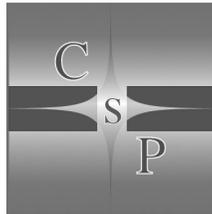


Women, Social and Cultural Change in Twentieth Century Ireland

Women, Social and Cultural Change
in Twentieth Century Ireland:
Dissenting Voices?

Edited by

Sarah O'Connor and Christopher C. Shepard



Cambridge Scholars Publishing

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INTRODUCTION

Feminist philosopher, Rosi Braidotti argues that ‘woman’ is not a monolithic essence defined once and for all time, but rather, ‘the site of multiple, complex, and potentially contradictory sets of experiences, defined by overlapping variables such as class, race, age, lifestyle, sexual preference and others’.¹ Drawing from a range of disciplines, this book pivots around the central concept of women, social and cultural change in Ireland during the twentieth century. The interdisciplinary, inter-institutional nature of the work gathered here aims to challenge monolithic representations of Irish female identity. The contributors to this volume do so by exposing women’s disparate political, social and cultural backgrounds, highlighting the concept of woman as a ‘site’ of exchange, overlap and variation. This idea of multiple identities is an organising principle of this collection.

According to this principle, identity is always fluid and developing, open-ended rather than closed, contradictory rather than consistent. Some of the articles propose that the interstitial, or in-between, space generated by such open-endedness facilitates this process. This does not mean that indeterminacy or aesthetics of mess is favoured for its own sake, but rather the ideological attraction of disorder lies in the space it leaves for oppositional impulses. ‘Dissent is made possible not by entering some fourth dimension beyond ideology, but by recognizing that no ideology is singular or seamless, that there are always voices disputing the dominant view, if only we would hear them’.² The interstitial space provides the room for these oppositional impulses; it allows us to hear dissident voices that may not be otherwise heard.

Sonja Tiernan’s article “No Measures of ‘Emancipation’ or ‘Equality’ Will Suffice”: Eva Gore-Booth’s Revolutionary Feminism in the journal *Urania*’ examines the journal’s call for an intermediate gender/sex based or ideal feminine and masculine qualities. A group of radical thinkers led by Irish poet, playwright, political activist and philosopher, Eva Gore-

¹ Rosie Braidotti, *Nomadic subjects: embodiment and sexual difference in contemporary feminist theory* (New York, 1994), p. 4.

² Susan Fraiman, *Unbecoming women: British women writers and the novel of development* (New York, 1993), p. xiv.

Booth established the journal *Urania*. Privately printed and circulated, *Urania* advocated the elimination of sex/gender, proposing to reform the categories of men and women into one ideal feminine form. This central argument challenged mainstream feminism, medical sexology and the prevailing gender norms. *Urania* was primarily concerned with deconstructing gender and sexuality, a practice which, though still contentious politically, is an integral part of feminist post-modern thinking. Tiernan details the ways in which *Urania* directly challenged key assumptions and goals of the first-wave feminist movement, arguing that the existence of the journal challenges our current narrative about the history of feminist activism and theory. Exploring the content of *Urania*, Tiernan groups it into three main categories. The first category consists of newspaper articles which featured accounts of individuals who behaved in a manner outside socially expected gender norms while in the second group, instances of sex changes, either medical or natural, were reported to highlight that sex is a fluid rather than a fixed state. The third category ran stories of people who lived their lives as a member of the opposite sex. According to Uranian principles, masquerade and the blurring of gender distinctions were viewed as positive social developments. Within these categories heterosexuality was challenged, while same-sex relationships, most specifically female, were presented as an ideal model.

Ninety years after the first publication of *Urania*, issues of masquerade and gender confusion are still an integral part of feminist discourse. It is in this light that Jenny O'Connor explores the nomadic philosophy of becoming in Neil Jordan's *The Crying Game* and *Breakfast on Pluto*. According to Deleuze & Guattari, the process of becoming-woman is not related to gender or sexuality in any way. Woman is an ungendered alternative to phallogentric structures. To become-woman then, is to engage in a very real process of undoing, disassembling, rebuilding. Becoming is an unfolding and refolding of identity until that identity is no longer restricted by fixed terms. O'Connor argues that Jordan uses the interstice to re-explore the patriarchy from which he knowingly emanates, critiquing the structures to which he belongs. Using Deleuze and Guattari's notion of becoming in tandem with Rosi Braidotti's notion of nomadism, O'Connor suggests that Jordan presents us with characters who move from a phallogentric, unitary vision of the subject to a pluralist multiplicity that is beyond gender - that is purely and sincerely nomadic. O'Connor examines four characters, Patrick/Patricia (Kitten) Braden and Eileen Bergin in *Breakfast on Pluto* and Dil and Jude in *The Crying Game* in this light, arguing that they challenge both gender classifications and the practical application of theories of becoming. 'They are bound to the

phallus, yet are eminently feminine. They appear to operate within patriarchal structures, yet seem to erode them from the inside. In fact, they exist in those interstices between the centre and the periphery. Jordan's creation of 'in-betweenness' opens up a radical space in which nomadic ideas move freely, never settling. This kinetic movement encourages the creation of multiplicities that challenge the constrictive binary systems by which we live. She observes that becoming takes place in this interstitial space which prevents the masculine and the feminine from mutual exclusivity. Rather the constant movement in this alternative space encourages vigorous propinquity and continuous interconnections. Consequently, the characters in Jordan's films are multiple and unitary, many and one, while the cinema he creates is informed by a nomadic philosophy. Defined by its transformative potential, the interstitial space produces a transitional subjectivity which challenges a system in which women and other forms of embodied identity are culturally other-ed or seen as monstrous and according to the logic of such a system become taboo.

