The changing face of Catholic Ireland: Conservatism and liberalism in the Ann Lovett and Kerry Babies scandals


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The cases of Ann Lovett, a fifteen year old girl who died after delivering a stillborn baby, and the Kerry babies, infants who had been murdered and found within a week of one another, created space, for the first time in Irish history, for a wide-scale discussion of the issues that divided Irish society into conservative and liberal camps, and it was the media that facilitated and fueled the discussion. While the public reaction to Lovett's death was sensitive, self-conscious, and introspective, the people who protested the government tribunal's treatment of Joanne Hayes, mother of the second Kerry baby, objected to the notion that the government had the right to dictate moral codes and hold up to public scrutiny those who strayed from the norm. Recent legalizations of divorce and abortion indicate Ireland is basing their morals now not on how they think things should be, but rather on how they know things are.

Full Text (9645 words)

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In September 1983 Irish people went to the polls and voted in favor of a referendum embedding a
ban on abortion within the Irish Constitution. Although the success of the referendum may not be surprising in a country where the Catholic Church was still recognized as the arbiter of moral standards and values, the referendum passed by a smaller majority than its supporters had anticipated, and less than 50 percent of the electorate turned out to vote. The push for a referendum surfaced not in response to changes in the abortion law or even from an organized movement to legalize abortion; rather, a small group of conservative politicians and Catholic leaders feared that Irish law eventually would be superseded by European law and abortion legislation thus would be imposed on Ireland from without. They insisted that a constitutional amendment was the only way to preserve Ireland's distinctive moral foundation in the midst of a secularizing trend within Irish society and a growing exposure to "foreign" cultural, political, and moral influences resulting from Ireland's entry in 1973 into the European Economic Community (now the European Union). Some of those who opposed the referendum might have regarded abortion as immoral, but nonetheless they viewed the pro-life stance articulated by anti-abortion activists as hypocritical and untenable given the refusal of both church and state to recognize unmarried mothers and their children as deserving of the respect, dignity, and benefits extended to married mothers, or to hold men equally responsible for illegitimacy and perceived immorality. There was also a fundamental tension between the surface opposition to abortion and the fact that thousands of Irish women annually sought legal abortions in Britain.

The referendum debate reflects the tension within Irish society between the traditional conservatism of the first half of the twentieth century and the "liberal" trends that accompanied Ireland's entry into the European Economic Community. From the 1960s on, Ireland was exposed to "foreign" feminist principles and cultural influences that challenged traditional assumptions about women's appropriate social roles and that began to undermine the church's moral authority. The abortion referendum movement represented both a retreat into conservatism and a backlash against the feminism inherent in some of the legislative initiatives of the 1970s. On the eve of the abortion referendum, Irish women's existence increasingly extended beyond the "traditional" arenas of home and church, but they continued to be defined by church and state leaders in maternal terms that reflected adherence to Catholic moral principles and the "sacredness of the family" enshrined in the 1937 Irish Constitution. The language of the amendment was ambiguous in its protection of women's rights, appeared to value the potential life of the fetus more highly than the actual life of the mother, and suggested that referendum supporters still viewed married motherhood as a woman's most legitimate and important social function.

In spite of the apparent liberalism of the 1960s and 1970s, Ireland remained a "Catholic country": the overwhelming majority of Irish people subscribed to the Catholic faith and regarded themselves as practicing Catholics. Most people also continued to accept the principle of Catholic moral authority, even if some men, and women in particular, were beginning to exercise an individual conscience where their own sexual and reproductive activities were concerned. Two events in 1984, the death of Ann Lovett and the "Kerry babies" scandal, shattered the complacency of a society that had rarely questioned its moral underpinnings, and brought firmly into focus the schisms between the "old" and "new" Irelands. Their occurrence within months of each other, and on the heels of the 1983 abortion referendum, represented a pivotal moment in the tension between the Catholic conservatism that prevailed into the 1960s and the slow transition to liberalism that first became evident in the 1960s and 1970s. The death of Ann Lovett and the "Kerry babies" affair facilitated a public airing of these tensions and conflicts—between the image of Catholic Ireland that prevailed at the national level, and the realities of moral and sexual behaviors and attitudes at the local level; between those segments of Irish society who embraced the changes of the 1960s and 1970s, and those who found them frightening and threatening; between blind faith and individual conscience; and between the right and responsibility of the community to regulate the behavior of its members, and the individual's right to privacy.

In January 1984, Ann Lovett, a fifteen-year-old convent schoolgirl, gave birth outdoors, in a grotto dedicated to the Virgin Mary, in Granard, County Longford. According to postmortem reports, Lovett's baby was stillborn, having died of asphyxia in the process of childbirth. Lovett later died of exposure and hemorrhage after spending over four hours lying on the cold, damp ground, unprotected from the wind and driving rain. Lovett's death shocked and saddened people in her community and throughout the country. Those close to her claimed ignorance of her pregnancy and insisted that every aid would have been extended had they known. An inquest revealed that many people did, in fact, know that Lovett was pregnant but believed it to be none of their business.
Rumors circulated through the town that Lovett's pregnancy was the result of incest, although these rumors have never been confirmed.6 Lovett's pregnancy and death confronted small-town Irish society with a host of issues that were not new in the 1980s: incest, teenage sexuality, and unwed motherhood. What was new in 1984 was the very public way that the community was forced, by one young girl's personal and painful dilemma, to wrestle with how it defined right and wrong, inclusion and exclusion, punished transgressions from the norm, and negotiated the limits of a community's responsibility for its most vulnerable members.

