

The Descent of Ireland's 'Fallen Women:'

The Relationship Between the Catholic Church, Irish Nationalism, and the Control of Women's

Reproduction through Mother and Baby Homes and Magdalen Laundries

Madeleine LaPierre

University of Michigan

Professor Pamela Ballinger

History of the Modern Mediterranean

*Prostitutes and destitutes*

*And temptresses like me*

*Fallen women*

*Sentenced into dreamless drudgery*

*Why do they call this heartless place*

*Our Lady of Charity?*

*Oh charity!*<sup>1</sup>

On February 19, 2013 Ireland's Prime Minister (*Taoiseach*) Edna Kenny gathered before Ireland's legislative body and issued an apology to the thousands of women who endured incarceration and abuse at the hands of the Catholic Church and Irish government.<sup>2</sup> This apology issued by the Taoiseach was the first step in many towards acknowledging, understanding, and reconciling the legal hurdles Irishwomen have faced— especially regarding the regulation of their reproductive behavior— propagated by the Catholic Church. Until the late twentieth century, Ireland's laws did not protect its citizens' ability to attain divorce, engage in deviant sexual behavior, or obtain contraception.<sup>3</sup> Doctors in Ireland continued to perform symphysiotomies (the breaking of a woman's pelvis during childbirth as opposed to a Cesarean section, which might limit her ability to have future children) well into the 1980s, while the rest of Western medicine had phased them out a century or more beforehand due to the procedure's debilitating

---

<sup>1</sup> Mitchell, Joni, "The Magdalene Laundries", track #6 on *Turbulent Indigo*, 1994.

<sup>2</sup> Sorch Pollack, 2022, "Irish Prime Minister Apologizes For Forced Labor In Magdalene Laundries | TIME.Com", *TIME.Com*. <https://world.time.com/2013/02/20/irish-prime-minister-apologizes-for-forced-labor-in-magdalene-laundries/>.

<sup>3</sup> Department of Children, Equality, Disability, Integration and Youth, "Timeline," *Final Report of the Commission of Investigation into Mother and Baby Homes*, prepared by Martin McAleese, (January 2021).

effect on women.<sup>4</sup> Furthermore, the Church and State incarcerated thousands of women and children who exhibited proscribed reproductive behavior. While these institutions began as places of refuge and social or moral rehabilitation, during the 20<sup>th</sup> century the collusion of the Church and State in running these institutions led to the mass incarceration of Ireland's citizens.<sup>5</sup>

Women and children were among these vulnerable members of Irish society that fell under the dominion of the Church on the basis of Catholic morality. The groups that fell under this domain included orphans, degenerate children, and unmarried mothers or those at risk of becoming so.<sup>6</sup> Many of these women and children were systematically placed in institutions under the supervision of Catholic nuns or priests. The Church claimed this was for the moral salvation of the women and children incarcerated and put into industrial schools, mother and baby homes, and Magdalen Laundries. This paper primarily focuses on the experiences and systematic control of women through mother and baby Homes and Magdalen Laundries.<sup>7</sup> Within these Church-run institutions, women and children faced menial labor for no pay, little food, and abuse from religious orders.<sup>8</sup> This paper analyzes the European origins of mother and baby homes and Magdalen Laundries, as well as the theocratic framework that enabled them to

---

<sup>4</sup> Oonagh Walsh, *Report on Symphysiotomy in Ireland, 1944-1984*, 2014, 48-9.

Doctors often performed this procedure without adequately explaining it to women, who then dealt with the physical effects for the rest of their lives.

<sup>5</sup> Robert Evans, "How the Catholic Church Murdered Ireland's Babies Part 1," *Behind the Bastards* (Original air date: 29 June, 2021), <https://omny.fm/shows/behind-the-bastards/part-one-how-the-catholic-church-murdered-irelands>.

According to this episode of the podcast *Behind the Bastards*, the church may have incarcerated as much as 1% of Ireland's population at one point in its history.

<sup>6</sup> Department of Children, Equality, Disability, Integration and Youth, "Social History, Chapter Two: Institutions," *Final Report of the Commission of Investigation into Mother and Baby Homes*, prepared by Martin McAleese, (January 2021).

<sup>7</sup> The latter is also referred to by the spelling 'Magdalene,' as well as the name 'Magdalene Asylum.' Though the spelling and usage of laundry or asylum are synonymous for the same institutions, this paper will utilize Magdalen Laundries throughout for clarity. For more information, see Joe Humphreys, "Magdalene Or Magdalen?," *The Irish Times* (2013), <https://www.irishtimes.com/news/magdalene-or-magdalen-1.1254329>.

<sup>8</sup> Department of Children, *Report*, "Executive Summary."

operate for centuries across Europe and in Ireland. Finally, this paper examines the relationship between post-Independence Irish identity and Catholic morality which directly contributed to the State's legislation of women's reproductive freedoms and the propagation of carceral mother and baby homes and Magdalen Laundries.

## **Historical Background**

The control of women's reproductive behavior—especially by the Catholic Church—is hardly a new development in history. Rome became the first western state to demonstrate concern about reproduction and pass legislation to regulate and legitimize reproduction. The Catholic Church then began to question the theological importance of the fetus in the Middle Ages, and pass laws to encourage sanctified reproduction.<sup>9</sup> In the Early Modern Period, the precursor to the Irish system emerged, with institutions for illegitimate pregnancies and preservation of women's chastity. This section analyzes the conditions within Ireland that allowed for the importation of this mainland European system, and how it differs from the 20<sup>th</sup> century network of control exhibited by the Catholic Church in Ireland.

## ***European Origins***

An emphasis on legitimate births (and women's responsibility in enabling them) first surfaced in laws during pre-Christian Antiquity. In Rome, non-paternal links to offspring— notably, that between mother and child— grew in importance during pre-Christian Antiquity.<sup>10</sup>

---

<sup>9</sup> Maaïke van der Lugt, "Formed Fetuses and Healthy Children in Scholastic Theology, Medicine and Law," Chapter in *Reproduction: Antiquity to the Present Day*, edited by Nick Hopwood, Rebecca Flemming, and Lauren Kassell, 167–80, (Cambridge: Cambridge University Press, 2018). doi:10.1017/9781107705647.018.