Caitriona Ní Cléirchín focuses upon issues of motherhood, language and individuation in celebrated writer Nuala Ní Dhomhnaill's Irish-language poetry. Drawing upon the work of Julia Kristeva, Adrienne Rich and Angela Bourke, Ní Cléirchín explores Ní Dhomhnaill's painful relationship with her mother and her own self. Ní Cléirchín Uses a selection of poems to trace the process of individuation in Ní Dhomhnaill's work, the lived and embodied experiences of motherhood, pregnancy and miscarriage. In the cultural construction of reality, binary systems suppress ambiguous or interstitial spaces between the opposed categories, so that any overlapping region that may appear becomes impossible according to binary logic, and a region of taboo in social experience. Moreover, such binaries often entail a rather violent hierarchy, in which one term of the opposition is always dominant over the other (*eg.* man over woman, public over private, power over powerlessness, English over Irish). Ní Cléirchín examines Ní Dhomhnaill's ability to speak from this area of taboo about painful and sometimes prohibited subjects like miscarriage, the darker side of motherhood while her poem 'Thar Mo Chionn', 'There But For the Grace', is concerned with teenage pregnancy in Ireland. Ní Dhomhnaill gives a voice to the voiceless, challenging the processes of patriarchy.

Sarah O'Connor's examination of Frances Molloy's picaresque novel *No Mate for the Magpie* concentrates on the adolescent female voice in its negotiation of discourses of power prevalent in that society. The novel is written in Northern Hiberno-English, the regional voice. Not only do

Molloy's characters speak in a non-standard language, with the narrator/protagonist recounting events through Northern Hiberno English, but Molloy *writes* in the deviant language. A novel written in a non-standard language challenges the notion that the standard, the ideal is superlative or even desirable, forcing the reader to reassess the ideal as the model. Dialect is an acoustic experience while writing is visual. Writing in dialect ensures that the words appear differently than if they were written in standard English. In *No Mate for the Magpie*, Molloy's language enacts the story breaking down the barrier between the spoken and the written creating a sense of the uncanny for the reader. Molloy creates a style which defies a binary view of the world by fusing centre and periphery. Dialect empowers Molloy to speak back against patriarchal and hierarchal institutions in society because O'Connor argues that it operates as a kind of secret code which is inaccessible to outsiders. In this light it can be a powerful weapon or coding device which offers the user a vantage point from which s/he can observe without being observed. Moreover, O'Connor links the use of dialect to gender issues. She offers a critique of Robin Lakoff's essentialist notion of a woman's language using William O'Barr and Bowman Atkins, suggesting that the regional voice corresponds to what O'Barr and Atkins term a 'powerless language' and is common to both women and men. *No Mate for the Magpie* is set in war-torn Derry, using the linguistic patterns of the Derry accent rather than standard English so that language becomes a means of enacting the relationship between centre and periphery.

Aintzane Legarreta Mentxaka's article is concerned with Kate O'Brien's 1936 *bildungsroman*, *Mary Lavelle*. Mentxaka argues that the character Mary Lavelle is an embodiment of the Irish Free State, as she searches for autonomy and direction, her beauty providing her with the means to achieve individuation. Mentxaka discusses the concept of beauty under three subheadings: patriarchal beauty, angelic beauty and modern beauty. While other critics interpret the trope of beauty as a perpetuation of the objectified, patriarchal representation of women, Mentxaka offers a radical re-reading of O'Brien's notion of beauty. Beauty, she argues serves a complex function, allowing O'Brien to dismantle convention. *Mary Lavelle* is rife with references to angelic beauty which, Mentxaka argues, challenge heterosexuality and homosexuality as separate categories. Moreover, O'Brien rewrites the biblical story of Sodom and Gomorrah, linking the *Mary Lavelle* to the most popular literary depiction of homosexuality and reminding the reader that the real 'sin of Sodom' was lack of hospitality. Mentxaka highlights the subversive nature of O'Brien's text which scandalised the Irish censorship board with graphic

descriptions of sexual encounters and promulgated anarchist and socialist agendas. Often categorized as a Romance novel, *Mary Lavelle*, defies and that definition. Indeed, Mentxaka suggests that O'Brien created in Mary Lavelle, a cyborg – hybrid of machine and organism. Donna Haraway's notion of the cyborg challenges feminists to engage in a politics beyond naturalism and essentialisms. Cyborg politics offers an alternative to identity politics, stressing that affinity results from otherness, difference and specificity. Haraway encourages us to shift our thinking of isolated individuals to thinking of people as vertices on networks. In this sense, a kinship can be developed that has nothing to do with Western, patriarchal ideals. Haraway's ideal 'cyborg world' consists of people living together, unafraid of their joint kinship with animals and machines. 'The political struggle is to see from both perspectives at once because each reveals both dominations and possibilities unimaginable from the other vantage point. Single vision produces worse illusions than double vision or many-headed monsters'.³

Riona Nic Chongail examines Agnes O'Farrelly's contribution to Irish language and culture during the state-building years of the early twentieth century. Nic Chongail acknowledges the forward-looking Executive Committee of the Gaelic League who not only appreciated the value of women within their movement, but also offered them a public, socially acceptable platform and encouraged their educational and literary pursuits. Nic Chongail's article conveys O'Farrelly's hugely important role in fostering Gaelic cultural activities from the early to mid twentieth century in both Irish and English. O'Farrelly, Nic Chongail explains, has been doubly marginalized because much of her Irish language writings and broadcasts—providing a rich insight into the Revivalists' vision of Irish Ireland vis-à-vis education, literature, politics and feminism—have been left to gather dust. Nic Chongail brings O'Farrelly's vision of a meritocratic bilingual Gaelic Ireland, in which women would be afforded the same opportunities as men, back into focus. Despite this idealistic vision of society, women's contribution to political debate in Ireland remained marginal.

