

REDRESS

Ireland's Institutions and Transitional Justice

edited by

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Contents

	Acknowledgements	ix
	Editors' Introduction	xi
	<i>Katherine O'Donnell, Maeve O'Rourke and James M. Smith</i>	
	TRUTH-TELLING	
1	Testimony <i>Mary Harney, Mari Steed, Caitriona Palmer, Terri Harrison, Rosemary Adaser, Conrad Bryan, Susan Lohan and Connie Roberts</i>	2
2	Antigone in Galway: Anne Enright on the dishonoured dead <i>Anne Enright</i>	17
3	The Lost Children of Tuam <i>Dan Barry</i>	29
4	Family Secrets <i>Clair Wills</i>	47
5	The Mother of Us All <i>Emer O'Toole</i>	57
	IRISH STATE (IN)JUSTICE	
6	State Responses to Historical Abuses in Ireland: 'Vulnerability' and the Denial of Rights <i>Maeve O'Rourke</i>	68
7	State Legal Responses to Historical Institutional Abuse: Shame, Sovereignty and Epistemic Injustice <i>Máiréad Enright and Sinéad Ring</i>	86
8	Access to Justice for Victims of Historic Institutional Abuse <i>Colin Smith and April Duff</i>	104
9	State's Reaction is to Deny, Delay and to Buy Silence <i>Conall Ó Fátharta</i>	118
	TRANSITIONAL JUSTICE: OPPORTUNITIES, LIMITS	
10	Reparations for Historic Institutional Gender Violence in Ireland: Learning from Transitional Justice <i>Ruth Rubio Marín</i>	132

REDRESS: Ireland's Institutions and Transitional Justice

- 11 The Inner and Outer Limits of Gendered Transitional Justice 146
Fionnuala Ní Aoláin
- 12 Transitional Justice and Ireland's Legacy of Historical Abuse 158
James Gallen

MOTHERHOOD AND ADOPTION

- 13 Creating 'Common Sense' Responses to the 'Unmarried Mother'
in the Irish Free State 182
Paul Michael Garrett
- 14 'Disremembrance': Joyce and Irish Protestant Institutions 196
Mary Burke
- 15 'Illegitimate' Knowledge: Transitional Justice and Adopted People 211
Claire McGettrick
- 16 'It Steadies Me to Tell These Things': Memoir and the Redemptive
Power of Truth-Telling 224
Caitriona Palmer

CHILDREN IN STATE CARE

- 17 Transitional Justice, Trauma and Healing: Indigenous Residential
Schools in Canada 240
Rosemary Nagy
- 18 'I Just Want Justice': The Impact of Historical Institutional Child-Abuse
Inquiries from the Survivor's Perspective 257
Patricia Lundy
- 19 Visualising the Transfers of Abusers in the 2009 Ryan Report 276
Emilie Pine, Susan Leavy and Mark T. Keane

KNOWLEDGE, MEMORY AND THE MAGDALENE LAUNDRIES

- 20 Official Ireland's Response to the Magdalene Laundries:
An Epistemology of Ignorance 282
Katherine O'Donnell
- 21 Materials and Memory: Archaeology and Heritage as Tools of
Transitional Justice at a Former Magdalene Laundry 304
Laura McAtackney

TRUTH-TELLING AND THE ARCHIVE

- 22 'Finding the me who I truly never quite knew': Lessons from
Australia's Find & Connect Project in Facilitating Records Access 326
Shurlee Swain

Contents

23	Transitional Justice, Non-Recent Child Abuse and Archival Research: Lessons from the Case of the UK Child Migration Programmes <i>Gordon Lynch</i>	336
24	Knowing and Unknowing Tuam: State Practice, the Archive and Transitional Justice <i>James M. Smith</i>	356
	Notes	383
	Contributors	474
	Index	483

Editors' Introduction

REDRESS: Ireland's Institutions and Transitional Justice¹

Katherine O'Donnell, Maeve O'Rourke and James M. Smith

You had the church's representative, you had the solicitor and a barrister, and then you had the judge and a psychiatrist. It was adversarial, and you felt like you were on your own... The church had said that it was a fantasy what had happened to me – that I was sexually abused in that institution – and I had to relive it. So, in a way, having to relive it, it's a bit like, you know, you're put on an operating table and you are cut open and you're left there to fester.