<sup>10</sup> Tim Parkin, "The Ancient Family and the Law," Chapter in *Reproduction: Antiquity to the Present Day*, edited by Nick Hopwood, Rebecca Flemming, and Lauren Kassell, 81–94, (Cambridge: Cambridge University Press, 2018). doi:10.1017/9781107705647.010.

Women remained confined to their marriages to reproduce, while men could sire illegitimate offspring outside of their marriage with little social rebuke.<sup>11</sup> The legislation of Ancient Rome was concerned heavily with the creation of legitimate heirs and offspring, while allowing parents to abandon other children without repercussion.<sup>12</sup> Augustus passed laws (*Lex julia de adulteriis*) to encourage legitimate reproduction in response to anxieties regarding a lack of legitimate offspring among Rome's elite.<sup>13</sup> He offered financial rewards to those husbands and wives who reproduced, while penalizing prostitution and adultery.<sup>14</sup> Though these laws were unpopular and would eventually be amended, important legal precedents emerge in pre-Christian Antiquity. Codifying legitimate reproduction into law established the State's authority to define legitimate and illegitimate offspring, and thus what constitutes acceptable reproduction. Augustus attempted to *control* this reproduction through legislation, establishing the State (or other governing body) as a key arbiter within reproduction. Additionally, these views on legitimacy placed a burdensome double standard on women, whose only acceptable avenue to reproduce came through marriage. Finally, these legal trends in pre-Christian Antiquity emphasize the social importance of marriage as a means to reproduce offspring.

The early Middle Ages demonstrate a marked shift in reproductive theology, legislation, and control. While operating under social confines of Christianity, women previously controlled birthing practices with midwives managing the pregnancies and births of the women in their communities. Through the 12<sup>th</sup> and 13<sup>th</sup> centuries, however, male physicians were increasingly

---

<sup>11</sup> Ibid.

<sup>12</sup> John Boswell, "Chapter 1," *The Kindness of Strangers: the Abandonment of Children In Western Europe From Late Antiquity to the Renaissance*. (New York: Vintage Books, 1990).

<sup>13</sup> John P. Adams, *Modern and Classical Languages and Literatures*. 2023. "Lex Julia De Adulteriis (18 B.C.)". Csun.Edu. <http://www.csun.edu/~hcfl1004/Adulteriis.html>.

<sup>14</sup> Cassius Dio, *History of Rome* 54.16.1-1. Early 3rd cent. A.D.

consulted for questions about birth, including surgical procedures like cesarean sections.<sup>15</sup> Laws produced in this time period were concerned with inheritance, and thus with legitimacy.<sup>16</sup> Many historians have chosen to examine the way these religious and state authorities converged to control women (especially by way of illegitimate pregnancies) in Italy. Brian Pullman examines the experiences of these women from the Middle Ages through the Early Modern period in *Tolerance, Regulation and Rescue: Dishonoured Women and Abandoned Children in Italy, 1300–1800*. Pullman argues that the early Italian system was one of “regulation and rescue” where authorities might preemptively remove young women from situations dangerous to their virtue.<sup>17</sup> Women at the time were associated closely with their chastity: this was the single most valuable thing they possessed and was to be protected at all costs.<sup>18</sup> The resulting system was one of social removal and moral rehabilitation. Women who had lost their chastity already (by prostitution or marriage) were sent to halfway houses often run by religious authorities.<sup>19</sup> These were designed to mold women into ideal housewives and moral members of society. Young women— oftentimes between the ages of 9 and 12— were sent to conservatories to protect their virtue.<sup>20</sup> Here, they followed a strict regimen of scriptures, housework, and prayer that molded them into ideal wives ready for legitimized marriage.<sup>21</sup> It is important to note that none of the work done in Halfway Houses or Conservatories was compensated, similar to the labor endured by women in mother and baby homes and Magdalen Laundries in Ireland. Still, these institutions

---

<sup>15</sup> Fiona Harris-Stoertz, “Pregnancy and Childbirth in Twelfth- and Thirteenth-Century French and English Law,” *Journal of the History of Sexuality*, 21:2 (2012): 264. <http://www.jstor.org/stable/41475080>.

<sup>16</sup> *Ibid.*

<sup>17</sup> Brian Pullman, “Introduction,” *Tolerance, Regulation and Rescue: Dishonoured Women and Abandoned Children in Italy, 1300-1800*, (Manchester, 2016).

<sup>18</sup> Manon van der Heijden, Ariadne Schmidt & Griet Vermeesch “Illegitimate parenthood in early modern Europe,” *The History of the Family*, 26:1, 1-10, (Online, December 2020), DOI: 10.1080/1081602X.2020.1853586.

<sup>19</sup> Pullman, “Women of lost honour: honour and dishonour,” *Tolerance*.

<sup>20</sup> Pullman, “Women and girls in danger,” *Tolerance*.

<sup>21</sup> *Ibid.*

would often arrange marriages for these young women upon leaving the institutions and would occasionally raise money for a woman's dowry.<sup>22</sup> In this sense, it is clear that these institutions were designed to reform women before controlling their re-entry into society.<sup>23</sup> This again differs from Ireland, where some women remained in the Church's vast network of control for their entire lives.