Two-and-a-half months later, in April 1984, the stabbed and badly beaten body of a baby boy was found washed up on a beach in Cahirciveen, County Kerry. The grisly discovery sparked a countywide investigation that reverberated throughout the nation. The "Kerry babies" case, as it became known, captured the Irish imagination the way few events in recent years had, inspiring a film, several books, and countless pages of newspaper commentary. The reference to "Kerry babies" refers to two babies found within fifty miles and one week of each other: the baby washed up on the beach in Cahirciveen, and Joanne Hayes's baby, discovered on her farm in Abbeydorney, County Kerry. Joanne Hayes, the woman at the center of the garda (police)7 investigation, became a feminist symbol of what happens when a woman transgresses the codes of moral and maternal behavior established by the Roman Catholic Church and the Irish state. Hayes, an unmarried woman, became pregnant by a married man. She gave birth at home to what she claimed was a stillborn child. Although forensic evidence confirmed that Hayes was not the mother of the baby discovered at Cahirciveen, nor was there evidence that she had murdered her own baby, nonetheless she was vilified by a government tribunal as a woman of loose morals and as a baby killer. In spite of the fact that her behavior violated even "liberal" notions of sexual morality, Hayes was supported by her family and community in a way that Lovett was not, and this was in part a function of her family's standing and reputation in the town.

The Ann Lovett and Kerry babies episodes were noteworthy because they created a space, for the first time in Irish history, for a wide-scale discussion of the issues that increasingly divided Irish society into "conservative" and "liberal" camps, and it was the media that facilitated and fueled the discussion. Through the media the finger of blame was pointed at the people of Granard, and people in Kerry and around the country expressed their outrage at the abuse of power and invasion of privacy perpetuated by the Kerry babies tribunal. The public reaction to Lovett's death was sensitive, self-conscious, and inward looking. People in Granard and around the country were forced to consider the extent to which Lovett's circumstances resulted from her marginalization both by prevailing attitudes toward sexual morality and unmarried motherhood, and by local conceptualizations of respectability and community responsibility. On the other hand, the women and men who protested Joanne Hayes's treatment at the hands of the government tribunal did not necessarily condone Hayes's behavior, but they objected to the notion that the government had the right to dictate codes of private morality and to hold up to public scrutiny those who strayed from the norm.

DEATH IN THE GROTTO

Ann Lovett's death, in a lonely, secluded grotto, shattered the peace of the quiet town of Granard. Initial media reports suggested that Lovett successfully concealed her pregnancy from parents, friends, and teachers. The mother superior of Lovett's convent school denied that school officials knew of the pregnancy and confronted Lovett's parents about it. Indeed, Lovett apparently managed to hide her pregnancy from her family doctor, whom she visited on two occasions just two months before she died, when she was six months pregnant.8 Newspaper accounts portrayed Lovett as a well-known and well-liked, if somewhat troubled, girl. Both local newspapers pointed to the large turnout at her funeral, writing that it was the "largest ever seen in [the] area," as evidence of her popularity, and of the town's deep sadness over her death.9

Lovett may have been popular with the local girls, but her family was regarded with suspicion and animosity in the town, not only because the Lovetts had moved to Granard from County Cavan just three years before Lovett's death, but also because Lovett's parents did not conform to the community's standards of respectability. Lovett's mother, Patricia, was rarely seen around town and her father Diarmuid typically was seen only when he went to the pool hall to bring Ann home.10 Lovett's father was unemployed, allegedly alcoholic, and rumors were rife that he physically and sexually abused his children.11 Although the lack of interference from townspeople into Lovett's circumstances could be interpreted as a respect for the family's privacy, it is more likely, in a small
and close-knit community like Granard, that townspeople simply did not want to become involved in the difficult issues raised by Lovett's pregnancy. The traditional bonds of community responsibility were easily loosened in Lovett's case because of her family's reputation and their status as outsiders.

If Lovett's life in a small County Longford town was unremarkable, her death was not; repercussions of the fact and manner of her death were felt around the country. Initially, Lovett's death was ignored in the local media, which did not carry even an obituary. It was February 5, 1984, almost a week after the fact, that Lovett's death first was mentioned publicly, in a page one article of the national Sunday Tribune newspaper.12 The following Monday, February 6, other national newspapers began covering the story and journalists descended on Granard, much to the dismay of local residents. Finally, on February 11, both local newspapers reported Lovett's death, clearly responding to the perceived "bias" and "insensitivity" of the national media. Popular and official responses to Lovett's death were swift and furious. As letters from around the country poured into local and national newspapers, Nuala Fennell, Minister for Women's Affairs, called Lovett's death a "national tragedy" and demanded a full inquiry "regardless of whose sensibilities are hurt."13 The people of Granard were more reticent in their response. They might have sympathized with Lovett and her family, but they criticized media efforts to exploit her death and resisted what they perceived to be outside intrusions into private matters. Townspeople did not want Lovett or their community to become platforms on a feminist political agenda or scapegoats in the aftermath of the abortion referendum.14

Local hostility to national media coverage was not merely an emotional reaction to the "morbid" public interest in a tragic yet private matter, but it also reflected a complex struggle between local culture and values and national perceptions of "small town" Ireland. The most immediate source of antagonism was the fact that Lovett's death was reported at all. Local newspaper editors likely would have continued to ignore it had they not been forced by the national media to give the local, or "real," version of events. Yet, the only difference between local and national coverage was that local stories typically carried headlines that positioned the community as the innocent victim of national slander: "Ann Lovett's Decision," "Granard People Reject Slur," "National Media Wallow in Granard Disaster"; beyond the headlines, however, the coverage was remarkably similar. One wonders, then, to what extent Granard's response to the media onslaught was one of shame, embarrassment, and collective guilt: the national press pointed the finger of blame at the people of Granard who, by their silence, allowed Lovett to give birth outdoors, on a cold damp January day, frightened and alone. Journalists who interviewed friends of the Lovett family discovered that some people knew of Lovett's pregnancy and even may have asked her about it. Two men whose daughters were friendly with Lovett suspected that she was pregnant and had heard rumors to that effect for months before she died. A local shopkeeper alleged that the nuns at Lovett's school knew of her pregnancy and approached the family about it, although the mother superior refuted this allegation. Media reports implied that, rather than gossiping privately about Lovett's plight, "the community" should have taken responsibility for confronting Lovett's parents and getting her the help she needed. Media coverage also illustrated the hypocrisy inherent in the local response to Lovett's pregnancy: townspeople might have suspected that she was being molested by her father, but they also pointed out that she was seen leaving her boyfriend's home at "unsociable" hours.15