There were, of course, notable exceptions. Jennie Wyse Power was an active member of the Irish Free State Seanad in the decades following independence. A strong female voice, Wyse Power made a strong contribution to parliamentary debates on legislation affecting women. However, despite being involved in Irish political life for over half a

³ Donna Haraway, 'A cyborg manifesto: science, technology, and socialist-feminism in the late twentieth-century' in *Simians, cyborgs and women: the reinvention of nature* (New York, 1991), pp 149-181, 155.

century, Wyse Power has since disappeared into relative anonymity. Donna Maria O'Connor seeks to revive Wyse Power's legacy by concentrating on her involvement with five pieces of legislation brought before the Seanad between 1925 and 1935. These were landmark bills, marking the government's desire to curtail women's participation in the public sphere by denying them equal rights and responsibilities with men. Jennie Wyse Power agitated for change on their behalf, ensuring that many restrictive and conservative bills were seriously contested and, in some cases, defeated in the Seanad. Wyse Power's impassioned and sympathetic arguments on behalf of unmarried mothers are also highlighted in O'Connor's article. Of particular note is Jennie Wyse Power's role as a member of the 1931 Carrigan Committee. Established to discuss controversial and taboo subjects surrounding sexual crimes and immorality, the report issued by the Carrigan Committee was eventually deemed too sensitive for public debate and its publication was suppressed. This article further contextualises recent discoveries relating to the enforced secrecy which surrounded the subject of female sexuality in twentieth century Ireland. In so doing, O'Connor ensures that the voice of Jennie Wyse Power is amplified and made public, illustrating that women were not simply a mute, disempowered and vulnerable majority within Irish society.

While the majority of women were marginalised from the realm of high politics, many arguably found comfort in the virtues of home and family life. Yet, despite being recognised by both the church and state as central to the home, women were not formally involved in the creation of housing policy. This disconnectedness between male elites and the average housewife forms the basis of Mary McCarthy's chapter on women and housing policy in Ireland. In doing so McCarthy reveals how government policy, informed by the 'technical' approach of male architects, failed to meet the needs of 'ordinary' women. McCarthy supports her argument by using architectural drawings of houses designed by both men and women. Unsurprisingly, the designs of male architects were favoured almost exclusively to those of women. Instead, Irish women were charged with the task of brightening these homes with their presence and by the tasks they performed within them.

However, despite the bias against them a number of women, aided by organisations such as the Irish Countrywomen's Association, were able to express their views. Competitions such as the Country Workers Ltd. rural design competition featured in the building industry periodical, the *Irish Builder and Engineer*. Although rare, these events allowed women to demonstrate their ability to produce plans which were logical, well thought

out and labour-saving for the woman of the house. In addition to design competitions, McCarthy demonstrates that women were able to contribute, albeit in a limited manner, to the formulation of housing policy during the post-World War Two period.

The state of Irish homes was also of moral importance. According to contemporaries, cramped living conditions and a lack of privacy were all factors which contributed to illicit sexual encounters and incest. In her article on women and infanticide in the Irish Free State, Cliona Rattigan's makes innovative use, records of infanticide trials involving single women in the Irish Free State, 1922-1949. These sources make the history of Irish sexuality during the time under discussion dramatically explicit. Using a series of case studies, Rattigan investigates the degree to which the testimony of unmarried mothers was controlled and influenced by investigators, prosecutors, members of the public. Rattigan exposes and overturns the debilitating stereotype pedalled by contemporary discourses which labelled the unmarried mother as a passive victim who had been seduced or led astray, the innocent giddy girl, the clever blackguard, or the immoral offender. The reality, she suggests, was far more complex.

Unmarried motherhood, like the experiences of women themselves, remains a complex and variegated subject matter. Women have been, and continue to be, both the sources and objects of charity. In his chapter on the Legion of Mary and unmarried motherhood in Northern Ireland, Christopher Shepard examines the efforts of women activists in the Legion of Mary to organise and operate a hostel for Catholic women who became pregnant out of wedlock. Based in Belfast, the Mater Dei Hostel was operated by the Mater Dei Praesidium of the Legion of Mary. As an institution it was unique in that it was the only voluntary and lay-run hostel in Ireland which was dedicated solely to serving the needs of Catholic unmarried mothers. By utilising new archival material made available by the Legion of Mary, Shepard is able to demonstrate how Catholic lay women were engaged in social voluntary work that, once the reserve of women religious and the Magdalen Asylum, was increasingly impinged upon by the post-war welfare state. Shepard's chapter reveals the complex interactions between women activists, unwed mothers and the expanding welfare state in Northern Ireland during years following the Second World War.

The essays contained in this volume are meant to highlight a range of new and exciting research taking place in Ireland on issues relating to gender. The research in this book emanates from a series of conferences held at the University of Limerick, University College Dublin and Queen's University Belfast which centred on the theme: 'Women in Modern Irish

Culture in Twentieth Century Ireland'. The editors wish to acknowledge the support of the Government of Ireland Higher Education Authority's North/South Programme for Collaborative Research, and the above mentioned institutions.

Finally, we hope that this book will be a valuable contribution to the literary, theoretical, historical and social study of women. Its essays are diverse and interdisciplinary, and as such, we feel that they further add to our understanding of the complex nature of gender interactions on the island.