In Italy in the 19<sup>th</sup> century, the system diverged from the early-Modern framework. As rates of illegitimate births rose sharply, officials responded with the mass implementation of foundling hospitals.<sup>24</sup> Families had an incentive to send their illegitimate women there, in hopes that family honor might be preserved. Additionally, John Kertzer notes in *Sacrificed for Honor* that the Italian authorities successfully weaponized midwives to turn in illegitimate births or pregnancies.<sup>25</sup> Once in these Italian foundling hospitals, women were often detained for months or years at a time to serve as wet nurses or perform other labor.<sup>26</sup> Children raised in foundling hospitals encountered a staggering rate of infant mortality, and would be fostered by others or remained in these institutions until they were of age.<sup>27</sup> These children were often taken from their mothers without knowledge or consent, leading to an influx of Italians without knowledge of their heritage, even today.<sup>28</sup> This system of foundling hospitals, detention, and unpaid labor is very similar to the one in Ireland in the 20<sup>th</sup> century. Kertzer argues that Italy's Early Modern

---

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

Most women in conservatories had marriages arranged for them upon exit or returned to their families. Those who didn't often chose to become nuns and remain in the cloister for the rest of their lives. Pullman does not mention any system which sought to keep women in conservatories for long durations of time, or for the rest of their lives.

<sup>24</sup> Pullman, "Foundlings and orphans: an introduction," *Tolerance*.

<sup>25</sup> David I. Kertzer, *Sacrificed for Honor: Italian Infant Abandonment and the Politics of Reproductive Control*, (United States: Beacon Press, 1993).

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> David I. Kertzer and Michael J. White, "Cheating the Angel-Makers: Surviving Infant Abandonment in Nineteenth-Century Italy," *Continuity and Change*, 9:3, (Cambridge University Press: 1994), 451-480.

foundling infrastructure is an “Honor Shame” system, where families felt compelled to send their daughters to foundling hospitals to avoid the public shame of having an illegitimate pregnancy.<sup>29</sup> Pullman, on the other hand, relates the Middle Age system to one of “regulation and rescue.”<sup>30</sup> Ireland’s system incorporates aspects from both of these historical analyses. Many families feared the social and religious rebuke of an illegitimate pregnancy, and thus sent their daughters to mother and baby homes to conceal the shame of such actions. Still, there remain cases of relatives willing to support an unmarried mother and her child, despite the shame it may carry.<sup>31</sup> Pullman’s analysis of “regulation and rescue” relates mostly to the views of politicians and the Catholic hierarchy in Ireland, who sent young, at-risk women to these institutions to protect their virtue. If a woman already became pregnant, she was still thought to be redeemable through a rigid curriculum of discipline and prayer.

The reproductive control exerted through the ages in mainland Europe developed into the Irish system of incarceration and punitive labor for women. What began as reproductive legislation during the Roman Empire developed into halfway houses and convents, and eventually into a systematic network of control, often with the State and Church in tandem with one another. The framework of the Irish system parallels the framework of other mainland European countries, especially those situated along the Mediterranean. These systems immigrated North from the Mediterranean into countries such as France, Germany, England, and eventually Ireland. While mother and baby homes and Magdalen Laundries trace their origins to

---

<sup>29</sup> Kertzer, *Sacrificed for Honor*.

<sup>30</sup> Pullman, “Introduction,” *Tolerance*.

<sup>31</sup> M. O’Rourke et. al, “Statement of Witness 14.” *Clann: Ireland’s Unmarried Mothers and their Children*, (Dublin: Justice for Magdalenes Research 2018), 2.

In this putative father’s statement, he pleads with the mother and baby home to allow his family to raise his illegitimate child, despite the fact his girlfriend has been sent to a mother and baby home. His mother and siblings offer to help raise the child as well.



mainland Europe, there are marked differences in the Irish System, especially the vast network of control and duration of women's incarceration. Additionally, many European systems operated as charitable institutions under the domain of the Church, with some interaction from State authorities. Within Ireland, however, the rise in the Catholic Church's power directly parallels the State's need for a national identity to unite the country. Women who didn't fit this cultural morality, however, were incarcerated by the Church and State authorities, who worked in tandem to secrete them from Irish society.

### ***Irish Origins***

The Catholic majority in Ireland has long influenced its policy and national identity, especially in social and educational policy. During its colonial reign by Great Britain which started under the rule of Henry VIII, the island was split between its Catholic majority and its newly-Protestant colonial ruler.<sup>32</sup> As resentment towards Great Britain festered among Irish citizens, Catholicism became a sign of resistance against the Crown's rule.<sup>33</sup>

After gaining independence from Great Britain in 1922, the Irish Free State (*Saorstát Éireann*) was formed.<sup>34</sup> This occurred after the Irish civil war, which resulted in the modern partition of the island: the nation of Ireland to the South, and Northern Ireland, still under the colonial yoke of Great Britain. After gaining independence, however, Ireland faced yet more problems. Having suffered under a tenant system for years, Ireland had little wealth to fund

---

<sup>32</sup> Timothy J. White, "The Impact of British Colonialism on Irish Catholicism and National Identity: Repression, Reemergence, and Divergence," *Études Irlandaises*, no. 35-1 (2010): pp. 21-37, <https://doi.org/10.4000/etudesirlandaises.1743>.

<sup>33</sup> *Ibid*, "The Impact," 12-37.

<sup>34</sup> "A Brief History of Ireland," [Livingireland.ie](http://Livingireland.ie), accessed 8 December 2022.

social programs for its citizens.<sup>35</sup> Secondly, the nation, deeply embattled after the civil war, needed a catalyst for societal unity. The Catholic Church, a stalwart presence on the island for centuries, provided a solution for both of these issues. That which had been Ireland's resistance to the Crown of England– Catholic morality– became an integral basis of its national identity.

The Catholic Church had operated charitable institutions on the island for centuries.<sup>36</sup> After its independence, the Church continued to run several institutions designed to support vulnerable members of Irish society.<sup>37</sup> Initially, the Church had work houses or convents that accepted various kinds of social misfits, including orphans, disabled individuals, and pregnant women.<sup>38</sup> Driven by need, these workhouses eventually opened maternity wards and took in mothers of illegitimate children.<sup>39</sup> Many of the early institutions in Ireland were not run by the Catholic Church; though their mission may have been inspired by religion, laypeople often ran them, or did so under a protestant mission. In fact, the first Irish Magdalen Laundry founded in 1767 by Lady Arabella Denny was Protestant.<sup>40</sup>

Eventually, however, all of these institutions came under the domain of the Catholic Church during the 19<sup>th</sup> century.<sup>41</sup> Because of sporadic record-keeping by those in charge and lack of primary documents from those who entered these institutions in the 19<sup>th</sup> century, it is hard to ascertain when these institutions diverged from a system of social rehabilitation to ones of abuse

---

<sup>35</sup> Eoin McLaughlin, "What Were the Economic Consequences of Irish Independence," *Economics Observatory*, (27 April 2021).