The fact that the local newspapers covered the story far more extensively, and for a longer period, than the national press, suggests that it was not the media coverage itself but rather the national media's characterization of Granard, that townspeople found offensive. Granard was depicted as a "depressed little country town," reminiscent of Brinsley McNamara's Valley of the Squinting Windows,16 where people gossiped privately about Ann Lovett's pregnancy and turbulent home life but did little to assist her. The local press accused the national media, as well as government ministers like Nuala Fennell, of passing judgment on the town and its people without understanding the situation: "All Irish and some British newspapers ... gave extensive coverage to the tragedy with the clear implication in some cases that in some way the people and town of Granard had something to be ashamed of. However, when more investigating was carried out by reputable reporters it became clear that the background to the case explained a lot of what happened."17 Yet
the "reputable reporters" of the local press were no better able than their national colleagues to explain the circumstances surrounding Lovett's pregnancy and death, or to dispel the impression that the local community must share some of the responsibility for what happened to Ann Lovett.

The people of Granard may have regarded national media coverage as an indictment of their failure to help Lovett when she so obviously was unable to help herself; however, it was not Granard, but what Granard represented, that underscored the intense media scrutiny. Lovett's death could have happened in any town in Ireland where the image of Catholic piety was valued more highly than the Christian principles of compassion and tolerance, and where narrow and conservative attitudes toward morality and sexuality continued to underpin responses to unmarried motherhood. The local press inadvertently reinforced this impression in their attempts to defend themselves: "Every week in every county in Ireland babies are born to young girls out of wedlock. Some are left on doorsteps, some are born in the arms of voluntary organisations, many more are aborted in backstreet clinics in England. In all these cases there is no publicity, no media treatment, no television camera crews. The people of Granard are no less caring or no less charitable than any other community in this country."18 Perhaps that was what was so shocking about Lovett's death—the acknowledgment that it could have happened anywhere in Ireland where community standards of acceptable and unacceptable, moral and immoral, determined whether one would be included, aided, and forgiven, or marginalized, excluded, and cast aside.

Despite local protests that people in Granard were compassionate Christians, some people in the community shared the national media's criticism of Granard's "Valley of the Squinting Windows" mentality. The author of one letter to the Longord Leader on February 10 rejected the claim that Lovett would have been helped had people only known about her predicament:

What has happened to the charity and goodwill of the people who live in this supposedly Christian community of ours? These are the questions people should ask themselves when a young pregnant girl of 15 can deliver her child by her own hands and die as a result while the rest of the people sit idly by and converse in meaningless gossip .... I must firmly direct my feelings towards certain members of the community in Granard who cannot deny the fact that they knew about this unfortunate girl's predicament and yet they would not even offer the smallest help which I am quite sure would have been gratefully received. (P. 8)

A classmate of Lovett's at the Convent of Mercy school offered the simplest, yet the most poignant and scathing indictment of her community: "O my God what have we done. /We killed our friend and now she's gone./It's only now we have deep regret./ She needed help which she did not get./No one on his own is to be blamed./It's all in Granard should be ashamed./When she died everyone did cry and moan. /When she needed help she was alone."19 The last lines of this poem reinforce the contradiction presented by the fact that, although the entire community turned out for Lovett's funeral, Lovett gave birth and died alone, in wretched circumstances. Lovett did not get the help she needed, and some members of the local community believed that there was individual and collective guilt to be shared.

In addition to extensive media coverage, Lovett's death elicited an outpouring of emotion in the form of song and poetry that expressed the sadness many Irish people felt over a fifteen-year-old schoolgirl dying because of the shame, fear, and hypocrisy surrounding unmarried motherhood. Paula Meehan's poem "The Statue of the Virgin of Granard Speaks" is a powerful, feminist response to Lovett's death.21 Meehan alludes to the image of the Virgin Mary, long held up by the Catholic Church as the feminine ideal from which women derived influence and status in Irish society. Lovett went to the Virgin Mary, perhaps seeking comfort, and the Virgin was powerless to help her: "I did not move./I didn't lift a finger to help her./I didn't intercede with heaven,/nor whisper the charmed word in God's ear." While Meehan's poem reflects the grief that women especially felt over Lovett's suffering, it implies that the elevated position accorded to women based on the Marian ideal was little more than a patriarchal myth. What happened to Lovett could have happened to any Irish woman in a social climate that limited access to contraception and insisted on the sanctity of the life of the unborn child at the same time that it stigmatized unmarried motherhood, to the extent that some people believed Lovett was better off dead than bearing a child outside of marriage. Evident in Meehan's poem is an undercurrent of anger that the definitions of morality prevalent in contemporary Ireland condemned the behavior of girls like Ann Lovett while it excused those who showed such indifference to her plight: "On a night like this I remember the child who came with fifteen summers to her name, and she lay down alone at my feet without midwife or doctor or friend
to hold her hand and she pushed her secret out into the night, far from the town tucked up in little scandals, bargains struck, words broken, prayers, promises. . . ."23