—Mary Lodato, *Redress: Breaking the Silence*²

These records are an invaluable tool to assist Survivors establish their identity and family reunification... I think it's important that survivors' families should have access to this information as it can help them understand how their childhood impacted their lives...

—Carmel McDonnell Byrne, Submission to the Joint Education Committee regarding the Retention of Records Bill 2019³

These precious records should be treated as a treasure and a gift. We must learn from the past mistakes we made in our society and help to lay safeguards that we will need to protect the children of the state into the future. We should not be afraid to face the past. If we lock away for seventy-five years the very information that could be vital to our present and future generations... we cannot deal with the present and future in an informed manner.

—Tom Cronin, Submission to the Joint Education Committee regarding the Retention of Records Bill 2019⁴

In my position, you're very dependent on the state to see you right, but it feels like all Ireland is doing is abusing us again... they haven't booked anyone or brought anyone to justice. It doesn't surprise me that they have never prosecuted the nuns. There is still this ideology—they're nuns, and Christian Brothers, we're Magdalenes or Industrial School children... The Government doesn't want to offend the Church. The Government is

REDRESS: Ireland's Institutions and Transitional Justice

persecuting us and violating us still, by bowing to the people who did this to us.

—Elizabeth Coppin, Witness Statement
to the UN Committee Against Torture⁵

REDRESS: Ireland's Institutions and Transitional Justice explores the ways in which Ireland – North and South – treats individuals and families who suffered in the twentieth-century ‘architecture of containment.’⁶ This collection of international and multi-disciplinary essays engages with that architecture – a legislative, bureaucratic and judicial apparatus supporting an array of interdependent institutions including Magdalene Laundries,⁷ Mother and Baby Homes, County Homes/Workhouses, industrial and reformatory schools and the nation’s closed and secretive adoption system – used to confine women and children across both jurisdictions.⁸ Far from being historical, these structures, which gave rise to widespread and systematic abuses in the past, continue as a political arrangement that exerts power over survivors, adopted people and generations of relatives, and over the remains and memories of the dead. As we mark the centenary of both jurisdictions on this island, this collection examines the States’ so-called ‘redress’ schemes and the investigations and statements of apology that accompanied them over the past two decades. Rather than focusing solely on one investigation or report, *REDRESS* considers how a transitional justice approach might assist those personally affected, policy makers, the public, and academics to evaluate the complex ways in which both the Republic and Northern Ireland (and other states in a comparative context) have responded to their histories of institutional provision and family separation, and to the legacy of continuing harms attending such provision. Ultimately, we ask what constitutes justice and, moreover, how might democracy evolve if survivors’ experiences and expertise were allowed to lead?

Seamus Heaney notes that dictionaries record multiple meanings for the word ‘Redress.’ His interest lies not only in redress as ‘[r]eparation of, satisfaction or compensation for, a wrong sustained or the loss resulting from this,’ but also in exploring an obsolete use of the word: ‘To set (a person or a thing) upright again; to raise again to an erect position. Also fig. to set up again, restore, re-establish.’⁹ Heaney spoke about poetry’s capacity to act as a form of ‘redress’ that is ‘an upright, resistant, and self-bracing entity within the general flux and flex of language.’¹⁰ Like Heaney, the authors gathered in this collection are motivated by the understanding that their intellectual work is in service to a programme of cultural and political realignment, reaffirming the ideals of equality enshrined in the 1916 proclamation of the Irish Republic, or indeed in any egalitarian

democracy. Responding to dominant narratives coming from established powers in Ireland, these essays provide a more robust knowledge of our recent past and a better understanding of our present, in order to imagine and facilitate a more inclusive future.