<sup>36</sup> James M. Smith, "Introduction," in *Ireland's Magdalen Laundries and the Nation's Architecture of Containment* (UNIV OF NOTRE DAME Press, 2017).

<sup>37</sup> Martin McAleese, "Chapter 2: Institutions," *Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries*, Report prepared by the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries, (Department of Justice, 2013).

<sup>38</sup> Caelainn Hogan, "The Diocesan Archive," in *Republic of Shame: How Ireland Punished 'Fallen Women' and Their Children* (London: Penguin Books, 2020).

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*, 30.

<sup>41</sup> Smith, "The Magdalen in Nineteenth-Century Ireland," *Architecture of Containment*, 23-43.

and incarceration. By the 20<sup>th</sup> century, however, many women who entered the system could not leave without permission and endured physical, verbal, and psychological torment from the Catholic orders running individual institutions. The incarcerate framework of the 20<sup>th</sup> century system derives its foundation from the scaffolding of earlier time periods within Ireland and without. Such institutions had emigrated from mainland Europe, where they had flourished in the Late Middle Ages and Early Modern period.

### **The Irish System**

The Irish welfare system involved several types of residential institutions for those acting in opposition to social norms and customs, especially vulnerable members of society with nowhere else to go. These institutions included reform and industrial schools, mental hospitals, mother and baby homes, and Magdalen Laundries.<sup>42</sup> Despite the fact that many of these institutions claimed to be a better alternative for these vulnerable Irish citizens, this was often not the case. Most institutions were ran by religious orders or nuns, some of whom were trained as nurses.<sup>43</sup> Curriculum in these places consisted of regimented discipline and labor, described as "more austere than those found in many prisons of the 21st century."<sup>44</sup> Mother and baby homes and Magdalen Laundries were primarily for women and girls and consisted of unpaid labor as well as physical, psychological, and verbal abuse.<sup>45</sup> After the formation of the Irish Free State in

---

<sup>42</sup> Department of Children, Equality, Disability, Integration and Youth, "Social History, Chapter Two: Institutions," *Final Report of the Commission of Investigation into Mother and Baby Homes*, prepared by Martin McAleese, (January 2021).

<sup>43</sup> Ibid.

<sup>44</sup> Nick Maxwell, "Coercive Confinement in Ireland: Patients, Prisoners and Penitents," Review in *History Ireland*, 3:21, (June 10, 2013) <https://www.historyireland.com/coercive-confinement-in-ireland-patients-prisoners-and-penitents/>.

<sup>45</sup> Department of Children, Equality, Disability, Integration and Youth, *Report to the Commission*, Ch. 2: Institutions, 1-19.

1922, these institutions were operated and funded by both the state and church.<sup>46</sup> This section describes and analyzes mother and baby homes and Magdalen Laundries, as well as the intricate networks of control that enabled them.

### *Mother and Baby Homes*

Similar to foundling hospitals found in Italy in the 19<sup>th</sup> century, charities for expectant and new mothers are hardly a new concept both in Ireland and Europe. For centuries, authorities both private and public have provided maternal care for mothers and their infants.<sup>47</sup> Within Ireland, many of these places started out as workhouses, where people with nowhere else to turn could expect work and shelter.<sup>48</sup> Eventually, many of these workhouses began developing maternal wards to cater specifically to expectant mothers. Since mothers were often cast out of their homes or families if they bore an illegitimate child, these mothers would often find themselves in these maternal wards.<sup>49</sup> These unmarried mothers agreed to remain at the mother and baby home for one year where they would work and spend time with their child.<sup>50</sup>

Recently, the Irish government published the *Final Report of the Commission of Investigation into Mother and Baby Homes* (2021) where it is estimated that 56,000 women

---

<sup>46</sup> Department of Children, Equality, Disability, Integration and Youth, “Executive Summary,” *Final Report of the Commission of Investigation into Mother and Baby Homes*, prepared by Martin McAleese, (January 2021). 11-12.

It is important to note that Magdalen Laundries were private institutions with no State funding or oversight. Despite the lack of direct state involvement, state agents such as police officers or government officials directly enabled their propagation. For more information, read the section on Magdalen Laundries, or see *Inter-Departmental Report to establish the facts of State involvement with the Magdalen Laundries*.

<sup>47</sup> Department of Children, Equality, Disability, Integration and Youth, “Timeline,” *Final Report of the Commission of Investigation into Mother and Baby Homes*, prepared by Martin McAleese, (January 2021).

<sup>48</sup> Catherine Corless, “The Home,” *Journal of the Old Tuam Society*, vol. 9, (2012), 5.

<sup>49</sup> Department of Children, Equality, Disability, Integration and Youth, “Executive Summary,” *Final Report on the Commission of Investigation into Mother and Baby Homes*, (January 2021), 2-3.