SECTION I:
WOMEN AND SOCIAL POLICY

CHAPTER ONE

A DISSENTING VOICE: JENNIE WYSE POWER, AN EQUAL RIGHTS ADVOCATE IN THE IRISH FREE STATE

DONNA MARIA O'CONNOR

Jennie Wyse Power, as one of the many women whom Irish history has forgotten, was involved in Irish political life for a period of over 50 years - from her participation in the Land War of the 1880s, to her years as a Free State Senator. A member of the Gaelic League and *Inghinidhe na hÉireann*, Wyse Power was involved in the Gaelic revival and was one of the founders of Ring Irish College in Waterford. In addition to these affiliations, she had a life long commitment to tackling deprivation and served nine years on the Board of Guardians of the North Dublin Poor Law Union. Although she was also a leading figure in the women's suffrage movement, her most significant contribution to Irish political life was to nationalist politics. She was an inaugural member of Sinn Féin and prior to 1921 held the positions of vice president, honorary treasurer and honorary secretary at various periods. She was unanimously elected as the first president of *Cumann na mBan* and held this position until 1917. While these achievements are important, it is her involvement in the Free State Seanad that is the focus of this paper. The paper aims to explore the contribution made by Wyse Power to parliamentary debates on bills relating to women's position in Irish society. As a member of the Seanad, Wyse Power was without doubt the only woman, in either house of parliament, who consistently fought on behalf of women's rights. Her contribution ensured that many of the restrictive and highly conservative bills brought before the Seanad were defeated.

Following the deaths of Griffith and Collins, the Irish Free State government began to establish the institutions necessary for stable government. The new government was to be made up of two houses of

parliament¹, the Dáil and the Seanad. Members of the Dáil were to be elected by the people while 30 members of the Seanad were to be appointed by the government and 30 more appointed by the Dáil in a system of proportional representation.² The Seanad was established for the purpose of representing minority groups, pro-treaty and unionist opinion in Ireland. Jennie Wyse Power was appointed to the first Seanad as the President of the Executive Council's nominee in 1922. At the time of her entry to the Seanad she was a member of the Cumann na nGaedheal party³, thus representing the pro-treaty side. Although Wyse Power was appointed to the Seanad by the President of the Executive Council, the election process was later amended significantly, and by 1928 senators were elected by the Dáil and Seanad. As a member of the Seanad, however, Wyse Power had to take the oath of allegiance, something she fought staunchly against throughout her life. Her eagerness to be a part of the new Irish government and to represent Irish women in particular, can be the only reason that she accepted this stipulation. Along with Wyse Power, 3 other women were appointed to the first Seanad; Eileen Costello, who was a member of the Gaelic League and a Fine Gael candidate; Ellen Desart, Countess Dowager, a Jewish unionist and anti-women suffragist; and finally Alice Stopford Green the noted historian and Anglo-Irish Protestant. Of these only Costello spoke to any notable extent in the Seanad. In 1928 Kathleen Browne, a nationalist and member of the Blueshirts and Kathleen Clarke, prominent Sinn Féin member and widow of Thomas Clarke, signatory of the Proclamation of the Irish Republic, were appointed to the Seanad. Alice Stopford Green died in 1929 and Ellen Desart in 1933. All of the other women remained members until the end of Jennie Wyse Power's term in 1936.

In her time as a Senator of the Irish Free State, it could not be said that Wyse Power contributed to debates on every bill that came before the house but she was absolutely consistent in arguing her case on bills that related to certain issues. These issues were the poor law and poverty in general and the rights of women and children. Through legislation, the leaders of the fledgling Irish Free State continuously aimed at curtailing and deducting from the rights of Irish women. To women, like Wyse Power, who had fought alongside them in the long struggle to achieve self-government, this was a massive betrayal. This betrayal is tangible in the

¹ The houses of parliament were to be officially known as the Oireachtas.

² León Ó Broin, *Protestant nationalists in revolutionary Ireland: the Stopford connection* (Dublin, 1985), pp 192-3.

³ She later sat as both a Fianna Fáil candidate and again as an Independent.

arguments of Wyse Power and her determination to provide a voice for women is continuously evident.

This paper will focus on five pieces of legislation that came before parliament, during Wyse Power's time as a Senator. These bills are perhaps some of the most controversial of their time but they also give a good overview of Wyse Power's contribution to and influence in the Seanad. These bills are perhaps also indicative of the ideals of the Free State government in relation to women's place in society and their gradual construction of a new and more restrictive role for women.

The Civil Service Regulation (Amendment) Bill, introduced by Minister Ernest Blythe in November 1925, provides the first example of Wyse Power's contribution to debates on equal-rights legislation. The introduction of the bill was a direct response to a problem the government had encountered in August of the previous year, when they advertised competitive examinations for civil service posts to male candidates only. A potential female candidate challenged this, threatened legal action and eventually when the government conceded that their actions were indeed unconstitutional, the examinations were opened to women also. Within a year the government had drawn up legislation to prevent this from happening again. This legislation, if passed, would allow the Civil Service commissioners to confine examinations to one sex or another or even to dispense with examinations for certain jobs if they saw fit.

In both houses of parliament, the minister's arguments in favour of the legislation centred around two main points. Firstly, he argued that there existed a staffing problem in many departments. This problem would not be solved by employing women because: 'it is a recognised fact that there is a greater wastage amongst the women staff than amongst the men. Considerable numbers of women leave, for instance, to get married...'⁴ Therefore the government aimed to solve their staffing crises by employing men only and later, when full staffing had been achieved, they would re-open competitive examinations to women. The minister's other argument in favour of this legislation was that certain jobs were considered unsuitable for women and likewise others unsuitable for men. The government wanted to give the Civil Service commissioners the power to prevent either sex applying for certain jobs – of course this was aimed primarily at women. The minister argued that if this legislation was not introduced the door would be open for men to apply for positions as typists or telephonists and women to apply for jobs in Customs and Excise, the army, the police or post office sorters. The reaction in the Dáil

⁴ *Dáil Éireann debates*, 18 November 1925.

was varied, many argued that the legislation was retrogressive (women had been given equal citizenship in the 1922 Constitution), while others argued that the minister was bringing in legislation which would encourage 'jobbery'. However, the only woman TD in the Dáil, Margaret Collins O'Driscoll, sister of Michael Collins, was one of those who spoke in favour of the bill. Although she had been canvassed by 'very influential members of her sex' to vote against the bill, O'Driscoll stated 'I cannot see that it infringes our rights under the constitution in any respect', adding that 'the more I study this bill the more I see that I would be injuring my sex by voting against it'. The bill was passed in the Dáil on 11 December.⁵