Both the idea for this collection and the majority of the essays originated in a conference, 'Towards Transitional Justice: Recognition, Truth-telling, and Institutional Abuse in Ireland,' which we organised at Boston College (BC) in early November 2018.¹¹ Over two days scholars, policy makers, survivors, people affected by adoption, artists and advocates came together to consider the nature of both the Republic and Northern Ireland's responses to Magdalene Laundries, County Homes/Workhouses, Mother and Baby Homes, child residential institutions, child foster care and the closed, secret and coercive adoption system. As academics and members of the Justice for Magdalenes Research (JFMR)¹² advocacy group, for the past decade the editors of this collection have endeavoured to place the motto of survivors, 'nothing about us, without us,' at the centre of our research and activism regarding the class, race, disability and gender-based abuses so evident in Irish carceral institutions. We have attempted always to ensure that our work is led by survivors' experiences, perspectives and critique, and we have consciously continued such practice in putting this collection together. Reflecting this commitment, the first essay in this book gathers testimony from eight survivors – Mary Harney, Mari Steed, Caitríona Palmer, Terri Harrison, Rosemary Adaser, Conrad Bryan, Susan Lohan and Connie Roberts, residents of Ireland, the United Kingdom and the United States – who participated in a round-table discussion at the conference in Boston. Essays by Patricia Lundy, Laura McAttackney and Caitríona Palmer, among others, also foreground survivors' voices and survivor testimony is featured in a number of long-form journalism essays brought together and reprinted in this collection for the first time.

Over the past 20-plus years the Irish State has initiated a plethora of inquiries into twentieth century institutional and gender-based abuses, leading to the publication of a series of lengthy final reports, including the Commission to Inquire into Child Abuse (*Ryan Report*, 2009), the Inter-Departmental Committee to establish the facts of State interaction with the Magdalen Laundries (*McAleese Report*, 2013), the Symphysiotomy Inquiry (*Harding Clark Report*, 2016), and most recently the Commission of Investigation into Mother and Baby Homes and Certain Related Matters (*MBHCOI Final Report*, 2020). Released to the public in January 2021, the latter Report addresses the experiences of the 56,000 unmarried mothers and 57,000 children it estimates spent time in the fourteen institutions and four sample County Homes under investigation. The Report contends that some 9,000 children, or 15% of those in the institutions examined,

died while in the State's care.¹³ The Commission failed to identify burial locations for a large proportion of these children, however, and its Report contains no recommendations to Government regarding the need to find and identify missing relatives.¹⁴ The Report concludes that '[t]he costs involved would probably be prohibitive' and '[i]n cases where the mothers were in the homes when the child died, it is possible that they knew the burial arrangements or would have been told if they asked.'¹⁵ The Report asserts, moreover, that 'there is no evidence' to suggest that 'women were forced to enter mother and baby homes' and 'very little evidence' to support claims that 'children were forcibly taken from their mothers.'¹⁶ Survivors have roundly criticised the Commission's findings,¹⁷ the manner in which their testimony was taken (without a transcript being made or provided, and without notice of the Commission's decision to destroy all audio recordings),¹⁸ the Commission's clear disregard of testimony provided by hundreds of people to the Confidential Committee,¹⁹ and the Commission's refusal throughout its work to provide survivors and adopted people with their own personal data or records concerning deceased relatives.²⁰ The Commission's findings were reflected in the Government's proposal for a 'Mother and Baby Institutions Payment Scheme' published in November 2021.²¹ Among other things, the proposed scheme does not recognise the harm of forced or unlawful family separation, per se, in that it excludes any person institutionalised for less than six months before being separated from their mother, it does not offer payment for forced labour in thirteen of the fourteen Mother and Baby institutions examined, and it fails entirely to recognise abuse of children who were 'boarded out' and the forced and otherwise unlawful family separation perpetrated in settings beyond the institutions investigated by the Commission. Ultimately, the Irish High Court declared on 17 December 2021 that eight survivors, including Philomena Lee and Mary Harney, were denied fair procedures by the Commission, specifically the right to comment on draft findings and that some of the Commission's findings did not accurately reflect the survivors' evidence. The government deposited a copy of the High Court declaration in the Oireachtas Library alongside the Commission's Final Report and also posted a list of the impugned paragraphs alongside the Commission's Report online.²² Along with those directly affected, academics and cultural commentators too are now offering increasingly critical analyses of the nearly 3,000-page Report, early examples of which are signalled in this collection in the contributions of Maeve O'Rourke, James Gallen, and Máiréad Enright and Sinéad Ring.²³