<sup>50</sup> Corless, *The Home*, 5. And, Department of Children, *Final Report of the Commission*, “Executive Summary,” 7.

entered the institutions the government investigated, with as many as 25,000 not investigated.<sup>51</sup>

The report further states:

While mother and baby homes were not a peculiarly Irish phenomenon, the proportion of Irish unmarried mothers who were admitted to mother and baby homes or county homes in the twentieth century was probably the highest in the world.<sup>52</sup>

The staggering proportion of unmarried mothers funneled into mother and baby homes sets the Irish system apart from its historical counterparts. While other countries engaged in similar systems in their history— even into the 20<sup>th</sup> century— none did so on the same scale as Ireland in the 20<sup>th</sup> century.<sup>53</sup> Mother and baby homes further lasted into modern recollection, with the last one closing in 1998.<sup>54</sup> The Irish government’s investigation into the homes argued that most women entered the homes by choice, and were not forced there by the State.<sup>55</sup> This does contradict some testimonies where women recall being sent there by State referrals, or taken there against their will by their families.<sup>56</sup> A sizeable number of others fled to England to avoid social and religious rebuke.<sup>57</sup> Of the women that fled to England, one English social worker wrote: “the fear of these girls has to be seen to be believed... what sort of society do you have in Ireland that puts the girls into this state?”<sup>58</sup>

---

<sup>51</sup> Department of Children, *Report of the Commission*, “Executive Summary,” 2.

<sup>52</sup> *Ibid.*

<sup>53</sup> Department of Children, Report, “Executive Summary,” (January 2021), 12-16.

<sup>54</sup> Megan Specia, “Report Gives Glimpse Into Horrors of Ireland’s Mother and Baby Homes,” *The New York Times*, January 12, 2021, <https://www.nytimes.com/2021/01/12/world/europe/ireland-mother-baby-home-report.html>.

<sup>55</sup> Department of Children, *Report*, “Executive Summary,” (January 2021), 1.

<sup>56</sup> *Ibid.*, 12-13.

<sup>57</sup> Lorraine Grimes, “The Emigration and assistance of the Irish unmarried mother in Britain 1926-1952,” *Retrospectives* 1:5, (Spring 2016). And, Department of Children, Report, “Executive Summary,” (January 2021), 14.

<sup>58</sup> Corless, *The Home*, 8.

Within these homes, unmarried mothers were expected to follow regimented schedules and adhere to all the rules.<sup>59</sup> One woman who became pregnant in 1967 recalls being told three rules upon entering the mother and baby home: 1) not to speak of her life beforehand, 2) not to have contact with the outside world, and 3) if she tried to escape, she would be brought back by the Garda.<sup>60</sup> Despite the Government's written statement that many women entered of their own volition, this woman recalls being taken there by her family.<sup>61</sup> Furthermore, the rules told to every mother admitted into such a home reflect the coercive nature of these institutions; once a woman entered, leaving without permission would be incredibly difficult. The woman recalls working menial tasks like cutting the lawn with scissors or scrubbing the floor with sand seven days a week until she went into labor.<sup>62</sup> While she was working, nuns would often verbally accost these women as penitence for their sins. Upon going into labor, nuns locked the woman in a room overnight, not checking on her until the morning; there was never a doctor who checked on her.<sup>63</sup> If a mother couldn't lactate, her child would go unfed, and all the children often lived in appalling conditions.<sup>64</sup> Eventually, the woman's son was adopted without her knowledge or consent, and she was not reunited with him for decades.<sup>65</sup> This again relates to the culture of erasure propagated in the Middle Ages and Early-Modern Italy. These women would be sequestered in a Church-State institution through their pregnancy and birth, until the child was placed elsewhere, often without the knowledge of the mother. In this sense, many practices of

---

<sup>59</sup> Department of Children, Report, "Executive Summary," (January 2021).

<sup>60</sup> M. O'Rourke et. al, "Statement of Witness 12." *Clann: Ireland's Unmarried Mothers and their Children*, (Dublin: Justice for Magdalenes Research 2018), 1.

<sup>61</sup> *Ibid*, 1.

<sup>62</sup> M. O'Rourke, "Statement of Witness 12," 2.

<sup>63</sup> *Ibid*, 3.

<sup>64</sup> *Ibid*, 3-4.

<sup>65</sup> *Ibid*, 4-5.

mother and baby homes in Ireland served as a continuation from earlier historical methods to regulate reproduction and conceal illegitimate offspring. Despite the continuation of the framework used in early-Modern Europe, Ireland diverges from historical pattern with its scale and the conditions women endured.

Mother and baby homes, by and large, had little executive oversight. Though the Registration of Maternal Homes act of 1934 provided regulations for inspection of mother and baby homes by state officials, they were mostly managed by local religious orders or county officials.<sup>66</sup> In some cases, when local officials or health inspectors became worried about the conditions of these establishments, local diocese or bishops could quell such concerns.<sup>67</sup> This reflects a trend throughout the Irish system wherein local authorities deferred to their local religious leaders. Similar to medieval halfway houses, religious orders hoped that these women, after having their illegitimate children, could re-enter society with their salvaged morals. Many women did, leaving behind the system for good. Others— like those who had additional illegitimate pregnancies or who had no place to return to— were sent to the Magdalen Laundries, where some remained in the system for life.

### ***Magdalen Laundries***

Unlike mother and baby homes, where primarily unmarried mothers and their children were housed, Magdalen Laundries contained a variety of women. The institutions were all privately funded and managed, and involved hard labor, often in laundries. Despite a lack of formal state involvement, many women entered by means of state institutions or the criminal

---

<sup>66</sup> Department of Children, *Report*, “Executive Summary,” 12.

<sup>67</sup> *Ibid*, 12.

justice system. These institutions held a wide variety of women, some sent there from industrial or reform schools, some from mother and baby homes, and some sentenced there for crimes. Much like mother and baby homes, these women followed a regimented schedule of labor, prayer, and silence.

In the *Report of the Inter-Departmental Committee to Establish the Facts of State Involvement with the Magdalen Laundries* as many as 19% of all admissions were from the State while 28.3% of admissions were unknown. Other methods of entrance include priest, congregation, reform schools, family, mother and baby homes, and health workers. This data further supports the localized control of these institutions, and the ways that local officials upheld this network of control. Importantly, mother and baby homes served as a significant point of entry into the system. After having their child, these women would be sent to Magdalen Laundries, extending the Church's control over their autonomy. One document from the Health Department at Bessborough institution shows the mothers of 9 illegitimate children were all sent to a Magdalen Laundry. Additionally, those who entered the Laundries from mother and baby homes had the longest average stay at 102 weeks. In this sense, the network of reproductive control exerted over women by means of mother and baby homes could be extended by sending these women to Magdalen Laundries, where they would face worse conditions and often remained longer. While mother and baby homes and Magdalen Laundries shared similarities with earlier institutions of Europe, the scale of these institutions, enabled by State participation, set them apart. Furthermore, this state participation parallels a direct link between Catholic morality and Irish nationalism, sorely needed after their colonial struggle against England. Legislation of the Irish Free State (1921) and later Republic of Ireland (1937) demonstrate the infiltration of Catholic values into Irish law, and the palpable expansion of the Church's control.