Although Lovett's death generated extensive media and popular attention and struck an emotional chord throughout the country, the issues it raised nonetheless were extremely sensitive. Unlike the Kerry babies case, which raised these issues in a way that allowed Irish people to project their anger on to institutions of church and state, Lovett's death forced people in Granard and throughout the country to consider their individual and collective role in perpetuating the attitudes that might have contributed to it. Did the townspeople fail to show compassion to Lovett, and if so, why? Was Lovett undeserving of compassion because she and her family did not conform to the community's standards of decency or because she violated prevailing moral and sexual norms? Were the conditions under which Lovett gave birth and died any more or less moral than the fact that her pregnancy was "illegitimate"? Did she deserve to die for her "sin"? Given the speed with which media attention abated, and the fact that it produced no significant changes in either attitude or policy, it seems likely that Irish society was not yet prepared to confront these troubling issues. Events that unfolded three months later, in the Kerry babies case, proved to be a far more effective platform from which not only feminists but society at large could demand a reevaluation of the values, assumptions, and mentalities that seemed to trap Ireland in the "dark ages" as far as discussions of sexuality, morality, and reproductive rights were concerned.

JOANNE HAYES AND THE KERRY BABIES

Ann Lovett's death was still a recent memory when, on April 14, 1984, the body of a newborn child washed ashore on a remote beach in Cahirciveen, County Kerry. The discovery prompted a wide-scale garda investigation that eventually centered on Joanne Hayes, an unmarried mother from the small village of Abbeydorney, outside of Tralee, County Kerry. When the Cahirciveen baby was found, gardai searched the county for a woman who was known to have been pregnant and no longer was, sometimes traveling door to door demanding that new mothers produce their infants as proof that they had not "done away" with them. Through a series of telephone calls to local hospitals the investigation increasingly focused on Hayes as a possible suspect. Hayes was pregnant in April of 1984, the result of an affair with Jeremiah Locke, a married man. The unhappy coincidence of Hayes being admitted to the hospital after giving birth on the same day that the Cahirciveen baby was discovered fueled suspicion that Hayes was the mother of that baby. Hayes arrived at the hospital on the night of April 14 complaining of severe bleeding. A scan of her uterus revealed that it had been emptied recently—in other words that she had given birth within forty-eight hours previously.24 Based on this and other evidence, gardai believed the case against Hayes to be solid and irrefutable, and they brought Hayes and members of her family in for questioning.25

Initially, Hayes denied her pregnancy. However, when she realized she was being questioned about the Cahirciveen baby she acknowledged the pregnancy but claimed to have miscarried in early April 1984. Gardai were convinced that Hayes was lying and applied considerable pressure to elicit a confession that she had given birth, in a field adjacent to the family farm, to a full-term or near-term baby. Although she drew a map detailing the location of the baby's body, several searches of the fields uncovered no baby. A government tribunal established in January 1985 would suggest that gardai failed to find Hayes's baby because they "regarded the search as a formality that had to be carried out because Joanne Hayes was saying that her baby was hidden on the lands, but that the realities were that everybody 'knew' that her baby was down in Cahirciveen and therefore not on the lands."26 Hayes finally crumbled under garda pressure and confessed to the murder of the Cahirciveen baby; shortly afterwards members of Hayes's family confessed to helping dispose of the body. Even after a government tribunal convened to investigate the matter, it is not clear why members of the Hayes family confessed to complicity in the death of the Cahirciveen baby. The Hayes family displayed an extraordinary degree of solidarity in the face of garda pressure; while they did not condone Joanne Hayes's sexual indiscretions, neither did they relish the intrusion of outsiders into their private, family matters.

Hayes's baby eventually was found where she said it would be. Still the charges against Hayes and her family were not dropped, illustrating the depths to which gardai were invested in Joanne Hayes as their primary suspect. Gardai alleged that Hayes gave birth to twins: the first twin was born in a field, died of natural causes, and was left in the field; the second twin was born in Hayes's bedroom, was beaten and stabbed by Hayes as her siblings watched, and thrown off a cliff at Slea Head, approximately fifty miles from the Hayes farm. Garda investigators, keen to secure a conviction,
made no effort to explain how or why Hayes gave birth to one child in the field and the second child in her bedroom. They were reluctant to admit that Hayes might not be the mother of the Cahirciveen baby as this would reveal the extent to which the case had been mishandled from the start and would force them to reopen the investigation, on a trail now grown cold, into the murder of the Cahirciveen baby. It is possible that gardai were not all that concerned with Joanne Haye's guilt or innocence in the death of the Cahirciveen baby. She was immediately suspect, as an unmarried mother and adulterer, and even if she did not murder the Cahirciveen baby, she was no "innocent"; she could be sacrificed in the name of law, order, and morality.

The case against Hayes was further compromised when tests revealed that the blood type of the Cahirciveen baby did not match that of Hayes, her lover, or her daughter. Gardai persisted in the twins theory, suggesting that Hayes could have given birth to both babies through the rare process of superfecundation, whereby a woman is impregnated by two different men within a forty-eight-hour period. This theory carried little weight in medical and legal circles, and in September 1984, with no evidence to link Hayes to the Cahirciveen baby, the public prosecutor ordered that all charges be dropped. In October 1984 the charges were officially stricken from the records in Tralee Courthouse, and no new charges were introduced into the birth and death of Hayes's baby. It is not clear whether the search for the mother of the Cahirciveen baby continued, but no one has yet been made accountable in that case.

The day after the charges were dropped, the Hayes family lodged complaints against gardai involved in the investigation. Joanne Hayes claimed that gardai slapped, threatened, and coerced her into making a false confession in the murder of the Cahirciveen baby. Others alleged that gardai used harassment and physical intimidation to elicit confessions. An internal garda inquiry was established to investigate the Hayes family claims but both sides refused to cooperate, leading to calls for an independent inquiry and, ultimately, the establishment of a government tribunal. It seems extraordinary that the Hayes family would pursue the issue once the charges against them had been dropped, particularly as their allegations of garda misconduct would have been almost impossible to prove. Whatever their personal suspicions about Joanne Haye's guilt or innocence, they believed they had been mistreated, and their unity as a family and their standing in the community empowered them to speak out against what they saw as an abuse of power on the part of the state. Given the public way that their good name had been sullied locally by their arrest, the charges lodged against gardai could also be seen as a demand for public vindication.

