the economic and social status of women in the workplace to “tackle ‘the child bar’ with
the same passion as they tackled the marriage bar” and to enter into more civil service
positions.\(^4\)

The Constitution has undergone the natural progression of time. There have been
amendments to articles and additions made, but it is startling to review the current
constitution with respect to the articles that were offensive in 1937:

**Article 16**
1. 1° Every citizen without distinction of sex who has reached the age of
twenty-one years, and who is not placed under disability or incapacity by
this Constitution or by law, shall be eligible for membership of Dáil
Éireann.
2° i All citizens, and
ii such other persons in the State as may be determined by law,
without distinction of sex who have reached the age of eighteen years who are not disqualified by law and comply with the provisions of the law relating to the election of members of Dáil Éireann, shall have the right to vote at an election for members of Dáil Éireann.

3. No law shall be enacted placing any citizen under disability or incapacity for membership of Dáil Éireann on the ground of sex or disqualifying any citizen or other person from voting at an election for members of Dáil Éireann on that ground.

Article 40

1. All citizens shall, as human persons, be held equal before the law. This shall not be held to mean that the State shall not in its enactments have due regard to differences of capacity, physical and moral, and of social function.

Article 41

1. 1° The State recognises the Family as the natural primary and fundamental unit group of Society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all civil rights.

2° The State, therefore, guarantees to protect the Family in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the Nation and the State.

2. 1° In particular, the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved.

2° The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.

3. 1° The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.

2° A Court designated by law may grant a dissolution of marriage where, but only where, it is satisfied that

i. at the date of the institution of the proceedings, the spouses have lived apart from one another for a period of, or periods amounting to, at least four years during the five years,

ii. there is no reasonable prospect of a reconciliation between the spouses,

iii. such provision as the Court considers proper having regard to the circumstances exists or will be made for the spouses, any children of either or both of them and any other person prescribed by law, and

iv. any further conditions prescribed by law are complied with.

3° No person whose marriage has been dissolved under the civil law of any other State but is a subsisting valid marriage under the law for the time being in force within the jurisdiction of the Government and Parliament established by this Constitution shall be capable of contracting a valid marriage within that jurisdiction during the lifetime of the other party to the marriage so dissolved.
Article 45
1. The State shall strive to promote the welfare of the whole people by securing and protecting as effectively as it may a social order in which justice and charity shall inform all the institutions of the national life.
2. The State shall, in particular, direct its policy towards securing:
   i. That the citizens (all of whom, men and women equally, have the right to an adequate means of livelihood) may through their occupations find the means of making reasonable provision for their domestic needs.
4. 1° The State pledges itself to safeguard with especial care the economic interests of the weaker sections of the community, and, where necessary, to contribute to the support of the infirm, the widow, the orphan, and the aged.
   2° The State shall endeavour to ensure that the strength and health of workers, men and women, and the tender age of children shall not be abused and that citizens shall not be forced by economic necessity to enter avocations unsuited to their sex, age or strength.

The language of de Valera’s constitutional social order is still readily apparent, with amendments addressing right to life issues of unborn children and right to divorce being the most significant. A strong emphasis of socialism and the common welfare of the people as a whole is there, but this constitution is unable to shake its shadow of inequality.

Today’s oppression comes in the form of wage inequities and staggering rates of domestic abuse and rape. The need for physical and psychological dominance in men over women has to be addressed on a wide-ranging, public and national level. Men need to resolve their masculinity without feeling threatened by the strength of the women around them. There is no single face to the oppressor now, just a vast blurry sea of faces just doing their best to survive. Freedom fighters in Ireland have an ambiguous enemy. Increased commerce and a flourishing economy hide the disjointed identity and gender prejudice. The generation that was born and raised under de Valera’s new constitution are now the geriatric poor and destitute. Their morals and values still clinging deep in the psychological make up of the modern Irish.
Today, there are more options than marriage, convent, and emigration. Women have the right and opportunity to go to work and remain at work even if they do choose to marry. For that matter, women can choose to marry, or not, and marry whom they wish, not who their father or brother wishes. Education has played a substantial role in the improvement of the economic lives of women. Ireland, unlike her thoroughly industrialized counterparts, boasts two successive female presidents.

But for all these advancements, there is a problematic undercurrent between the men and women in Ireland. The hyper-masculinity response from the leaders of Ireland to the colonization by England has not yet waned. The grip of the Catholicization of the Constitution has not been addressed.

Women in Ireland have always been freedom-fighters. They have a rich history of examples to draw inspiration from. In some cases, they chose to fight for personal reasons, in others for more altruistic and national reasons. The goal has always been the same, however, to cast off the shackles of oppression and be granted the right to choose how they live, be self-determining, and to live as full, active participants in their homes, their families, their clans, their nation. The mission of Irish Women Freedom Fighters now is to confront domestic violence and bring the gender prejudice to light. Women and men together are going to have to continue to fight for human rights and liberties as well as a peaceful and unified nation. Perhaps with the balance of gender equity and involvement, peace can truly be achieved in Ireland.
Conclusion Notes


Appendix I

What follows is the US Department of State, Ireland Human Rights Practices, 1993, reprinted with sections pertaining to the content of this paper only.