## Legislation

Catholicism exerted a palpable influence on Irish laws and legislation after the formation of the Irish Free State due to the nation's large Catholic population as well as the influence of prominent church officials upon the government. Many thought that the preservation of Catholic values and morals would be the foundation of this national identity.<sup>68</sup> On this topic, the Executive summary on mother and baby homes wrote:

In the 1920s, the Irish Free State was a newly-independent nation which was determined to show the world that it was different; part of that difference related to the capacity to withstand the undesirable aspects of modernity, including sexual licence and alien cultures. There was a strong alignment of views between church and State, resulting in legislation against contraception, divorce, censorship of cinema and publications that was bolstered by church sermons denouncing sexual immorality and the evils of modern society.<sup>69</sup>

The transfer of power from the British colonial government to the Free State came with many structural changes that enabled mother and baby homes and Magdalen Laundries to systematically incarcerate women. By revising the Poor Laws, those forgotten from society—whether by age, socioeconomic status, disability or other—would no longer be referred to general workhouses. Instead, these things would be managed by local authorities in counties.<sup>70</sup> In the 1930s, a slew of legislation was passed that reflected these Catholic values including the Criminal Law Amendment Acts (1935), Illegitimate Children Act (1930), and Registration of

---

<sup>68</sup> "The Signing Of The Anglo-Irish Treaty, 1921," *National Museum Of Ireland*, <https://www.museum.ie/en-IE/Collections-Research/Collection/Documentation-Discoveries/Artefact/The-Signing-of-the-Anglo-Irish-Treaty,-1921/7a49e7e5-7cf7-4218-b3b4-c974d4adafa6>.

<sup>69</sup> Department of Children, *Report*, 14-15.

<sup>70</sup> Charles Eason, M.A. *Report of the Irish Poor Law Commission*, read before the Society on Thursday 26th January 1928, 19-20, [http://www.tara.tcd.ie/bitstream/handle/2262/4457/jssisiVolXiv17\\_43.pdf?sequence=1&isAllowed=y](http://www.tara.tcd.ie/bitstream/handle/2262/4457/jssisiVolXiv17_43.pdf?sequence=1&isAllowed=y).

Maternity Homes Act (1934), among many others.<sup>71</sup> The passage of these acts reflects a tangible anxiety that Ireland would lose its identity to modern vices coupled with a moral austerity towards those in violation of these values. It is interesting to note that many of these acts were passed in the decade following Irish independence. Initially, the 1922 constitution was a largely secular document.<sup>72</sup> In fact, Article 8 of the 1922 document specifically enshrined religious freedom into the nation's law.<sup>73</sup>

The 1937 constitution of the Republic of Ireland (*Poblacht na hÉireann*) tells a much different story. Firstly, the document's preamble offers its deference "In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred."<sup>74</sup> This portion of the document also strives "to promote the common good" so that "true social order attained" and "the unity of our country restored."<sup>75</sup> In the first several sentences, the constitution has explicitly codified its ultimate subservience to Christianity on the basis of the greater good. In 1937, when the Constitution establishing the Irish Republic was written, 93.6% of the country was Catholic.<sup>76</sup> As such, the Church was seen as the mouthpiece of this religious order and greater good. Thus, with this preamble, the Republic of Ireland explicitly codified its legal bias towards Catholic values throughout the rest of the document, as well as the Church's authority in handling the nation's morality.<sup>77</sup> While

---

<sup>71</sup> Smith, James M. "The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and the Carrigan Report (1931)." *Journal of the History of Sexuality* 13, no. 2 (2004): 208–33. <http://www.jstor.org/stable/3704856>.

<sup>72</sup> David Kenny, "God In The Irish Constitution" *Talk About: Law And Religion* (2020), <https://talkabout.iclrs.org/2020/10/31/god-in-the-irish-constitution/>.

<sup>73</sup> Constitution of the Irish Free State 1922 art. 8.

<sup>74</sup> Constitution of the Republic of Ireland 1937 preamble.

<sup>75</sup> *Ibid*, Constitution of the Republic.

<sup>76</sup> Central Statistics Office, "1936 Census of Ireland - Part One: Religion," (1936), [https://www.cso.ie/en/media/csoie/census/census1936results/volume3/C\\_1936\\_VOL\\_3\\_Pt1\\_T1a,b,c.pdf](https://www.cso.ie/en/media/csoie/census/census1936results/volume3/C_1936_VOL_3_Pt1_T1a,b,c.pdf).

<sup>77</sup> Thomas Mohr, "Religious Minorities under the Constitution of the Irish Free State, 1922–1937," *American Journal of Legal History*, Volume 61, Issue 2, June 2021, Pages 235–272, <https://doi.org/10.1093/ajlh/njab002>

writing the constitution, Eamon de Valera (the future PM of the nation) and Archbishop John Charles McQuaid were in frequent correspondence with one another. McQuaid often wrote suggestions for the document to de Valera, which are visible throughout the rest of the paper.<sup>78</sup>

Article 41 of the Republic of Ireland's constitution specifically deals with "the family," a provision noticeably absent from the 1922 version of the document. Part of the Church's values at this point involved adherence to traditional gender roles wherein women existed primarily as a building block of the family.<sup>79</sup> These provisions regarding "the family" are important to the State and Church's structure of control via Mother and Baby Homes and the Magdalen Laundries for several reasons. Firstly, in these provisions, the State vaguely articulates the Church's moral authority over the family, which lessens the State's legitimacy to handle family matters including pregnancy and birth. Secondly, the specification of women in Article 41 section 2 reinforces Catholic values wherein a mother's duty is to her family, but section 3 makes it clear that the only legitimate and condoned way to have a family is through the sanctity of marriage. To do so otherwise, as one might interpret, goes against the common good of Ireland and the Republic itself. Since the Church was established as the moral authority of the Republic in the document's preamble as well as Article 41, transgressing these family values inevitably incurs the Church's punishment.