As in the death of Ann Lovett, the media played a leading role in articulating the diversity of responses to the Kerry babies affair. Aside from coverage in the Kerryman newspaper, initial media attention was scant from the discovery of two dead babies in April until the charges were dropped in October. But as the internal garda inquiry unraveled it became clear that the case was far from routine, and it began to take on a significance that no one could have foreseen in April 1984. The coverage of the tribunal in the national and local broadcast and print media enabled people all over Ireland not only to keep abreast of the latest developments but also to participate in a national critique of the contemporary Irish society that claimed to embrace "pro-life" principles even as it allowed newborn babies to die, and single women to give birth frightened, alone, and stigmatized. The public outcry also reflected a shift in attitudes in favor of individual morality and privacy, and a rejection of the right, long reserved by church and state, to interfere in the private moral behaviors of Irish men and women especially.

The tribunal opened on January 7, 1985, amidst tremendous anticipation and speculation. Early press coverage described in detail Joanne Haye's hair, clothes and demeanor, all of which was consumed enthusiastically by the public. However, the tribunal would present, in frank and sometimes graphic detail, subjects that respectable Irish Catholics found difficult to discuss privately, much less publicly. Hayes was cross-examined extensively about her sexual history, menstrual cycles, and contraceptive use. People who traveled to Tralee to support Joanne Hayes told journalists that they were shocked and outraged at the private matters that Hayes was compelled to discuss so publicly. While some observers faulted the media, the majority were angry that issues that seemed to be marginal to the tribunal's mission were foregrounded while the real issue, garda misconduct, was virtually ignored. Disquiet over the tone and nature of the questioning was also articulated by government officials; Michael Keating, TD (Teachta Dala, member of the Dail or Irish parliament) suggested: "It had never been intended that such personal and medical evidence, every sad and minute detail, should be dragged out of people. That should never have been part of the tribunal." The Dail Committee on Women's Rights characterized the questioning of Joanne Hayes
as "insensitive ... very, very frightening... harrowing and quite horrific. . . and shameful." At the same time, the committee was reluctant to interfere in the judicial process and took no action beyond registering with the Minister for Justice their disapproval with the line of questioning being pursued.

As the questioning of Joanne Hayes became more intense and focused increasingly on her private life, people from all segments of Irish society became more vocal in their objections. Neighbors from Abbeydorney traveled to Tralee and stood outside the courthouse bearing placards proclaiming their support for Hayes and her family. Women's groups from all over the country also demonstrated in front of the courthouse, reflecting their sympathy, as women, with Joanne Hayes and their contempt for the tribunal that condemned "immorality" among women but ignored the transgressions of men: those, like Jeremiah Locke, whose own sexual indiscretions were partly responsible for the whole affair, and those who sanctioned the "inquisition" of Joanne Hayes.31 Strangers sent flowers and mass cards, illustrating the wide-scale popular rejection of the intrusion into Hayes's private affairs.32 Undoubtedly some people believed that Hayes "got what she deserved" for giving birth out of wedlock and carrying on an affair with a married man. For the most part, however, the fact that Hayes had an affair with a married man and bore two illegitimate children was irrelevant in the face of what many people regarded as a gross abuse of power on the part of the state.

From the start Hayes was an unlikely heroine. By her own account she was no feminist, nor did she regard the tribunal as a feminist issue. Although she was completely unprepared for the treatment she received at the hands of the tribunal, nonetheless she accepted full responsibility for her actions. Even before the tribunal opened, Hayes's credibility was suspect, as forensic evidence indicated that her account of the birth and death of her baby was at least partly untrue. The fact that Hayes was an untrustworthy heroine did not diminish popular support for her; when she was attacked by the tribunal her neighbors stood solidly behind her, and this was due in part to the fact that, sexual transgressions aside, Hayes and her family were regarded as "respectable" in the community. Hayes took great pains, in her published account of the case, to portray herself and her family as devout Catholics who attended church and the Sacraments regularly, and who regarded their Catholicism as central to their existence.33 Hayes apparently saw no contradiction between her regular attendance at the Catholic Sacraments, on the one hand, and her engagement in an affair with a married man that resulted in two children, on the other. She considered herself a "good Catholic" and was similarly regarded by the community. Hayes and her family were "insiders" in the community in ways that Lovett was not: they had lived in Abbeydorney for generations, owned considerable land, and participated in local politics and sport.

Hayes received enormous support from Abbeydorney; however, people from around the country also identified with her, suggesting that the issues raised by the tribunal resonated far beyond County Kerry. Scores of people, many of them devout Catholics, backed Hayes even as church and state leaders vilified her. Nell McCafferty, one of Ireland's most outspoken feminist journalists, observed the tribunal proceedings and provided a running commentary in the Irish press:

The people of the 95 percent Catholic country said a lot. Joanne Hayes received more than five hundred letters, cards and notes which invoked, on her behalf, the intercession of a loving compassionate God who was clearly and with certainty seen to be quite a cut above the human metronomes who clocked up her imperfections. Irish Catholics, wanting genuinely to be good, struggling desperately under a yoke of bewildering rules and regulations, wrote to Joanne Hayes that no man should be allowed to sit in judgment on the human sexual condition.