In the Seanad, however, proceedings went somewhat differently. Of the four female members of the Seanad, two were not to enter the debate, (one of these being Countess Dowager, Ellen Desart, a well known anti-suffragist who famously commented 'women cannot have it both ways'), the third female member, Eileen Costello commented briefly against the bill but it was Jennie Wyse Power who spoke at length against the bill, arguing against every point Minister Blythe made in favour of its enforcement. The minister's argument that men were unsuitable for positions as typists and telephonists was met with comments from Wyse Power that these were the lowest paid grades, implying that these posts were not considered good enough for men to hold. A huge amount of debate centred on the question of whether women were fit for certain jobs. Arguing that the post of Civic Guard was unsuitable for women, one Senator commented: 'I was hoping that the extra delicacy of Irishwomen would be a deterrent', before adding that 'one could look at the matter from the point of view of the aesthetic consideration of their feet preventing them from taking up the post'. Wyse Power agreed that some jobs were physically unsuitable for women but argued that this should be approached with common sense, rather than legislation. Wyse Power stated: 'I do not think that women want to do things that they are physically unfit for, and I think men would have the same view'.⁶

She did, however, disagree that women were unsuitable for the position of Civic Guards, and argued that the small number of women employed by the police in Ireland had been a great success. She believed that the reason why women were not allowed to become police was due to the prejudice against them; a prejudice which legislators sought to maintain. Wyse Power claimed that it was hypocritical of men in

⁵ *Dáil Éireann debates*, 18 November 1925.

⁶ *Ibid.*, 11 December 1925.

government to state outright that women were not physically fit for the army or the police when;

and I say, with all respect to the present Executive Council, that many of them were not suitable either for the police or the army, but they aspired to administrative power, and they have more or less justified themselves in that. But there is no use in saying to women: "You are not fit for the army and the police," while they themselves may not be either. I think it fits both ways.⁷

In making her point, Wyse Power struck a swift and fitting blow to the egos of her male colleagues.

She argued that the proposed legislation would enable the government to keep women out of the higher ranks of the civil service, questioning the minister on how many women held positions at the various levels. She stated that of the current junior executive posts in the civil service, 451 were men and four were women, and that two of these women were appointed with the help of the Irish Women Citizen's and Local Government Association. She lamented the fact that this legislation was drawn up by a male Executive Council and a nearly all male Dáil without consulting women. In an inspiring speech she argued that if this kind of discrimination was to be carried out, it should never be done by a government which had relied upon women during the struggle for independence.

No men in a fight for freedom ever had such loyal co-operation from their women as the men who compose the present Executive Council. When they wanted messengers to go into dangerous places they did not call on members of their own sex. When they wanted auditors to go out when the old Local Government Board broke down it was women they sent. It was women inspectors that went round through all the Unions and did all the work for them in that terrible time when the whole British organisation practically ceased to operate, and these are the people who tell us that we are physically unfit. I regret that this has come from the men who were associated in the fight with women who played the part at a time when sex and money were not considerations.⁸

There can be no doubt that this and many of the other arguments put forward by Jennie Wyse Power had an influence on the voting in the Seanad that day. The bill was defeated by 20 votes to 9. However, this was a bittersweet victory for Irish women. The bill was eventually passed in

⁷ *Dáil Éireann debates*, 11 December 1925.

⁸ *Seanad Éireann debates*, 17 December 1925.

the Dáil, ensuring that its defeat in the Seanad only served to delay it for 12 months. Its course in the Dáil may have been doomed from the start. Women's equal rights organisations seemed aware that their greatest battle was in the Dáil. The Irish Women Citizens and Local Government Association sent circulars to all members of the Dáil urging them to reject the legislation and the National Union of Women Graduates lobbied the TDs. There was also a publicity drive by women's equal-rights groups, with letters appearing in all the major newspapers urging the public not to support the bill and ridiculing the government and minister Blythe alike. One letter penned by the Irish Women Citizen's and Local Government Association pointed out that although in Free State competitive examinations Irish nationality is a necessary pre-requisite, in those cases where appointments may be made without examination, aliens may be appointed. Therefore, they argued, that the same government that is empowered to employ aliens, is now anxious to prevent the employment of Free State women citizens.⁹

However, the actions of equal-rights advocates were to no avail. The absence of a respected speaker prepared to put forward a strong case against the bill no doubt had a huge influence on its failure to be defeated. It is likely that it also would have been accepted in the Seanad, had Wyse Power not influenced so many of her colleagues to vote against it. However, her victory in the Seanad was a bittersweet one, resulting only in its delayed enactment. Therefore, although the Seanad had won the battle in rejecting the bill, the Dáil had won the war in ensuring that the legislation would come into force 12 months later.¹⁰

In 1935 yet another bill was introduced by the Free State government to curtail the rights of Irish women. The Conditions of Employment bill was the government's attempt at improving working conditions and did, in general, contain positive and forward moving provisions. However, section 16 of the bill, would allow the government to completely prohibit the employment of women in certain industries and to fix a proportion of women allowed in others. As well as being a staggering attempt at curtailing the rights of women, the bill was seen by many as a lazy, quick fix to the problem of male unemployment. As a result, women's organisations banded together to fight against the bill. At a meeting of the Irish Women's Workers Union, Hanna Sheehy Skeffington protested that 'Mr Lemass's attitude was that of a fascist dictator', while other members

⁹ *Irish Times*, 24 November 1925.

