

## **How did the Irish Free State's efforts to regulate sexuality (and its motivations for doing so) compare with trends elsewhere in interwar Europe?**

**Keywords:** Nation-building, demographic nationalism, pro-natalism, moral degeneration, corporatism, politics of sexuality.

**Abstract:** When viewed in isolation, the strict regulation of sexuality in the Irish Free State (IFS) is commonly concluded to be a uniquely Irish Catholic phenomenon. In this assessment, the puritanical emphasis on sexual purity in the IFS is seen as an attempt to define the IFS as a pious, chaste, and Catholic nation. Due to these credentials, the IFS could legitimately claim its right to self-governance as in contrast, Britain was a materialistic, sexually immoral, and Protestant nation. In the wake of a civil war which had thrown doubt on the pious credentials of Ireland's Catholics, the continual reassertion and maintenance of a strict moral code became all the more important. However, religious and secular elites in the IFS did not regulate sexuality with sole reference to this nation-building discourse, rather politicians and clergy in the IFS were not immune to influences from the rest of interwar Europe. In continental Europe especially, the regulation of sexuality was a key aspect of healing the demographic wounds inflicted on populations during WWI. Remedying the effects of this war through pro-natalist measures aimed at increasing population size was thus crucial as the possibility of another war became all the more apparent. European governments, therefore, shared some key objectives in the regulation of sexuality with the IFS, such as; the criminalisation of divorce and contraception. However, evidently, the IFS did not share the same motivations for the regulation of sexuality as these other European governments. Therefore, the regulation of sexuality in the IFS should be assessed in relation to other European movements for the regulation of sexuality such as; Catholic corporatism. By accounting for the various European influences on the regulation of sexuality in the IFS, this essay shall reveal a more nuanced and comprehensive understanding of attitudes to sexuality in the IFS.

## **How did the Irish Free State's efforts to regulate sexuality (and its motivations for doing so) compare with trends elsewhere in interwar Europe?**

In the Irish Free State, secular and religious elites assumed the regulation of sexuality as a key prerogative of their nation-building exercise. The Catholic Church viewed the legislative powers of the state as an essential tool for the inculcation of a Christian, chaste, and morally pure sexuality among their flock. Although there were some significant aspects of disagreement, the state largely acquiesced in this moral crusade viewing Catholic morality as a means to enable 'politicians to eschew party affiliation and seek unanimity through religious conformity'<sup>1</sup> in the wake of a bitterly divisive civil war. Indeed, the devastation caused by the Civil War had left a profound sense that Ireland 'still awaited its moral reconstruction'<sup>2</sup> among the architects of the newly independent nation. This moral reconstruction was embodied in the legislation enacted to combat sexual immorality in the interwar period. The Censorship of Publications and Films Acts (1930), the Legitimacy Act (1931), the Dance Halls Act (1935), and the Criminal Law Amendment Acts (1935) were all symbolic of the state's attempts to stem the perceived moral degeneration of the Irish Free State's citizenry. In this way, moral regeneration became an essential aspect of 'post-independent Ireland's national imaginary'.<sup>3</sup> Since the nineteenth century, nationalist and religious iconography had combined to depict Ireland as Erin, a vulnerable virgin who was 'tormented by the bullying rapist of Britain'.<sup>4</sup> While the men of Ireland were seen to embody the warrior 'spirit of the ancient Gael'<sup>5</sup> and should combine their physical fitness and patriotism to defend their beleaguered national mother. Thus, moral regeneration meant engendering a nation of chaste, motherly women and virile, bellicose men. This was clearly expressed in 1926, by Rev. Dr. Gilmartin, Archbishop of Tuam, who preached that 'a holy and Catholic Ireland'<sup>6</sup> was 'an Ireland of brave, manly boys, and an Ireland of pure, modest girls – an Ireland of honest toil, an Ireland of happy marriages'<sup>7</sup>. Therefore, the inculcation of morally pure sexual behaviour was an essential national imagining device in the formative years of the Irish Free State.

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<sup>1</sup> James M. Smith, 'The Politics of Sexual Knowledge: The Origins of Ireland's Containment Culture and the Carrigan Report (1931)' in *Journal of the History of Sexuality*, Vol. 13, No. 2, (Apr, 2004), p. 210.

<sup>2</sup> Mark Finnane, 'The Carrigan Committee of 1930-31 and the 'Moral Condition of the Saorstát' in *Irish Historical Studies*, Vol. 32, No. 128, (Nov, 2001), p. 524.