This emphasis on Catholic morals remained a dominant legal influence throughout the 1930s and 1940s, also the decades when admissions into the Magdalen Laundries peaked.<sup>80</sup> In 1951, Catholic influence on legislation again came to light. In this year, Dr. Noel Brown, the

---

<sup>78</sup> Nick Maxwell, "The Catholic Church And The Writing Of The 1937 Constitution," *History Ireland*. (Online 2013), <https://www.historyireland.com/the-catholic-church-and-the-writing-of-the-1937-constitution/>.

<sup>79</sup> Caitriona Beaumont, "Women, Citizenship, and Catholicism in the Irish Free State, 1922-1948," *Women's History Review*, 6:4, (Online: December 2006), 563-585.

<sup>80</sup> Martin McAleese, "Part Two: Statistical Analysis," in Report of the Inter-Departmental Committee (Department of Justice, 2013), 163-165.

Minister for Health, proposed *The Mother and Child Scheme* which offered free maternal care for mothers and their children.<sup>81</sup> Such an act could keep poor women or those without family support from having to turn to mother and baby homes or Magdalen Laundries. To medical lobbyists and the Catholic hierarchy, this proposition was incredibly unpopular.<sup>82</sup> The hierarchy, by way of a letter sent to the Irish Prime Minister from Archbishop John Charles McQuaid, argued that the Catholic Church had been given the right “to educate women in regard to motherhood, and to provide all women with gynaecological care” and that the Mother and Child acts would “foster undue control by the state in a sphere so delicate and so intimately concerned with morals.”<sup>83</sup> The Minister of Foreign Affairs wrote to Dr. Browne saying:

The creation of a situation where it is made to appear that a conflict exists between the spiritual and temporal authorities is always undesirable; in the case of Ireland, it is highly damaging to the cause of national unity.<sup>84</sup>

With this correspondence regarding the Mother and Children Scheme of 1951, the relationship between Church and State became clear: if the two came into conflict with one another, the State succumbed to the wills of the Church. This occurred both on the local level, with authorities failing to investigate conditions in mother and baby homes if religious leaders protested, and on the national level with the Mother and Children Scheme. These examples illuminate how the Catholic Church established a vast network of control over Ireland.

---

<sup>81</sup> Rhonda McCord, "The Mother And Child Scheme – The Role Of Church And State," Theirishstory.Com, (2013), <https://www.theirishstory.com/2013/06/19/the-controversy-of-womens-health-the-mother-and-child-scheme-the-role-of-church-and-state/#.Y5kSq-zMJz8>.

<sup>82</sup> Ibid.

<sup>83</sup> John Charles Mcquaid, “Letter To John A. Costello, The Taoiseach,” 5 April 1951, Encyclopedia.Com. <https://www.encyclopedia.com/international/encyclopedias-almanacs-transcripts-and-maps/letter-john-costello-taoiseach>.

<sup>84</sup> “DR. BROWNE REPLACED BY MR. COSTELLO; Minister’s Scheme Killed by Hierarchy Ruling,” *The Irish Times*, 12 April 1951, file:///Users/maddielapierre/Downloads/19510412-Ar00100%20(1).pdf

Furthermore, the Church managed female reproduction through its codified authority in the 1937 constitution, which explicitly give it rights over the family. This system of control was two-fold. Firstly, the Catholic Church became the de facto moral guide of the nation with the verbiage in the 1937 constitution. Then, this morality became broadly associated with Irish identity. Women— specifically those who became pregnant outside of marriage, those at risk of such, or those unfortunate enough to enter the system by some other means— became the hidden victims of this moral crusade.

## Bibliography

- "The Signing Of The Anglo-Irish Treaty, 1921 | National Museum Of Ireland." 2022. *National Museum Of Ireland*. <https://www.museum.ie/en-IE/Collections-Research/Collection/Documentation-Discoveries/Artefact/The-Signing-of-the-Anglo-Irish-Treaty,-1921/7a49e7e5-7cf7-4218-b3b4-c974d4adafa6>.
- "DR. BROWNE REPLACED BY MR. COSTELLO; Minister's Scheme Killed by Hierarchy Ruling." *The Irish Times*. 12 April 1951.  
file:///Users/maddielapierre/Downloads/19510412-Ar00100%20(1).pdf
- Abelard, Peter., Héloïse. *The Love Letters of Abelard and Heloise*. United Kingdom: J. M. Dent and Company, 1908.
- Beaumont, Caitriona. "Women, Citizenship, and Catholicism in the Irish Free State, 1922-1948." *Women's History Review*, 6:4. (Online: December 2006). 563-585.
- Boswell, John. *The Kindness of Strangers: the Abandonment of Children In Western Europe From Late Antiquity to the Renaissance*. New York: Vintage Books, 1990. <https://hdl-handle-net.proxy.lib.umich.edu/2027/heb01090.0001.001>. EPUB.
- Central Statistics Office. "1936 Census of Ireland - Part One: Religion," (1936), [https://www.cso.ie/en/media/csoie/census/census1936results/volume3/C\\_1936\\_VOL\\_3\\_Pt1\\_T1a,b,c.pdf](https://www.cso.ie/en/media/csoie/census/census1936results/volume3/C_1936_VOL_3_Pt1_T1a,b,c.pdf).
- Constitution of the Irish Free State, art. 8.
- Constitution of the Republic of Ireland, art. 41 sec. 1, 3.
- Constitution of the Republic of Ireland, Preamble.
- Corless, Catherine. "The Home." *Journal of the Old Tuam Society*. vol. 9. (2012).
- Department of Children, Equality, Disability, Integration and Youth. *Final Report of the Commission of Investigation into Mother and Baby Homes*. (January 2021). <https://www.gov.ie/en/publication/22c0e-executive-summary-of-the-final-report-of-the-commission-of-investigation-into-mother-and-baby-homes/>
- Department of Health, "Returns of Unmarried Mothers in Institutions," 1954. Accessed via Justice for Magdalenes Research Archive (Deposited online 14 September 2016), <http://repository.wit.ie/JFMA/id/eprint/165>.