Their letters were a perfect cacophony of misery, anger, solidarity, and subjection to a God who alone could cope with what went on down here. The Catholics who wrote trusted God, not the priests or the doctors or the lawyers. As if to make their point more forcefully 142 of the people who wrote to her enclosed mass cards, indicating that human judgment had been bypassed in favor of a direct line to God.34

Ordinary women and men used the language and iconography of their faith to express their solidarity with Hayes and their rejection of her condemnation at the hands of the tribunal's "moral police," reflecting the social and spiritual turmoil that characterized Irish society in the early 1980s. While the overwhelming majority of Irish people continued to subscribe to the Catholic faith, their response to Hayes's public suffering suggests that the harsh, stifling, intrusive, and unforgiving brand of Catholicism that prevailed in the mid-twentieth century, and that underscored the tribunal's vilification of Hayes, did not suit the more liberal, open-minded, and tolerant society that began to emerge in
the 1970s. Building on the McGee case of 1973 (against the 1935 ban on contraceptives), people were beginning to insist on an individual's right to privacy, even when that individual's behavior contravened Catholic teachings on sexual morality. There also was inherent in the public response to the tribunal a fundamental tension between obedience and individual conscience. Hayes was "punished" by the tribunal for her flagrant disobedience of accepted moral codes, in other words for exercising an individual conscience in her practice of the faith. In backing her and denouncing the tribunal's tactics, Hayes's supporters implicitly rejected the notion that the practice of Catholicism and individual conscience were incompatible, or that they were incapable of deciding for themselves what constituted acceptable behavior.

The tribunal also became a rallying point for feminists, even if Hayes did not regard it as a feminist issue. McCafferty gave voice to the feminist outrage over the tribunal's proceedings, in an editorial "Womanhood Goes on Trial in Tralee":

This inquiry is supposed to be about the events in Tralee Garda Station, but so far, due to the nature of the questions asked, it is about mattresses and the men in Joanne Hayes' life, and her private behavior with them.

However salacious and sleazy the tone struck by certain words, phrases, questions and answers uttered in the courtroom, it would be wrong to assume that this is just another sensational case for the public appetite....

A lot of women are trying to reassure themselves in Kerry. There is a sense among them of womanhood itself being on trial here, and the traumatic echoes of the amendment debate in the recurring phrases of the legal and medical practitioners about sex and wombs and babies done to death.31 Irish women identified with Hayes because they realized that prevailing attitudes toward motherhood, sexuality, and reproduction shaped the experiences of all women, not only those who transgressed society's norms. The apparent advances of the 1970s-legal recognition of the principle of equality in the family and the workplace, the right to privacy in marriage, and the institution of single parents allowances-paled with the recognition that church and government leaders continued to insist on narrow definitions of female sexuality and maternity. Married women may have won the right, through the McGee case, to use contraceptives to limit their fertility, but the abortion referendum and the public humiliation of Joanne Hayes suggested that unmarried women were still subject to official control of their sexual and reproductive activities. Women who rallied behind Joanne Hayes did not reject wholesale Catholic doctrine; rather, they rejected those attitudes and policies that bred hypocrisy, ignorance, and shame and that held only women accountable for violations of society's moral codes.

The findings of the tribunal did little to dispel the sense of unease generated by its proceedings. Although the tribunal was established to investigate the Hayes's family's allegations of garda misconduct, Judge Kevin Lynch's conclusions indicated that, officially anyway, it was Joanne Hayes who was really in the dock. Of Lynch's forty-three findings, at least twenty-five addressed the actions and statements of the Hayes family while only four addressed allegations of garda misconduct. The tribunal concluded that Joanne Hayes had murdered her baby, an extraordinary conclusion given that it was wholly unsupported by forensic evidence. The allegations against the gardai were glossed over and, while the tribunal acknowledged that gardai may have "bent the truth" slightly in their haste to solve the murder of the Cahirciveen baby, their prevarications were dismissed as "gilding the lily," while the Hayes family was branded as liars.' In blaming Hayes and excusing garda misconduct, the tribunal implicitly affirmed the state's right to define appropriate and inappropriate moral behavior and to investigate the life and behavior of any woman found guilty of the "moral crime" of giving birth out of wedlock.

McCafferty's vitriolic commentary reflects the feminist rejection not only of Judge Lynch's report but also of the hypocrisy and moral and sexual double standards that it perpetuated:

The apparent contrast between the restrained language which the judge employed in assessing the truthfulness of police witnesses who gilded the lily, and the moral virulence of his criticism of the Hayes family, barefaced liars who feared to tell him what he thought was the full truth, is less astonishing when placed in the context of the last few years. In 1983 Bishop Cassidy declared that the most dangerous place in the world is in a woman's womb. It is in the womb that the actions and consequences of male sexual behavior are made flesh. By limiting the male role for taking "what" is
available and imposing on women total responsibility for the babies that might result, a conclusion may be drawn that the male buck stops at the entrance to the womb. After that, woman is to blame.37

The tribunal punished Joanne Hayes not alone for her sins but for the sins of womankind as well and, more significantly, for the sins of men who were unable to control their sexual behavior and unwilling to take responsibility for that lack of control. In spite of the public outcry over the tribunal's treatment of Joanne Hayes, there was no discussion about where men's responsibility lay in the Lovett and Hayes cases, nor has there yet been a sustained discussion about the "problem" of unmarried fathers in Irish society. Women continue to bear a disproportionate share of the social, political, and economic burdens of single parenthood. The flip side, however, is that the public shock and shame over the death of Ann Lovett, and the outrage over the very public airing of Joanne Hayes's private affairs, did contribute to a change in attitudes toward unmarried motherhood. Although conservative politicians, church moralists, and some segments of Irish society continue to condemn what they see as an alarming lapse in moral standards, there is a general acceptance of unmarried motherhood in 1990s' Ireland, to the point where one in five births occur outside of marriage. Unmarried mothers no longer are shamed into hiding their pregnancies, nor are they denied the right, as they were for much of the twentieth century, to be mothers to their children.