<sup>3</sup> Smith, 'The Politics of Sexual Knowledge', p. 209.

<sup>4</sup> Alan Finlayson, 'Sexuality and nationality: gendered discourses of Ireland' in Terrell Carver and Véronique Mottier (eds.) *Politics of Sexuality: Identity, Gender, Citizenship* (New York, 1998), p. 92.

<sup>5</sup> *Ibid.*, p. 93.

<sup>6</sup> Maria Luddy, *Prostitution and Irish Society, 1800-1940* (Cambridge, 2007), p. 196.

<sup>7</sup> *Ibid.*, p. 196.

However, the Irish Free State was not unique in its preoccupation with sexual and moral degeneration in interwar Europe. Just as the outbreak of mass violence had caused seismic shocks through traditional patterns of life in the Irish Free State, European society had also been convulsed by the cataclysmic effects of the First World War. The War had utterly devastated Europe, the main belligerent nations had suffered catastrophic losses in the trenches dramatically reducing their male populations, and in consequence causing marriage rates and population growth rates to decline sharply. Mark Mazower estimates that ‘somewhere above eight million men lost their lives in the First World War’<sup>8</sup> with France losing ‘one in ten of its active male population’.<sup>9</sup> Therefore, it was not without justification that Magnus Hirschfield labelled the war ‘the greatest sexual catastrophe ever suffered by civilised man’.<sup>10</sup> In interwar European society, normal patterns of sexual relations were truly thrown into disarray by the War. To remedy the effects of this sexual catastrophe, European governments attempted to regenerate their battered societies by taking a more active role in the regulation of sexual behaviour. These regulatory measures eschewed ideological considerations and were encapsulated in what has been termed ‘the politics of the family’.<sup>11</sup>

The politics of the family sought to regulate sexual behaviour through the reassertion of traditional gender roles. This was motivated by the desire to increase population size in order to prepare for future military engagements. This demographic nationalism was a key concern in a Europe battered by one war and rightly anxious about the possibility of another. Such a concern was embodied by the words of French Prime Minister, Georges Clemenceau, who warned that, ‘if France stops producing large families... France will be lost, because there will be no more Frenchmen’.<sup>12</sup> As a result of these fears, pro-natalist measures were adopted in order to make female contribution to the state a matter of producing healthy children who could one day fight for their country or work for further repopulation. Maternity became ‘the patriotism of women’<sup>13</sup> as in France where the government awarded bronze medals to mothers who gave birth to five children and gold medals for those who gave birth to ten.<sup>14</sup> The Nazis also initiated their own plea to the motherly duties of women by awarding

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<sup>8</sup> Mark Mazower, *Dark Continent: Europe's twentieth century* (London, 2002), *Ibid.*, p. 79.

<sup>9</sup> *Ibid.*, p. 80.

<sup>10</sup> *Ibid.*

<sup>11</sup> J.M. Winter, ‘War, Family, and Fertility in Twentieth-Century Europe’ in John R. Gillis, Louise A. Tilly, and David Levine (eds.) *The European Experience of Declining Fertility, 1850-1970* (Cambridge, 1992), p. 292.

<sup>12</sup> Sian Reynolds, *France between the wars: Gender and Politics* (London, 1996), p. 18.

<sup>13</sup> Mazower, *Dark Continent*, p. 82.

<sup>14</sup> *Ibid.*, p. 84.

‘Mother Crosses’<sup>15</sup> with the words; ‘the child honours the mother’<sup>16</sup> inscribed on its back. Even the modern Mother’s Day has its origins in this frenzy for maternity of the 1920s.<sup>17</sup> Consequentially, anything which threatened the mother’s patriotic service was outlawed; abortion, contraception, and divorce all became disembodied but highly dangerous public enemies. As women were being cast in traditional maternal roles, traditional male family roles also became stressed. Men were viewed as the family breadwinner and were implored to work for repopulation by becoming a strong and virile representation of their nation’s strength. To this end, states proposed national and racial paradigms for men to aspire to. Engineering better ‘racial hygiene’<sup>18</sup> through physical fitness and the promotion of sports became a crucial prerogative for states across Europe. Such a preoccupation with social engineering was to even extend to dark clinics of eugenicists, which could find no other recourse for those who endangered the health of the nation’s gene pool than asylums, sterilisation, and euthanasia.