This collection, however, underlines a much larger point: namely that the aforementioned inquiries have frequently hampered or excluded other avenues of accountability that should ordinarily be available in the

democratic state. Sequestering documents and testimony that are crucial sources of evidence, these investigations have largely operated in private. They have failed to use constitutional or human rights law as a framework of analysis, or as a guide to ensuring procedural fairness for all. Survivors and relatives of the deceased, and frequently also the police, have been prohibited from accessing the inquiries' archives. The Director of Public Prosecutions brought charges against one person only in relation to the contents of the *Ryan Report*.²⁴ Neither the Magdalene Laundries nor the Mother and Baby Homes have been the subject of criminal cases. Survivors' access to the civil courts has been stymied by myriad procedural barriers and a lack of access to relevant evidence and to affordable legal aid. The State has made conditional offers of financial redress to survivors in exchange for their silence and/or their agreement not to pursue wrongdoers in court.²⁵ The State, furthermore, still denies adopted people statutory entitlements to their own identity and early life and adoption files. The essays in the section entitled 'Irish State (In)Justice,' notably by Colin Smith and April Duff, as well as by O'Rourke, Enright and Ring, and Gallen lay bare these substantive deficits in contemporary state practice.

Northern Ireland's Historical Institutional Abuse Inquiry (*Hart Report*, 2017) similarly denied many child abuse survivors legal representation, access to records or an opportunity to submit questions for the Chair to ask of witnesses – in direct contrast to the alleged wrongdoers' entitlements. Patricia Lundy's essay in the section entitled 'Children in State Care' details these and further causes of re-traumatisation, while Gordon Lynch's chapter towards the end of the book exposes flaws in the Hart inquiry's historical analysis. An opportunity to learn from previous practice North and South, to adopt human-rights-compliant investigative practices and to establish a more accurate history, now arises with the recent publication of an academic research report on Mother and Baby Homes and Magdalene Laundries in Northern Ireland²⁶ and the Northern Ireland Executive's subsequent appointment of an independent Truth Recovery Design Panel to co-design with survivors and relatives the framework for a state investigation into Magdalene Laundry, Mother and Baby, and Workhouse institutions.²⁷ As of November 2021, the Executive Office has taken responsibility for implementing all of the recommendations of this independent process, beginning with the establishment of a survivors' and relatives' Forum to influence and monitor, among other measures: the progression of records preservation and access legislation, the establishment of an Independent Panel of investigation and statutory Public Inquiry, and the administration of a wide-ranging redress process.²⁸ Notably, the academic research report by Leanne McCormick and Sean O'Connell found significant cross-border movement of women and children, including the adoption in the Republic

of Ireland of children born in Northern Irish institutions and the detention in Northern Ireland's Magdalene Laundries of girls and women ordinarily resident in the Republic.²⁹ This suggests an urgent need for additional comparative study of cross-border, inter- and intra-national traffic of formerly institutionalised women and children and of the obstacles they and their families continue to face in the pursuit of justice.

This collection addresses the question of what these state practices mean for those most directly affected and for our proclaimed democracy. We believe that the concept of transitional justice can contribute to redressing these deficits. The United Nations defines transitional justice as 'the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation.'³⁰ Scholars frequently describe a transitional justice approach as comprising four principles or pillars: namely, truth-telling, accountability, redress and reparation, and guarantees of non-recurrence.³¹ Operating simultaneously, these four elements are said to provide a holistic method of responding to large-scale and widespread injustice.³² The transitional justice approach has been deployed in numerous countries seeking to move from a situation of mass violence and human rights violations (engendered, for example, by civil war, apartheid or violent insurgency) to the establishment of robust democratic institutions and processes.³³ Significant academic attention has been paid to the potential of transitional justice measures in Northern Ireland as a way to come to terms with the impacts of the three-decades-long Troubles.³⁴ More recently, and with great relevance to the subject matter of this volume, transitional justice scholarship has started to consider how the model could be applied to systematic institutional abuse and injustice in settled democracies: for example, the removal of indigenous children from their families in Canada and Australia, or the forced migration of children from the United Kingdom to both aforementioned jurisdictions, and these children's further mistreatment in residential institutions.³⁵ Essays by Gordon Lynch, Rosemary Nagy and Shurlee Swain offer the opportunity to learn from international comparisons and the inter- and intra-national dimensions of state responses to historic institutional abuse.