- Dio, Cassius. *History of Rome* 54.16.1-1. Early 3rd cent. A.D. Accessed via <https://pages.uoregon.edu/klio/tx/re/aug-law.htm>.
- Grimes, Lorraine. "The Emigration and assistance of the Irish unmarried mother in Britain 1926-1952." *Retrospectives* 1. vol. 5. (Spring 2016).
- Harris-Stoertz, Fiona. "Pregnancy and Childbirth in Twelfth-and Thirteenth-Century French and English Law." *Journal of the History of Sexuality*. 21:2. (2012): 263–81. <http://www.jstor.org/stable/41475080>.
- Kenny, David. "God In The Irish Constitution - Talk About: Law And Religion". 2020. *Talk About: Law And Religion*. <https://talkabout.iclrs.org/2020/10/31/god-in-the-irish-constitution/>.
- Kertzer, David I. and White, Michael J. "Cheating the Angel-Makers: Surviving Infant Abandonment in Nineteenth-Century Italy," *Continuity and Change*. 9:3. (Cambridge University Press: 1994), 451-480.
- Kertzer, David I. *Sacrificed for Honor: Italian Infant Abandonment and the Politics of Reproductive Control*. (United States: Beacon Press, 1993).
- Maxwell, Nick. "Coercive Confinement in Ireland: Patients, Prisoners and Penitents." Review in *History Ireland*. 3:21. (June 10, 2013). <https://www.historyireland.com/coercive-confinement-in-ireland-patients-prisoners-and-penitents/>.
- McAleese, Martin. *Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries*. Report prepared by the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries, (Department of Justice, 2013).
- McCord, Rhonda. "The Mother And Child Scheme – The Role Of Church And State." *Theirishstory.Com*. (2013). <https://www.theirishstory.com/2013/06/19/the-controversy-of-womens-health-the-mother-and-child-scheme-the-role-of-church-and-state/#.Y5kSqzMJz8>.
- McLaughlin, Eoin. "What Were the Economic Consequences of Irish Independence." *Economics Observatory*. (27 April 2021).
- McQuaid, John Charles. "Letter To John A. Costello, The Taoiseach." 5 April 1951. *Encyclopedia.Com*. <https://www.encyclopedia.com/international/encyclopedias-almanacs-transcripts-and-maps/letter-john-costello-taoiseach>.

- Mohr, Thomas. "Religious Minorities under the Constitution of the Irish Free State, 1922–1937." *American Journal of Legal History*. 61:2. June 2021, Pages 235–272, <https://doi.org/10.1093/ajlh/njab002>
- O'Rourke, M., McGettrick, C., Baker, R. and Hill, R. (2018) "Statement of Witness 12." Clann: Ireland's Unmarried Mothers and their Children: Gathering the Data. Dublin: Justice for Magdalenes Research, Adoption Rights Alliance, Hogan Lovells.
- O'Rourke, M., McGettrick, C., Baker, R. and Hill, R. (2018) "Statement of Witness 14." Clann: Ireland's Unmarried Mothers and their Children: Gathering the Data. Dublin: Justice for Magdalenes Research, Adoption Rights Alliance, Hogan Lovells.
- O'Rourke, M., McGettrick, C., Baker, R. and Hill, R. (2018) "Statement of Witness 17." Clann: Ireland's Unmarried Mothers and their Children: Gathering the Data. Dublin: Justice for Magdalenes Research, Adoption Rights Alliance, Hogan Lovells.
- Parkin, Tim. "The Ancient Family and the Law." Chapter. In *Reproduction: Antiquity to the Present Day*, edited by Nick Hopwood, Rebecca Flemming, and Lauren Kassell, 81–94. Cambridge: Cambridge University Press, 2018. doi:10.1017/9781107705647.010.
- Pullan, Brian. *Tolerance, Regulation and Rescue: Dishonoured Women and Abandoned Children in Italy, 1300–1800*. 1st ed. Manchester University Press, 2016. <http://www.jstor.org/stable/j.ctvnb7nzh>.
- Smith, James M. "The Magdalen in Nineteenth-Century Ireland." In *Ireland's Magdalen Laundries and the Nation's Architecture of Containment*, 23–43. University of Notre Dame Press, 2007. <https://doi.org/10.2307/j.ctvpj76pf.6>.
- Specia, Megan. "Report Gives Glimpse Into Horrors of Ireland's Mother and Baby Homes." *The New York Times*. January 12, 2021. <https://www.nytimes.com/2021/01/12/world/europe/ireland-mother-baby-home-report.html>.
- Van der Heijden, Manon., Schmidt, Adriane., & Vermeesch, Griet. "Illegitimate parenthood in early modern Europe." *The History of the Family*. 26:1. 1-10. (Online, December 2020). DOI: 10.1080/1081602X.2020.1853586.
- van der Lugt, Maaike. "Formed Fetuses and Healthy Children in Scholastic Theology, Medicine and Law." In *Reproduction: Antiquity to the Present Day*, edited by Nick Hopwood, Rebecca Flemming, and Lauren Kassell, 167–80. Cambridge: Cambridge University Press, 2018. doi:10.1017/9781107705647.018.
- Walsh, Oonagh. *Report on Symphysiotomy in Ireland 1944-1984*. Department of Health. 2014.