Thus, Rev. Dr. Gilmartin’s plea for ‘an Ireland of brave, manly boys, and an Ireland of pure, modest girls’<sup>19</sup> may seem to accord with European trends on the control of sexual behaviour. However, although the Irish Free State’s attempts to regulate sexuality coalesced with the rest of Europe in terms of its objectives, the motivations of the Irish Free State’s efforts to regulate sexuality did not accord with the phenomenon of European demographic nationalism or eugenics. As Senia Pašeta rightly remarks, the Irish Free State regulated sexuality ‘with little or no recourse to the demographic and eugenic concerns and debates that underpinned similar legislation in continental Europe. In Ireland, moral concerns were paramount’.<sup>20</sup> In the Irish Free State, the Catholic morality of the religious and secular elites imposed sexual behavioural norms in line with a more abstract nation-building discourse bound up with representations of sexuality and gender. This more pronounced desire for moral correction rather than demographic manipulation is reflected in the particularly punitive response adopted by Irish Free State in regards matters of sexual deviancy. This punitive attitude is particularly evident in the deliberations of the Carrigan Committee which culminated in the Criminal Law Amendment Acts (1935).

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<sup>15</sup> Michelle Mouton, *From Nurturing the Nation to Purifying the Volk: Weimar and Nazi Family Policy, 1918-45* (Cambridge, 2009), p. 125.

<sup>16</sup> *Ibid.*, p. 125.

<sup>17</sup> Mazower, *Dark Continent*, p. 84.

<sup>18</sup> *Ibid.*, p. 93.

<sup>19</sup> Luddy, *Prostitution and Irish Society*, p. 196.

<sup>20</sup> Senia Pašeta, *Modern Ireland: A Very Short Introduction*, (New York, 2003), p. 100.

The Carrigan Report caused serious anxieties among secular and religious elites in the Irish Free State. It evidenced a clear discrepancy between the fictional notions of Irish sexual purity and the actual condition of the Irish Free State. The evidence provided to the committee by the Commissioner of Garda Síochána, General Eoin O’Duffy, of rising illegitimacy rates, alarming rates of sexual crimes such as rape, incest, prostitution, and sexual crimes committed against children conveyed a citizenry in need of sexual and moral correction. As O’Duffy was later to say of the need for moral regeneration among the Irish Free State’s citizenry; the ‘people must be saved, almost in spite of themselves’.<sup>21</sup> This corrective attitude of O’Duffy was reflected by the punitive nature of the Carrigan Report’s legislative proposals. Such proposals even included flogging as a punishment for those convicted of perpetrating sexual crimes against young people.<sup>22</sup> Although this suggestion was not enacted in the Criminal Law Amendment Acts, the report’s suggestion for a ban on contraception was passed and the legislation included ‘a public indecency provision which aimed to protect the “morals of the community”’.<sup>23</sup> Furthermore, its companion legislation, the Dance Halls Act, introduced a licensing system for dance halls in order to prevent the sexual promiscuity associated with what one committee member described as ‘schools of scandal’<sup>24</sup>.

The corrective agenda displayed by the Carrigan Committee highlights that the Irish Free State ‘was not so much unique as lying at one end of the spectrum of countries concerned with the regulation of sexuality’<sup>25</sup> in interwar Europe. The Carrigan Committee’s members were concerned with matters of moral and sexual degeneration due to its perceived erosion of the moral capital required for the nation–building discourse of the new state. As the only newspaper coverage of the Carrigan Report saw it; the committee’s terms of reference were ‘to wage war on immorality’,<sup>26</sup> rather than find better ways of waging physical war through the promotion of traditional sexual behaviour. However, this panic surrounding sexual and moral degeneration did not merely reflect the Irish Free State’s unique nation-building discourse. The Carrigan Report’s obsession with the perceived modern conduits of moral and sexual immorality; dance halls, motor cars, and cinemas actually reflected a separate

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<sup>21</sup> Fearghal McGarry, ‘Violence, Citizenship and Virility: The Making of an Irish Fascist’ in *History Ireland*, Vol. 13, No. 6, (Nov-Dec, 2007), p. 33.

<sup>22</sup> Smith, ‘The Politics of Sexual Knowledge’, p. 214.

<sup>23</sup> Finnane, ‘The Carrigan Committee of 1930-31’, p. 521.

<sup>24</sup> *Report of the committee on the Criminal Law Amendment Acts (1880-85) and juvenile prostitution* (Dublin, 1931), C.16.