We are conscious, however, of the real danger that the language of transitional justice may be co-opted by the state to justify offering a 'specialised,' selective and limited justice model that in fact stymies accountability by denying access to established 'democratic' institutions such as the courts, the coroners' system, academic research and cultural and artistic expression and participation. Essays by James Gallen, Fionnuala Ní Aoláin and Ruth Rubio Marín in the section entitled 'Transitional Justice: Opportunities, Limits' explore both the potential and the pitfalls of

employing the principles of transitional justice as a guiding practice with which to evaluate state institutional responses.

With the pros and cons of this method in mind, the BC conference focused on a series of questions: What, if anything, might the concept of transitional justice offer with regard to Ireland's history of institutional and adoption-related abuse? Can it act as a lens to help us better understand this abuse and its legacy, including the state's (non-)responses to survivors' needs and demands? Is it an avenue by which alternative framings and responses to the past could be designed? Asking these questions provoked a series of further ones, such as: What is it that Ireland still needs to learn about its treatment of women, children and others marginalised by poverty, sexism, racism, ageism and ableism both in the past and in the present? What do the methods with which Ireland has attempted to deal with its past tell us about the state's current approach to power, dependency and incarceration? What are the implications of recent state-sponsored investigations into institutional abuse for contemporary Irish society, including children in foster care, young adults leaving state residential care settings, older people in nursing homes, psychiatric patients, people in Direct Provision, and those in prison? What can Ireland learn from transitional justice responses to similar recent histories and contemporary problems in other jurisdictions? Do transitional justice processes have the potential to assist Ireland in building a more impactful human rights infrastructure, thereby helping to guarantee non-recurrence of previous failures? The essays in this collection consider these questions from different perspectives, disciplines and methodologies.

A key aspiration in advancing this collection was to set an innovative agenda for Irish Studies by proposing that academics studying Ireland (both North and South) could benefit from using the framework of transitional justice as an evaluative lens to understand and address not just the suffering caused by colonial sectarian conflict but also the violence and civil liberties violations wrought by post/colonial theocratic regimes. In using the slashed term 'post/colonial,' we refer to the differing experiences of colonial settlements on either side of the Irish border whereby the Irish Free State, later the Republic of Ireland, won independence from the United Kingdom a hundred years ago and the six counties of Northern Ireland currently operate under a peace settlement that is facing new challenges as the UK negotiates life outside the EU. Widespread across both jurisdictions, systems of institutional confinement and forced family separation functioned for most of the twentieth century imposing social control over tens of thousands of vulnerable citizens, approximately 1% of the Republic's population in 1950 according to one study.³⁶ And, as examined in essays by Paul Michael Garrett, Mary Burke and Claire

McGettrick, codes of silence, secrecy and shaming related to social reproduction in general, and female sexuality in particular, also persist today.

As the 'Decade of Centenaries' draws to a close in 2022, there will be a focus on the violence of the War of Independence, Civil War and Partition.³⁷ These centenaries offer an opportunity to reflect on the other systematic forms of violence and abuse that have marked our island and cultures during the past 100 years. The essays in this book – representing diverse and interdisciplinary academic fields, including law, international human rights, sociology, philosophy and ethics, literature, history, performance studies, social work, archaeology, anthropology and heritage studies, journalism and creative writing – consider whether the principles of transitional justice might guide both the Republic of Ireland and Northern Ireland through a transition, from societies traumatised by violent conflict and severe social oppression to more stable societies that embrace diversity and address socio-economic disadvantage.³⁸ The essays that follow also consider whether practices implied in the concept of transitional justice hold the potential to mobilise a shift away from pervasive gendered, class and racial injustice, and a history rooted in the privatisation of educational, health and social welfare services and their administration by the Roman Catholic Church in particular. Contributions by McGettrick, Palmer and Lundy, among others, examine whether transitional justice can provide a route to the dignified treatment of survivors, and the generations of their families that continue to suffer the effects of our abusive past.