CONCLUSION

The events of 1983 and 1984 mark a watershed in contemporary Irish history. The Kerry babies and Ann Lovett episodes forced Irish society to confront, in a very public and self-conscious way, issues that had long been considered unsuitable for public discussion. In spite of the individual challenges to the church's moral authority in the 1940s and 1950s, and of the perceived liberalism of the 1960s and 1970s, Irish society continued to cling to conservative views of womanhood, motherhood, and sexual morality. Few Irish people had given serious consideration to the nature of Catholic influence in virtually all aspects of Irish social, cultural, and political life, nor was there a particular concern for the extent to which an insistence on Catholic moral codes as the foundation of social policy marginalized and excluded those, including nonCatholics, lapsed Catholics, and nonbelievers, who found Catholicism a stifling and alienating force. The abortion referendum debate was extremely bitter and contentious precisely because it revealed the cracks that had begun to develop in Irish society since the 1960s, between those who continued to embrace Catholic moral principles and those who wanted a more secular, open, and tolerant society. But abortion was too sensitive a platform from which to demand change, as those who opposed the referendum did not necessarily favor abortion but deplored the bullying tactics adopted by Catholic conservatives to enforce compliance among the electorate. Ann Lovett's death and the Kerry babies scandal, and particularly the way the media reported these events, provided a unique opportunity for Irish people to examine the values and attitudes that they had long taken for granted and that had underpinned their society for much of the twentieth century.

Although there was official recognition, with the implementation of lone parents allowances in 1973, of the unmarried mother's right to rear her child, there continued to be a general disapproval of sexual activity outside of marriage and of unmarried motherhood. Ann Lovett's death did not immediately change opinions about sexual morality, and even in the 1990s there continue to be conservative elements hostile to any diversions from narrowly prescribed moral and sexual norms, but it did challenge Irish women and men to acknowledge the "extenuating circumstances" that prevailed in individual cases of unwed pregnancy. It also forced them to consider the extent to which prevailing notions of acceptable and unacceptable, inclusion and exclusion, prompted pregnant women to remain silent rather than seek help, thus compounding an already difficult situation. Following Ann Lovett's death a number of agencies specifically designed to assist women confronting crisis pregnancies undertook campaigns to raise awareness about the availability of such services and to begin to break down public prejudice against unmarried mothers. People in Granard are still reluctant to discuss Ann Lovett's death, reflecting the continued belief that they were maligned in the media frenzy, but many people from around the country regret that a young unmarried mother had to die before social attitudes began to change.

The new emphases on privacy and individual conscience evident in the public response to the Kerry babies tribunal marked a shift in attitudes toward the Catholic Church in Ireland. In the "old" Ireland, people sought not only to be good Catholics but also to be regarded as "respectable" by their friends and neighbors, and a primary component of respectability was an outward show of Catholic
faith and piety. Most people accepted without question the church's interference in all aspects of their lives and bowed to the dictates of the local priest. The difference between the vocal, outspoken, anti-tribunal reaction to the Kerry babies case, and the sensitive, self-conscious and uncomfortable soulsearching resulting from Ann Lovett's death, illustrates the tension between the old, obedient, outwardly pious society of the mid-twentieth century, and the impulse toward change and liberalism that first became evident in Ireland in the 1960s and 1970s. For perhaps the first time since the emergence of the independent Irish state in the 1920s, there was a wide-scale challenge to the long-held conviction that the Catholic Church alone should determine the social and moral values that informed Irish social policy, particularly in areas of sexuality, reproduction, and family life. 

By the early 1990s the trends set into motion by Ann Lovett's death and the Kerry babies scandal were virtually irreversible. The election in 1990 of Mary Robinson as the first female president of Ireland, although effected more by accident than design, symbolized a "new Ireland" that was modern, vibrant, pluralist, and compassionate 39 The first test of this new self-image came in the 1992 "X" case, when controversy erupted over the right of a pregnant fourteen-year-old victim of sexual abuse to travel to England, with the full knowledge and support of her parents, for an abortion. As the High Court imposed an injunction preventing the girl from traveling, Irish people took to the streets in protest, insisting that humanitarian issues, rather than Catholic moral principles, should dictate official responses to the girl's plight. In the weeks following the eruption of the "X" case, opinion polls suggested that a majority of Irish people approved of abortion in limited circumstances, and politicians even broached the possibility of introducing limited abortion services in Ireland. The growing tolerance of abortion was reaffirmed in November of 1997, when a thirteen-year-old traveler child known as "C," pregnant as a result of rape, was taken into care by a state agency In an extraordinary reversal of the initial decision in the "X" case, the High Court ruled not only that the girl could travel to England for an abortion but also that she could be accompanied by staff of the state-funded agency to which she had been entrusted." The Supreme Court ruling in the "X" case, coupled with the High Court decision in the "C" case, bring the constitutionality of the 1983 abortion referendum into question, a situation that successive governments thus far have been reluctant to address. There is no consensus among political parties as to how to effect change without making abortion available on demand, which even an increasingly liberal and secular public opinion appears unwilling to accept. At the same time, the government enacted almost without debate the 1995 Abortion Information Act, which allows doctors, family-planning clinics, and other health professionals to discuss abortion within the context of counseling on crisis pregnancies and to provide information on English abortion services. Although abortion is still unavailable in Ireland, it is widely recognized and accepted that abortion is a viable alternative for those facing unwanted pregnancies who can afford the modest airplane or ferry fares to England.