<sup>25</sup> Finnane, ‘The Carrigan Committee of 1930-31’, p. 524.

<sup>26</sup> *The Irish Press*. 4<sup>th</sup> March 1932.

European discourse on sexual behaviour than the secular pro-natalist and eugenicist concerns of many European governments. This specifically moral concern surrounding sexual behaviour existed within a Catholic and reactionary movement in interwar Europe in which Irish Catholicism was a highly motivated and vociferous participant. Although this discourse agreed with some secular efforts to regulate sexuality, there were very significant elements of disagreement which stemmed from traditional Catholic beliefs that were reiterated in papal encyclicals during the interwar period.

Pope Pius XI's *On Christian Marriage* (1930) was one such encyclical which promulgated the Catholic belief in sexual chastity and the protection of the family which was described as 'the very fountainhead from which the State draws its life...'.<sup>27</sup> Most secular authorities would not have disagreed with this doctrine during the interwar period, but Catholicism's belief in the fundamentality of the family went beyond the desire of demographic nationalism to produce large families. The Catholic concern for the rights of the family reflected a corporatist movement within European Catholicism which sought to replace the individual with the family as the fundamental political unit in society. Corporatism also sought the delegation of power from the secular state to the Church and civil society. This desire led Pope Pius to criticise the eugenicist concerns of secular governments in Europe as a desire to 'arrogate itself a power over a faculty which it never had and can never legitimately possess...'.<sup>28</sup> Thus, although Catholic corporatism shared a common hostility to contraception, divorce, and abortion with secular European governments in the interwar period, it was opposed to secular interference and manipulation in the family. As various influential Catholic intellectuals in the Irish Free State supported corporatism, this provides a partial explanation for why the regulation of sexual behaviour in the Irish Free State was not concerned with eugenics or demographic nationalism. In fact, corporatism had a tangible influence on the Irish Free State's efforts to regulate sexuality and the nation-building exercise. For example, Fr. Edward Cahill was a leading advocate of corporatism in the Irish Free State and wrote in the Jesuit journal, *The Irish Monthly*, that 'the State is essentially a union of families'.<sup>29</sup> As Cahill was also a close friend of Éamon de Valera and a member of the Jesuit Committee which advised de Valera on the drafting of the 1937 constitution,<sup>30</sup> it

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<sup>27</sup> Pope Pius XI, 'On Christian Marriage [31 Dec, 1930]' in Anne Freemantle (ed.) *The Papal Encyclicals in their Historical Context* (New York, 1956), p. 243.

<sup>28</sup> *Ibid.*, p. 241.

<sup>29</sup> Fr Edward Cahill, 'Notes on Christian Sociology. V: The Family. (A) General Principles' in *The Irish Monthly*, Vol. 52, No. 614 (Aug, 1924), p. 408.

<sup>30</sup> Dermot Keogh and Andrew J. McCarthy, *The Making of the Irish Constitution 1937*, (Cork, 2007), p. 95

follows that politicians in the Irish Free State regulated sexuality with at least some reference to Catholic corporatism.

However, it would be wrong to wholly attribute the Irish Free State's efforts to regulate sexuality with the corporatism of Catholic Europe. As previously outlined, corporatism also entailed the delegation of authority from the state to civil society. Evidently, neither de Valera nor any other prominent politicians in the Irish Free State could countenance such a relinquishment of power from the state authorities. This meant that corporatism was not actually as amenable to the Irish Free State's nascent government as its proponents in the Catholic Church deemed it to be. Therefore, the architects of the Irish Free State did not see the regulation of sexuality as exclusively an obligation from their Catholic faith; rather due weight must be given to the uniqueness of the Irish Free State's nation-building discourse. This nation-building discourse adopted a punitive attitude to the regulation of sexual behaviour in order to enforce the mythical notions of sexual purity embodied in Irish cultural nationalism. Whether this was the chaste, motherly qualities of Erin or the virile patriotism of the ancient Gael, the Irish Free State's citizenry were subject to a campaign which attempted to enforce conformity to the prescribed national imaginary. Even when the Carrigan Report evidenced the harsh reality behind this imaginary, regulatory measures were futilely intensified, a fact which is proof of Eric Hobsbawm's observation that nationalist imaginaries entail a 'belief in what is patently not so'.<sup>31</sup>

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<sup>31</sup> Eric Hobsbawm, *Nations and Nationalism: Since 1780* (Cambridge, 2012), p. 12

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