Two final questions informed our approach to the conference and this book. First, how do we as academics engage with the voices of institutional abuse survivors; in other words, how might our scholarship be guided by their testimony? Many essays in this book affirm survivors' truth. In addition to the compilation of survivor testimony, we include a selection of long-form journalism by prominent writers, including Dan Barry, Anne Enright, Conall Ó Fátharta and Clair Wills. Their crucial interventions foregrounded survivors' voices and in doing so drew international media attention that helped bring informed public pressure to counter what Katherine O'Donnell in her essay defines as the belligerent ignorance of the Irish establishment. Our decision to begin this collection with the 'Truth-Telling' section is meant to ensure that readers recall survivors' experiences as they engage with the later essays. Second, what are the roles that the humanities and social sciences might play in imagining a flourishing Ireland and facilitating its emergence? Transitional justice has generally been considered the work of legal and political scholars and centres for the study of human rights. With these essays, we seek to set a fresh agenda for the field of Irish Studies that, in addition to law

and politics, would bring studies in the humanities (e.g. Mary Burke, Laura McAtackney, Katherine O'Donnell, Emilie Pine et al., James M. Smith), social sciences (e.g. Paul Michael Garrett, Patricia Lundy, Claire McGettrick) and the creative arts (e.g. Emer O'Toole, Caitriona Palmer, Connie Roberts) into conversation around a new set of coordinates. In particular, 'truth-telling' and 'guarantees of non-recurrence' connect to the work of many colleagues in the wider Irish Studies community whose scholarship focuses on the role of testimony-gathering, story-telling, life-writing, oral history, access to records, archival research and curation, genealogy, survivor culture, memorialisation, heritage, curriculum design, education and digital scholarship. We also see a pedagogical imperative in transitional justice that has the potential to reinvigorate the work we do in our respective classrooms. Teaching students about Ireland's treatment of the socially marginalised combats contemporary complacency and creates a bulwark that, we hope, will help ensure non-recurrence of such harms in the future.³⁹ In rooting our pedagogies in new interdisciplinary approaches orientated toward social justice for all we will continue to offer dynamic rationales for the value of a liberal arts education.⁴⁰

To return to Seamus Heaney's consideration of poetry's potential to enact redress, we consider that academic activism meets a similar challenge and opportunity:

to place a counter-reality in the scales – a reality which may be only imagined but which nevertheless has weight because it is imagined within the gravitational pull of the actual and can therefore hold its own and balance out against the historical situation.⁴¹

Like poetry, scholarly work is too often dismissed as ineffectual in the push towards progressive change. This collection of essays presents 'a glimpsed alternative, a revelation of potential that is denied or constantly threatened by circumstances.'⁴² We hope that the alternatives proffered might present new imaginative standards for our democracy in the twenty-first century.

Notes

EDITORS' INTRODUCTION

1. An earlier version of this introduction appeared in *Éire-Ireland: An Interdisciplinary Journal of Irish Studies* 55.1 (Spring/Summer 2020), pp 9–16, DOI: 610.1353/eir.2020.0000.
2. Mary Lodato, *Redress: Breaking the Silence*, Prod. Mick Peelo, RTÉ, 2 & 3 Mar. 2020.
3. Carmel McDonnell Byrne, Submission to the Joint Education Committee regarding the Retention of Records Bill 2019, 8 Nov. 2019, <http://jfmresearch.com/wp-content/uploads/2019/10/Carmel-McDonnell-Byrne-Submission.pdf>
4. Tom Cronin, Submission to the Joint Education Committee regarding the Retention of Records Bill 2019, 8 Nov. 2019, <http://jfmresearch.com/wp-content/uploads/2019/10/Tom-Cronin-Submission.pdf>
5. Elizabeth Coppin, Witness Statement to the UN Committee Against Torture in the case of *Elizabeth Coppin v Ireland*, Communication No 879/2018, para 107, on file with the authors.
6. James M. Smith, *Ireland's Magdalen Laundries and the Nation's Architecture of Containment* (Southbend, IN, 2007).
7. Magdalene Laundries were neither specifically Irish nor exclusively Catholic institutions, but the majority of such institutions operating in Ireland in the twentieth century were run by Catholic religious orders. See Smith, *Ireland's Magdalen Laundries*, xiv–xvi. Consistent with the survivor-centred focus required of a Transitional Justice approach, we spell Magdalene using the form more frequently used by survivors. Most academic and official texts drop the final 'e'.
8. In addition to Smith above, see Maria Luddy, *Prostitution and Irish Society, 1800–1940* (New York, 2007) and Maria Luddy, *Women and Philanthropy in Nineteenth Century Ireland* (New York, 1995); Jacinta Prunty, *The Monasteries, Magdalen Asylums and Reformatory Schools of Our Lady of Charity in Ireland 1853–1973* (Dublin, 2017); Frances Finnegan, *Do Penance or Perish: Magdalen Asylums in Ireland* (Piltown, Co. Kilkenny, 2001); Lindsey Earner-Byrne, *Mother and Child: Maternity and Child Welfare in Dublin, 1920s–1960s* (Manchester, 2007); Jennifer Redmond, *Moving Histories: Irish Women's Emigration to Britain from Independence to Republic* (Liverpool, 2018); Leanne McCormick, *Regulating Sexuality: Women in Twentieth-century Northern Ireland* (Manchester, 2010); Sarah-Anne Buckley, *The Cruelty Man: Child Welfare, The NSPCC and the State in Ireland, 1889–1956* (Manchester, 2013), and Donnacha Lucey, *The End of the Irish Poor Law? Welfare and Healthcare Reform in Revolutionary and Independent Ireland* (Manchester, 2015).
9. Seamus Heaney, *The Redress of Poetry* (New York, 1995), p. 15.
10. Ibid.
11. See Boston College, The Institute for the Liberal Arts, *Towards Transitional Justice:*