The growing tolerance of abortion in limited circumstances, the availability, since 1993, of most forms of contraception without a prescription and irrespective of age or marital status, and the introduction in 1996 of divorce suggest that Irish people increasingly are forming opinions on moral issues, and the state is following suit, based not on how things "should be" in a Catholic moral order but on how things are. Undoubtedly, the church's credibility and moral authority have been seriously undermined by ever-mounting allegations of the physical and sexual abuse by nuns and priests of children confined to religious-run institutions. These scandals have only contributed to the implicit recognition within Irish society that an acceptance of Catholic moral codes, in principle, does not prevent people from succumbing to the sexual desires and temptations, frailties, and weaknesses that make them human. More importantly, the notion that a society can legislate conformity to narrowly and rigidly defined codes of moral and sexual behavior no longer carries sway in late 1990s' Ireland.

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2. There were isolated challenges to the church's authority in the 1940s and 1950s, in addition to those of the 1960s and 1970s. Sean O'Faolain and Peadar O'Donnell founded The Bell in 1940 to provide a "liberal" voice of opposition to those policies that seemed to conform too closely to church teaching, including the Censorship of Publications Act. In the late 1940s, Noel Browne, then Minister for Health, introduced a mother and child health scheme that was vehemently opposed by the Catholic hierarchy. Browne refused to back down in the face of enormous ecclesiastical and political pressure but ultimately was forced to resign his
post. In 1973 the Supreme Court ruled in favor of Mary McGee, who argued, on the basis of marital privacy, that the 1935 ban on the importation and sale of contraceptives was unconstitutional. The McGee victory was a tacit recognition of a married couple's right to decide for themselves whether and how to limit family size, and to have access to contraceptive methods.

3. In 1973 the governmentally established Commission on the Status of Women reported its findings, recommending government action to institute equality in job opportunities and pay, and maternity leave, leading later that year to the abolishment of the ban on married women in the civil service. Unrelated to the Commission on the Status of Women, single parents allowances were introduced in 1973 (children's allowances had been available to married parents since 1944). The Employment Equality Agency was

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established in 1978 to ensure equality of opportunity and pay for women.

4. Article 40.3.3, enacted in September 1983, reads: "The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, as far as practicable, by its laws to defend and vindicate that right." Bunreacht na nGaedheal (Dublin: Government Publications Office, 1990).

5. Michael Fogarty et al., Irish Values and Attitudes: The Irish Report of the European Value Systems Study (Dublin: Dominican Publications, 1984). According to this report, in the early 1980s more than 95 percent of the Irish population practiced the Catholic faith. Of that 95 percent, 86 percent attended church weekly or more often, while less than 5 percent attended church yearly or never.

6. Emily O'Reilly, the journalist who first reported on Ann Lovett's death, interviewed several people in Granard in the weeks after Lovett's death and heard these rumors from many sources. She also interviewed Lovett's alleged boyfriend, who admitted that he could have been the father of Lovett's child. Emily O'Reilly, telephone interview with author, Dublin, 12 Dec. 1997.

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7. The term "garda" is shorthand for Garda Siochana, or Guardians of the Peace. The Garda Siochana was formed in 1923 as the police force of the Irish Free State. In 1925 it was amalgamated with the Dublin Metropolitan Police Department, making it the police force for the entire country. Gardai is the plural form of garda and would be used when referring to more than one individual.


11. O'Reilly, interview.

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12. An anonymous tip was called in to the Sunday Tribune newsdesk indicating that a girl had died in childbirth in a small midlands town. Tribune reporters heatedly discussed the wisdom of revealing Lovett's identity in their coverage: some felt that Lovett's age, and the circumstances of her death, warranted confidentiality; others argued that naming her publicly would enable people to identify more strongly with her suffering. Letters to Ann, radio documentary, Radio Telefis Eireann, 16 June 1998.


14. This view was expressed by people interviewed by reporters in Granard in the days after Lovett's death: "The media in Dublin are trying to exact revenge for the defeat of the anti-amendment lobby. They are saying, "Look you've won the amendment but this is the way your priest leaders are treating the unmarried mothers."" See "Granard Numbed by Happening," Longford News, 10 Feb. 1984, 1.


16. Although the phrase "Valley of the Squinting Windows" was used widely in media coverage, townspeople reserved their hostility for Nuala Fennell, who was the first to use this term and uttered it repeatedly in print and broadcast media. Brinsley McNamara, The Valley of the Squinting Windows (Dublin: Maunsel, 1918).


18. Ibid.

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22. Many people wrote letters to the Longford News suggesting that Lovett was better off dead than facing the shame and embarrassment that likely would have confronted her in the community. One reader suggested: "She [Lovett] asked Our Lady for help and Our Lady took her and her baby home. Had she let her live, she would have endured terrible suffering." Another wondered: "If the girl had been successful in giving birth, if she had survived; if the boy had survived, what life would she have in Granard? The rumour-mongers would play hell, worse than the greatest gutter-snipe journalist." See "Readers React to Granard Tragedy," Longford News, 17 Feb. 1984, 4.

23. Meehan, 42.


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25. Kerryman, 15 Feb. 1985, 1, Tralee edition. This article, "How the Gardai Began the Baby Investigation," outlines the steps taken by gardai as they investigated the death of the baby discovered at Cahirciveen. Although this outline is interesting for the light it sheds on the assumptions and biases that informed the investigation, it also explains how gardai finally focused on Joanne Hayes and the lengths they went to make Hayes's circumstances "fit" the crime at hand. The Kerryman article is virtually the only insight into the garda investigation into the death of the Cahirciveen baby, as garda reports, interviews with witnesses, and other materials relating to the investigation are not open to public scrutiny.

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37. McCafferty, A Woman to Blame, 175.
38. The producer of the RTE documentary Letters to Ann, tried to interview people in Granard about the lingering effects of Ann Lovett's death. With rare exceptions, few people were willing to discuss the matter on the record, and it was not unusual for the producer to have doors slammed in her face. During the 1992 "X" case controversy, in which a fourteen-year-old girl initially was prevented from traveling to England to abort a pregnancy that resulted from rape, an anonymous source produced and sold T-shirts bearing the slogan, "Remember Ann Lovett."

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