TITLE: IRELAND HUMAN RIGHTS PRACTICES, 1993
DATE: JANUARY 31, 1994
AUTHOR: U.S. DEPARTMENT OF STATE

IRELAND

The Republic of Ireland is a parliamentary democracy with a long tradition of orderly transfer of power. Individual liberties and civil rights are protected by the 1937 Constitution and subsequent Supreme Court decisions.

A civilian police force maintains public safety. Successive governments have had to deal with the spillover into the Republic of terrorist violence from Northern Ireland. That violence led authorities to adopt legislation in 1984 granting the police increased powers to detain and interrogate those suspected of acts of terrorism. During 1993 officials continued to show restraint in exercising these powers.

The economy, based largely on free enterprise, has grown rapidly as a result of long-term policies of industrialization and diversification which are agreed upon among the Government, the labor unions, and the business community. The economy performed well in 1993; exports were strong and the budget deficit was reduced. However, the rate of unemployment was 22 percent.

The Government and people of Ireland attach great importance to the observance and maintenance of human rights. Significant discrimination against women continued in 1993, although attitudes are changing and legislation seeking to address the problem was introduced.

RESPECT FOR HUMAN RIGHTS

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

A criminal law bill dealing with sexual offenses passed on July 7, inter alia, legalized homosexuality.

Women

Women are discriminated against in the areas of equal pay and promotion to senior positions in both the public and the private sectors and the provision of child-care facilities. The Government pledged to implement the recommendations of the Second

Commission on the Status of Women, publicly released during the year. These recommendations include a requirement that at least 40 percent of all public appointees be women (see below). The Government created in early 1993 a new department, Equality and Law Reform, for the purpose of legislating gender equality and the prohibition of all forms of discrimination. Women were overrepresented in the lower grades of the public service and underrepresented in the higher grades.

The Antidiscrimination (Pay) Act of 1974 and the Employment Equality Act of 1977 sought to provide protection and redress against gender and pay discrimination. The Employment Equality Agency monitors their operation. The number of cases has fallen in recent years, but progress in eliminating the differential in the key index of average hourly earnings in industry has been very modest. In 1993 the average hourly wage for women was 60 percent of what men received and their weekly earnings averaged 68 percent of men's weekly pay.

Violence against women occurs, and while no one has systematically studied the extent of the problem, it is believed to be serious. The Rape Crisis Center had 5,009 inquiries in 1992 about rape, sexual abuse, and child sexual abuse; 25 women who claimed to have been raped contacted the Center soon after the crime. Comparable figures for 1993 were not available. The Center estimated that 30 percent of rape victims report the crime to the police and that 10 percent of those (3 percent of the total) go to trial. In addition to rape and other sexual abuse, beatings of women and children are common; they are frequently related to alcohol abuse. A number of organizations exist which function as lobbying groups on behalf of more effective legislation, prosecution of those accused of these crimes, and protection for women. The media have expanded coverage of crimes against women. The Rape (Amendment) Act of 1990 criminalized rape within marriage and provided for free legal advice to the victim. Women's groups are seeking the extension of this provision to that of actual legal representation, as well as increased counseling and other support services for the victims of rape and domestic violence.

The Prime Minister established the Second Commission on the Status of Women in 1990 with the mandate to promote greater equality for women in all facets of Irish life. As priority objectives, the Commission identified child care, training and education, the development of employment opportunities, legal rights and protection, and the appropriate funding of representative bodies and support services. At the Government's request, the Commission paid particular attention to the needs of the full-time homemaker (only a third of Irish women work outside the home). It was in this regard that the Commission obtained from the Government the promise of early introduction of legislation providing for automatic joint ownership of the family home.

The Council for the Status of Women, representing over 100 national women's organizations, provides the central focus for pursuit of legislative and other reforms to end discrimination against women and to promote fuller participation by women in the social, economic, and political life of the country.
Appendix II

What follows is the US Department of State, Ireland Human Rights Practices, 2006, reprinted with sections pertaining to the content of this paper only.

Ireland
Released by the Bureau of Democracy, Human Rights, and Labor
March 6, 2007

Ireland is a multiparty parliamentary democracy with an executive branch headed by a prime minister (Bertie Ahern), a bicameral parliament (Oireachtas), and a directly elected head of state, the president (Mary McAleese). The country's population is approximately 4.23 million. Free and fair parliamentary elections took place in 2002. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens. The law and judiciary provided effective means of addressing individual instances of abuse. Overcrowding and other harmful prison conditions, societal mistreatment of children, domestic violence, and trafficking in persons were the main human rights abuses during the year.

RESPECT FOR HUMAN RIGHTS

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination in employment on the basis of gender, marital status, family status, sexual orientation, age, disability, race, and membership in the Traveller community. However, discrimination against racial minorities, including immigrants and Travellers, remained a problem.

Women

Domestic violence, including spousal abuse, was a problem. A July 2005 study by the National Crime Council and the Economic and Social Research Institute reported that 15 percent of women at some time experienced domestic abuse by a partner. Of these women, 29 percent reported the abuse to police, while only 7 percent contacted a help line.