- Recognition, Truth-telling and Institutional Abuse in Ireland, 1–2 Nov. 2018, <https://www.bc.edu/bc-web/academics/sites/ila/events/towards-transitional-justice.html>.
12. See *Justice for Magdalenes Research: A Resource for People Affected by and Interested in Ireland's Magdalene Institutions*, n.d., jfmresearch.com.
13. The Final Report of the Mother and Baby Homes Commission of Investigation is available online at: <https://www.gov.ie/en/publication/d4b3d-final-report-of-the-commission-of-investigation-into-mother-and-baby-homes/>. See 'Executive Summary', p. 2 (para.1), p. 4 (para. 12), [Hereafter MBHCOI Final Report].
14. See Sarah-Anne Buckley, Vicky Conway, Máiréad Enright *et al.*, 'Joint Submission to Oireachtas Committee on Children, Equality, Disability and Integration RE: General Scheme of a Certain Institutional Burials (Authorised Interventions) Bill (Justice for Magdalenes Research, 26 Feb. 2021), http://jfmresearch.com/wp-content/uploads/2021/03/Institutional-Burials-Bill_Joint-Submission-26.2.21.pdf, pp 23–6.
15. The MBHCOI Final Report, Ch. 36, 'Human Rights', p. 29 (paras 36.80–36.81).
16. The MBHCOI Final Report, 'Executive Summary', p. 3 (para. 8) and 'Recommendations', p. 9 (para. 34).
17. See for example Claire McGettrick and Maeve O'Rourke on behalf of the CLANN Project, 'Clann Project Submission to Oak Consulting RE: Consultation Process on the Development of an *Ex-Gratia* "Restorative Recognition Scheme"', (Clann Project, 31 Mar. 2021), http://clannproject.org/wp-content/uploads/Clann-Project-Submission-to-Oak-Consulting_31.3.21.pdf, pp 38–9.
18. See, for example, Noelle Brown, email campaign, 'Adopted people and Mother and Baby Homes survivors need your help!', Feb. 2021, <http://noellebrown.com/survivors/>.
19. See CLANN Project, 'Transcript of Oxford University Seminar with Professor Mary Daly', available online at <http://clannproject.org/commission-report/oxfordtranscript/>, esp. p. 12, p. 22, p. 26, p. 27; also see Elaine Loughlin, 'Mother and Baby Homes Inquiry Discounted Hundreds of Survivors' Testimonies', *The Irish Examiner*, 2 June 2021; Jennifer Bray, 'Mother and Baby Homes: What did Prof Mary Daly Tell the Oxford Seminar?', *The Irish Times*, 3 June 2021.
20. See CLANN Project, 'Clann Publishes Findings of Three-Year Project on Adoption and Mother and Baby Homes', 15 Oct. 2018, <http://clannproject.org/2018/10/15/clann-publishes-findings-of-three-year-project-on-adoption-and-mother-and-baby-homes/>.
21. Department of Children, Equality, Disability, Integration and Youth, 'Mother and Baby Institutions Payment Scheme: Government Proposals', 16 Nov. 2021, <https://www.gov.ie/pdf/?file=https://assets.gov.ie/204595/b3a52e17-ae0c-4897-8a3e-9ae7a6e59d08.pdf#page=null>.
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31. There is an extensive scholarly literature addressing Transitional Justice: see e.g.; Ruti G. Teitel, *Transitional Justice* (Oxford, 2000); Pablo De Greiff, 'A Normative Conception of Transitional Justice', *politorbis* 50.3 (2010), pp 17–30; Juan E. Méndez and Catherine Cone, 'Transitional Justice', in Scott Sheeran and Nigel Rodley (eds.), *The Routledge Handbook of International Human Rights Law* (London, 2013), p. 761.