¹⁰ *Seanad Éireann debates*, 17 December 1925.

of the union argued that women were driven into industry by economic necessity rather than choice.¹¹

In the Seanad, Jennie Wyse Power reiterated the arguments put forward by women activists. She argued that section 16 was aimed at ‘the daughters of the very poorest class of the community’ and these girls were driven to work out of sheer economic need and not for their own benefit. She attacked the common misconception that women who work do so in order to buy themselves ‘treats’ such as nice hats and shoes or cigarettes and alcohol;

There is one thing in connection with the earnings of girls. I think we may be sure—in fact we can guarantee—that what they earn goes directly into the home. They do not drink it or play “house” with it—they bring it home. It is to that very poor class this section will apply.¹²

The opinion that women’s earnings were secondary to men’s was a European wide phenomenon. According to Richard Evans, contemporary women’s earnings were assumed to be superfluous housekeeping money, rather than a main income, even in cases where the man of the house was unemployed.¹³

Addressing the restriction of women’s employment in certain areas of industry, Wyse Power again argued that women must carry out heavy duty industrial work due to economic necessity. In the following statement she also hinted at the naivety of the minister in these matters:

Restrictions are now before us in the matter of females, or women, in the matter of industry, and, during the course of the debate, I think it was the Minister who said that he saw a woman actually stoking a boiler. That was a terrible thing, but it did not seem to shock either the captains of industry or the chivalrous labour leaders into finding her a post more kindly than that of stocking boilers. I presume she still stokes a boiler. Why does she? Because she is physically fit and because it is a sheer necessity and because she takes lower money than a boiler man would get. But there she is, sticking it still. If she had been relieved, we should have heard about it. But she will remain there until Section 15 (a) is enforced, prohibiting the employment of female workers to do such forms of industrial work.¹⁴

¹¹ Margaret Ward (ed.), *In their own voice, women and Irish nationalism* (Cork, 1995), p. 183.

¹² *Seanad Éireann debates*, 11 December 1935.

¹³ Richard J. Evans, *Comrades and sisters: feminism, socialism and pacifism in Europe 1870-1945*, (New York, 1987), p. 2.

¹⁴ *Seanad Éireann debates*, 27 November 1935.

Wyse Power also criticized colleagues who believed that a woman's place is in the home. For example, when a fellow senator stated that women over 25 years of age should be married and in the home, Wyse Power cynically asked him 'where are the homes?', pointing out that, although the home is a fine place for women, men are unable to financially support their women or their homes. Quashing the idealism of another senator, Wyse Power stated:

The Senator who spoke held forth about the glories of the home and said the home was the place for women. Well, I hope he will set up a bureau to supply women with husbands and homes. That is his place.

For a woman like Wyse Power, who had spent nine years as a poor law guardian and was at this time a poor law commissioner, the realities of working class life in Ireland were all too vivid to allow these expressions of the ideal Irish woman to go unchallenged.

Her arguments against this bill, though powerful were somewhat tinged with hopelessness. She recalled the Civil Service Regulation Bill, saying that it was regrettable that the government had followed the last in pursuing a policy of restricting women's rights in the workplace. She expressed her lack of faith in her male contemporaries and the disappointment felt by Irish women towards the men they fought alongside to win independence. Looking back on the period immediately following the 1916 Rising she reflected:

These young girls kept constantly assuring me: "When our own men are in power, we shall have equal rights." They believed that. It may have been due to their lack of experience, but it was part of their faith. I do not know how they feel now... I am not like the little girls after the Rebellion; I have not complete faith.¹⁵

One can almost sense that she already knew what the outcome of this bill would be. Her hopelessness can certainly be attributed to her years of fighting against the sexist and retrogressive legislation which she probably never would have expected from men whom she had worked with for so many years. However, despite this perceived hopelessness she continued to argue against the bill, her final piece of advice to the minister being:

I want to tell a story that kept Dublin laughing 50 years ago, though I do not remember the incident myself. The Rathmines bus, with a full cargo of passengers, fell into the lock at Portobello Harbour. The excitement was

¹⁵ *Seanad Éireann debates*, 27 November 1935.

great. The people on the banks cried out “Save the women in the bus.” The lockman let the water into the lock and gradually the horses began to go down. The busman, in his anguish and anxiety for his employer’s property, called out “Damn the women, boys, save the mare!” That story kept Dublin rocking with laughter many years after the tragic incident...I hope that when these consultations between the Minister, the employers and the industrial workers take place the busman’s slogan will be forgotten.¹⁶

However, despite her convincing arguments and those of fellow Senator Kathleen Clarke, Wyse Power’s effort was in vain. Her arguments and those of equal rights feminists throughout Ireland were dismissed by Minister Sean Lemass as being largely misrepresentative of Irish women and unfortunately this was enough excuse for the members of both houses to accept article 16 of the bill.¹⁷ The passing of this bill was no doubt one of the darkest days for equal rights in the Irish state. The enormity of it resulted, according to Professor Mary Hayden, in the Free State being placed on a black list by the International Labour Organisation in Geneva.

Jennie Wyse Power’s fight for the citizenship rights of Irish women is documented on numerous occasions in the Seanad but it is perhaps the Juries Bill of 1928 which is the most notorious of these bills. The Juries Bill was the second of two pieces of retrogressive legislation which gradually succeeded in almost completely taking away the right of Irish women to sit on juries. Irish women had been given the right to sit on juries under the 1919 Sex Disqualification Act (UK) and subsequently granted equal status under article 3 of the 1922 Free State Constitution. In 1924, the government enacted legislation which enabled Irish women to be exempted from jury service on request, solely on the basis of sex. By 1927, the government argued that the exclusion of women altogether from juries would save them, both financially and in administration time, due to the number of women called for jury service who applied for exemptions. Contemporary women’s organisations, however, declared that the introduction of this bill had more to do with the state’s aims of curtailing the role of women in the public sphere than with cost cutting.

While equal-rights feminists were writing to newspapers, organising protests and generally rallying the troops, the Minister for Justice, Kevin O’Higgins, was pitching his case in the Dáil and Seanad. To say that he was not a friend of the feminist is a gross understatement. This view of women is a classic example of what we have now come to recognise as de Valera’s ideal of womanhood. His repetitive argument in favour of the bill

¹⁶ *Seanad Éireann debates*, 27 November 1935.