The law prohibits domestic violence, authorizes prosecution of a violent family member, and provides victims two types of protection: safety orders and barring orders. Safety orders prohibit a person from engaging in violent actions or threats but do not require the individual to leave the home, while barring orders prohibit a person from entering the

family home for up to three years. The law allows claimants to apply for interim protection while courts process their cases. Violations of these orders are punishable by a fine of up to approximately $2,489 (1,900 euros) or 12 months' imprisonment. According to official statistics, in 2005 the courts received 2,866 safety order applications and 3,183 barring applications; in both categories, more than a third of the applications were granted and nearly two-thirds were withdrawn. Of the safety and barring orders granted, more than half were related to the spouse of the applicant. In 2005, 1,103 proceedings for breach of orders were initiated.

The government funded centers throughout the country for victims of domestic abuse.

The law criminalizes rape, including within marriage, and provides for free legal advice to victims of serious sexual assault. The Courts Service annual report documented a total of 75 rape cases tried in 2005, in which 40 persons were convicted of rape and other sexual offenses. They received sentences of between five and 12 years in prison. At the end of 2005, 58 rape cases were pending.

In rape cases, the government brings formal charges against the accused, with the victim acting as a witness. The law provides for separate legal representation for victims in rape and other serious sexual assault cases when counsel for the defendant applies to enter evidence or to cross-examine the victim about his or her past sexual experience.

Strengthened statutory rape legislation to eliminate ignorance of the victim's age as a mitigating circumstance in sentencing prevented convicted perpetrators from leaving prison by arguing that they were unaware of the victim's age, an acceptable legal argument under the previous law. The law changed after one man convicted of statutory rape successfully appealed his conviction on this premise and was released. Several other appeals were pending when the law changed, effectively eliminating the basis for the appeals.

Rape crisis centers, funded in part by the government, provided support by immediate telephone contact and one-on-one counseling. Government programs provided long- and short-term housing options for victims of sexual violence. All police received training on the investigation of cases of domestic violence, rape, and sexual assault.

In 2005 the Dublin Rape Crisis Center reported receiving 12,244 counseling calls in all categories (child sexual abuse, adult rape, adult sexual assault, and sexual harassment), an upward trend in the frequency of calls. The center reported that 95 of the 335 rape victims recorded in 2005 reported their attacks to the police, resulting in five defendants being tried and four convicted.

Although prostitution is not a crime, it is illegal for a person in a street or public place to solicit for the purposes of prostitution. The offense applies equally to a prostitute soliciting a client, a client soliciting a prostitute, or a third party soliciting one on behalf of the other. The same offense and penalties apply to prostitutes, clients, or anyone who solicits in a public place. It is also an offense to solicit another person in order to commit
certain sexual offenses, such as sexual offenses with underage persons or to keep or to manage a brothel. Reports of, and arrests for, prostitution were rare.

There was anecdotal evidence that women were trafficked for sexual exploitation (see section 5, Trafficking in Persons).

The law obliges employers to prevent sexual harassment and prohibits dismissing an employee for making a complaint of sexual harassment. The Equality Authority investigates claims of unfair dismissal and may require an employer charged with unfair dismissal to reinstate the employee or pay the employee up to 104 weeks' pay. In the few cases of sexual harassment that were reported to them, authorities effectively enforced the law.

Women enjoy the same legal rights as men, including rights under family law, property law, and in the judicial system. The Equality Tribunal and the Equality Authority are the main statutory bodies that enforce and administer the discrimination laws. Nonetheless, inequalities persisted regarding pay and promotions in both the public and private sectors. Women constituted 45 percent of the labor force but were underrepresented in senior management positions.
Bibliography

Primary Sources


De Burca, Máirín, Dublin, to Kay Boyle, San Francisco and Paris. Kay Boyle Papers relating to Research on Irish Women, Special Collections, University of Delaware Library, University of Delaware, Newark, DE.

_____. “Developers Let Housing Decay.” n.p., n.d., 12. (photocopy), Kay Boyle Papers relating to Research on Irish Women, Special Collections, University of Delaware Library, University of Delaware, Newark, DE.

_____. “The Old in an Uncaring Society.” n.p., n.d., n.p. (photocopy), Kay Boyle Papers relating to Research on Irish Women, Special Collections, University of Delaware Library, University of Delaware, Newark, DE.


Denieffe, Michael. “‘Nighties in Mountjoy are sexy’ says Mairn de Burca.” n.p., n.d., n.p. (photocopy), Kay Boyle Papers relating to Research on Irish Women, Special Collections, University of Delaware Library, University of Delaware, Newark, DE.


MacCurtain, Margaret, to Kay Boyle, San Francisco. Kay Boyle Papers relating to Research on Irish Women, Special Collections, University of Delaware Library, University of Delaware, Newark, DE.

_____.


Speirs, Derek. “The Emboff and the Judge,” Magill Magazine, Christmas Special 1980, 29. (photocopy), Kay Boyle Papers relating to Research on Irish Women, Special Collections, University of Delaware Library, University of Delaware, Newark, DE.


Secondary Sources