32. Méndez and Cone, 'Transitional Justice', p. 761.
33. Transitional justice approaches have been utilised in South Africa, Chile, Argentina and Guatemala, for example.
34. See for example the array of articles addressing Northern Ireland in the *International Journal of Transitional Justice* (Oxford), https://academic.oup.com/ijtj/search-results?page=1&q=Northern%20Ireland&fl_SiteID=5176&SearchSourceType=1&allJournals=1
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36. See Eoin O'Sullivan and Ian O'Donnell (eds.), *Coercive Confinement in Ireland: Patients, Prisoners, and Penitents* (Manchester, 2012), p. 7.
37. See Department of Culture, Heritage and the Gaeltacht, *Decade of Centenaries, 2012–2022*, <https://www.decadeofcentenaries.com/>.
38. Katherine O'Donnell, 'Let's Listen Attentively to Survivors of Magdalene Laundries', *The Irish Times*, 5 June 2018.
39. During a 'Listening Exercise' conducted with survivors during the Dublin Honours Magdalenes event in June 2018, the women repeatedly asked that their abuse be recorded in the history books and taught in schools trusting that younger generations of Irish would never forget nor stand idly by in the face of recurring injustice. See, Katherine O'Donnell and Claire McGettrick et. al., *Dublin Honours Magdalenes Listening Exercise Report Vol 1: Report on Key Findings* (Dublin, 2020), pp 33–6, http://jfmresearch.com/wp-content/uploads/2020/04/DHM-Listening-Exercise-Report_Vol-1.pdf
40. In the fall semester 2018, James Smith offered an undergraduate elective at Boston College entitled 'Outcast Ireland: Paupers, Penitents, Patients', in which the students researched and designed poster-boards for presentation at the 'Towards Transitional Justice' conference in Nov., see Mary Cobble, Liza Frost, Isabelle Morford, Haley Walker, and Oliver Whitters, *How do I know who I am?: An Analysis of the Ramifications of Ireland's Adoption Policies*, 2018. <http://hdl.handle.net/2345/bc-ir:108343>; Tara Coffey, Meg Dolan, Isabel Rivera, and Daniel Walsh, *Narrating Neglect at Artane Industrial School*, 2018. <http://hdl.handle.net/2345/bc-ir:108345>; Meghan Dougherty, Sophia Fox, Megan Kelly, and Sydney Walters. *Making Visible the Truth of the Galway Magdalen Laundry*, 2018. <http://hdl.handle.net/2345/bc-ir:108346>; Audrey Ballard, Kathleen Flaherty, Taylor Puccini, and Jessica Rowe, *Confronting Compartmentalization: Bessboro Mother & Baby Home*, 2018, <http://hdl.handle.net/2345/bc-ir:108348>; Emily Lyons, *House of the Good Shepherd Boston MA*, 2018. <http://hdl.handle.net/2345/bc-ir:108344>.
41. Heaney, *The Redress of Poetry*, pp 3–4.
42. *Ibid.*, p. 4.

CHAPTER I – TESTIMONY

1. This essay was previously published in *Éire-Ireland: An Interdisciplinary Journal of Irish Studies* 55.1 (Spring/Summer 2020), pp 17–34, DOI: 10.1353/eir.2020.000.
2. See 'Towards Transitional Justice: Recognition, Truth-Telling, and Institutional Abuse in Ireland', Boston College Institute for the Liberal Arts, 1–2 Nov. 2018, <https://www.bc.edu/bc-web/academics/sites/ila/events/towards-transitional-justice.html>, archived at <https://perma.cc/8QY4-KR8E>.

CHAPTER 2 – ANTIGONE IN GALWAY: ANNE ENRIGHT ON THE DISHONOURED DEAD

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