¹⁷ *Ibid.*, 14 January 1936.

was that the majority of women did not want to serve on juries, stating that to 85-90% of them found it distasteful.¹⁸ Jennie Wyse Power bluntly contradicted this and stated that many men did not particularly want to serve on juries either. She mentioned the frequency in which men in Dublin and the suburbs took houses in their wives names in order to avoid jury service and pointed out that: 'both men and women will come forward ready to do their duty but you will also find both men and women no so disposed'.¹⁹

O'Higgins continuously referred to 'women's organisations in Dublin', who were supposed to represent the women of Ireland but in his opinion forced their ideals of equality onto women who did not want it. He referred to the 'advanced propagandist women', no doubt making a personal jibe at Wyse Power, stating that although 'the Government refuses to dragoon their unwilling sisters into jury service', these women themselves have no grievance about it. His argument focuses on the opinion that those women who are 'carrying out the normal functions of womanhood in the State's economy' do not wish to be taken away from their homes to serve on juries. The minister speaks of expectant mothers, women with the care of young children and those with the charge of households as examples of those who fit into his definition of the 'normal' Irish woman. He states that the position of the normal male citizen eligible for jury service is essentially different from the position of the woman citizen, asserting that:

A man can be absent for a day, or a couple of days, from his household, as a rule, without any serious consequences accruing to anybody. He can lunch out, and it does not follow that the other members of his household have to do without their lunch.²⁰

However, as much as the minister must have infuriated Wyse Power and equal-rights activists with his statements, there was one more which took the proverbial biscuit. Believing that this legislation was, in his opinion, what most Irish women wanted, O'Higgins claimed, in what must have qualified as the most ironic statement of the day: 'I am really the champion of women in the State but I never expect to get any gratitude for that'.²¹ O'Higgins, it appears, wanted to go down in history as the man

¹⁸ *Seanad Éireann debates*, 30 March 1927.

¹⁹ *Ibid.*, 8 April 1927.

²⁰ *Ibid.*, 23 February 1927.

²¹ *Seanad Éireann debates*, 30 March 1927.

who took away Irish women's civil rights and at the same time be thanked by Irish women for doing so!

Wyse Power, in her usual style, did not resort to the sweeping claims and assertions of the minister but rather assessed the bill from a long term perspective. She speculated that 'if this bill becomes law the civic spirit that is developing in women will be arrested'. She stated that preventing women from serving on juries 'cuts at the very root of this development'.²² She recognised that much of this development is due to the fact that the men who led political movements in the past 50 years 'utilised' women in order to achieve their political aims. She stated that these women were thrust out to do work they had never done before and gradually came into public life. She 'deplores the minister's attitude in this matter' because he was 'doing an injustice to what really is a necessary asset to every state, the co-operation of its men and women'.²³ Again on this occasion, as on so many others during her time in the Seanad, she mentioned the way that Irish men (mis)treated their female contemporaries in the national movement, on this occasion she refers to their 'utilisation' of women.

One of the proposed amendments to the Juries Bill, which would eventually be included in the final draft, was to allow a voluntary panel of women jurors to be drawn up. This would allow women who wished to serve on juries, to come forward and put their names on a list, from which they may be selected for jury service. Jennie Wyse Power did not accept that the establishment of this voluntary panel was an adequate substitute for the current system, which automatically gave women the right to sit on juries. She stated that the voluntary panel would place women in the most insidious position as jurors that they could possibly be placed in. She goes on to say that should a woman who has put her name on the panel ever require an exemption from jury duty, it would be a most difficult situation. Wyse Power went on to argue that women jurors were a necessity in cases where a woman is on trial. She backed this up by stating that all of those who have given consideration to cases where women were in the dock have come to the conclusion that a proportion of women should be on the jury in such cases.

Many other members of the Seanad argued it was women's duty to perform jury service - they have been given full citizenship and therefore should perform all of the duties of citizenship. Senator Eileen Costello was the other female member of the Seanad who spoke out against the bill. Her opinion was that women had a duty to fulfil as Irish citizens;

²² *Seanad Éireann debates*, 30 March 1927.

²³ *Ibid.*

I think if women are to take their part as citizens, these duties should be put upon them and enforced, because that is the only way they can be educated into good citizenship.²⁴

Many other senators presented similar arguments, with some adding that if women were obliged to pay taxes, they should be obliged to carry out the same duties of citizenship as men.

A widespread campaign was carried out by women's groups throughout Ireland. As a result, letters appeared in national newspapers daily, urging the public and members of the Dáil and Seanad to reject the proposed legislation. Rosamund Jacob wrote to the *Irish Times* protesting that the legislation infringed on the rights given to Irish women under the constitution and added:

It is unjust to male jurors to prevent women from taking their share of the duty, and pre-eminently unjust to women under trial, who are thus denied the right to be tried by their peers.....The whole thing, including the delight of the press over the proposed change, is of great psychological interest as a manifestation of the fear of women that lies so deep in the average masculine mind.²⁵

In addition to letters to newspapers, women's organisations organised protests and issued statements against the bill, such as this extract from a resolution of the Irish Women Worker's Union:

as men and women are alike liable to stand in the dock as offenders against the law, it is just and right that the question of their guilt should be submitted to juries consisting of both men and women; and that, as in the case of families, judicious treatment of sons and daughters demands the combined wisdom of the mother and father, so in the case of offenders against the law, justice and mercy can be assured only through the combined wisdom of men and women jurors.²⁶

However, despite the arguments of Wyse Power, likeminded politicians and women's organisations, the bill was passed in both the Seanad and the Dáil. One small provision was included, aimed at keeping the 'advanced propagandist women' quiet, which allowed women to voluntarily put their names on a panel, from which they may be selected for jury service.

²⁴ *Seanad Éireann debates*, 8 April 1927.

²⁵ *Irish Times*, 16 February 1927.

²⁶ *Ibid.*, 28 February 1927.

During her time as a Senator, Jennie Wyse Power was also a consistent supporter of the rights of women (and children) in social and so-called private matters. Her interest in and support for the wellbeing of unmarried mothers was roused with the introduction of the 1929 Illegitimate Children (Affiliation Orders) Bill. The bill's intention was to make the father of a so-called illegitimate child responsible for the maintenance of that child in as far as possible. She pointed out that the bill is 'the most welcome one that has been received in this house and that the minister will receive congratulations on having introduced it'.²⁷ She stated that it has been long delayed and has been under consideration practically since the government came into existence. She also commented that women's organisations and religious groups had been campaigning for five years to have legislation of this kind introduced and Wyse Power acknowledged their efforts also.

However, it is her impassioned arguments for the '*in camera*' clause that stand out in the debates on this bill. Wyse Power argues that when a woman goes to court to seek maintenance for her child, it should be done in an '*in camera*' setting – in other words in a private court case where members of the public are not present. As Wyse Power describes it herself;

The whole feeling underlying this hearing '*in camera*' is that a girl would be induced to give her evidence in open court without people looking and gaping at her.²⁸

Many Senators agreed that court cases such as these often attract large public crowds who gather at the court to revel in the predicament of the unfortunate girl. Senator Kathleen Browne stated that most girls:

would rather die than face a public court, where they would be held up to the contempt of all the loafers and idlers who would go to the court to gloat over their misery.²⁹

Wyse Power had in her possession documentary evidence from several religious institutions that dealt with unmarried mothers, all of which concluded that the majority of mothers would seek maintenance for their child if they could give evidence *in camera*. Acknowledging the fear that many young women in this situation would feel towards legal proceedings she argues that 'when the mother is young and friendless, the district justice should have the power to arrange for a suitable woman to

²⁷ *Seanad Éireann debates*, 19 March 1930.

²⁸ *Ibid.*, 7 May 1930.

²⁹ *Ibid.*, 19 March 1930.

accompany her to court and remain with her while she gives evidence'. Wyse Power also noted that from her own experience of dealing with social workers, it is very difficult to get girls to go into court at all and so she believes that this bill should include as many provisions as possible to make the process easy for the young mother. Another argument put forward by Wyse Power, connected to the 'in camera' clause, was that the press should not be allowed into court during the case. She stated that a girl should be able to speak in court knowing that her evidence would not appear in the local paper. She also believed that this advantage should also be given to the man involved in the case, stating that senators should think of both sides of the question. She reminded senators of Abraham Lincoln's phrase that 'there never was a woman went astray but there was a man to help her', although she did point out that she believed that the man was the greater sinner in these situations.³⁰

Her empathy for these young women was, however, certainly not universally felt in the Senate. Many of her male colleagues argued against the *in camera* clause arguing that it would enable blackmailing of innocent young men, a fear that appears to have been rampant in contemporary Ireland. Minister Fitzgerald-Kenney was against the provision of *in camera* cases, stating that in his experience of working in county courts, he never came across a single example of a girl who was deterred from going to court for fear of publicity:

What is the argument against having these case heard in public? Is it that these girls are shy, or that they fear that they will lose their reputation? No. The girl's reputation is gone.³¹

Other senators argued that women who had been involved with several men would use this clause not to gain maintenance from the father of their child, but from the wealthiest man that she had been involved with. As was pointed out by a male senator:

We should provide for the number of young women – possibly a small number – who have suffered, perhaps through their own fault, from having relations with more than one man. I think we all know that there have been cases where the man who has been selected to be made the putative father is generally a man who is mostly likely to be able to pay the largest

³⁰ *Seanad Éireann debates*, 7 May 1930.

³¹ *Ibid.*, 19 March 1930.

affiliation amount.³²

The Minister for Justice pointed out that all girls were not virtuous, men were not always responsible when girls fall and that there were a considerable number of immoral women in the world. When speaking in relation to possible blackmailing, the minister displayed his blatant biases:

I do not say that would happen in the case of a respectable woman whose daughter fell by accident. There are, however, certain classes of people and illegitimacy seems to be almost hereditary with them. The mothers are illegitimate. In my opinion an illegitimate mother who has got an illegitimate daughter, would be just the very type of person who would urge that daughter to bring a charge of that kind.

However, Jennie Wyse Power, using her years of experience in the poor law system, cut the minister down to size by responding that:

It is probable that the members of the Dáil and the members of this house have had more experience outside the courts in dealing with the people who will come under this bill than the minister has had. The minister's experience of them is confined to the courts. People in organisations outside, as well as members of the Dáil and the Seanad, hold different views to those expressed by the minister on the matter of having these cases heard in camera.³³

Although there were a few amendments included in the bill which Wyse Power disagreed with, she achieved her goal and the Seanad voted to include the *in camera* clause in the bill. Her suggestion that the mother or another female friend of the girl seeking the affiliation be allowed to accompany her, was also adopted into the bill. These were significant achievements considering the minister for Justice himself was against the inclusion of the *in camera* clause and also considering the highly conservative mentality displayed by many male members of the Seanad. In one of very few examples of socially progressive legislation in the Free State, the bill was passed in the Seanad, also in the Dáil and finally enacted in 1930.³⁴

Wyse Power's involvement in legislation relating to social issues came to the fore once again with the introduction of the Criminal Law Amendment Bill in 1934. The Criminal Law Amendment Bill was yet

³² See the contribution of Senator McGillicuddy of the Reeks, *Seanad Éireann debates*, 19 March 1930.

³³ *Ibid.*, 19 March 1930.

³⁴ *Ibid.*, 7 May 1930.