

Policing the press: censorship, family planning, and the press in Ireland, 1929–67

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Abstract

In 1929 the Irish state banned the publication of any information that advocated the prevention of conception. While much research has examined the cleansing of sexual matters from motion pictures and literature, the mechanics of how aspects of sexuality, in this instance birth control information, was excised from the most affordable, most widely available, and most easily purchased medium – the press – have received scant attention. This article examines the origins of, the implementation of, and the controversies that arose from the banning of birth control information from the press in Ireland. Through an examination of state and ecclesiastical archives – as well as contemporaneous press coverage – it outlines the mechanics utilised by state and religious actors to cleanse the press of such content. The archives demonstrate an acute sensitivity on the part of Catholic moral entrepreneurs to any mention, as distinct from advocacy, of birth control in the press. This sensitivity led to those tasked with implementing censorship going beyond their remit in terms of imposing official and unofficial bans on various publications. Such actions delayed for decades any meaningful public discussion of birth control with the inevitable consequences this had for women in pre-1970's Ireland.

Keywords

Contraception; press; birth control; periodicals; literature; health

Introduction

Much research on the nature of the newly independent Irish state has focused on how clerical and lay organisations intervened to cleanse any hint of sexuality from motion pictures and literature.¹ But by focusing on film and books, scholars have overlooked the mechanics of how sexuality – and, especially birth control information – was excised from the most affordable, most widely available and most easily purchased medium – the press. As noted by Sandra McEvoy, “historians are gradually uncovering the layers of lobbying and political manoeuvring that resulted in both censorship of printed matter advocating birth control, under the 1929 Censorship of Publications Act, and a prohibition on the import and sale of contraceptives, under the 1935 Criminal Law Amendment Act”.² Dermot Keogh has sketched the relationship between the Vatican and the emergent Irish state in which there existed little ideological difference between the hierarchy and a generation of politicians who had been educated within a Catholic education system and who governed a state in which the Church's power was omnipresent.³ John Horgan has examined the religious-led campaign behind the ban on birth control information while Maurice Curtis has mapped the campaigning and lobbying power of militant Catholic lay-groups.⁴ Similarly, Diarmaid Ferriter has contextualised the contemporary concerns about sexual crime, sexually transmitted diseases, and prostitution in Irish society – all of which were perceived as threatening the social and moral order of the nascent state.⁵ Both Mark Finnane and James T. Smith have excavated the records of the Carrigan Committee to illuminate the context and processes behind the ban on contraception as part of what Smith refers to as the state's “containment culture” in relation to sex and sexuality.⁶ Sandra McEvoy has identified the activities of Catholic social movement activists in relation to print censorship as of crucial importance while also highlighting how such activities extended into the inner workings of the Pharmaceutical Society of Ireland and

impacted on debates around contraception.⁷ Lindsey Earner-Byrne has identified the “medico-religious alliance” that emerged in the early years of the state through which medical institutions and organisations safe-guarded “an agreed moral stance on certain potential health issues such as birth control and maternal education”. This moral stance reflected the majority religion and acted “to exclude a ‘non-Catholic’ influence on the development of medicine in Ireland”. Alongside this “medico-religious alliance”, Catholic lay groups amplified the belief that Irish independence represented an opportunity to “catholicise the nation, making it a bastion in a world deemed to be losing its battle with materialism and immorality”.⁸ Indeed, Maryann Valiulis has situated the ban on contraception in the context of the project to create “the ideal Irish Catholic woman”.⁹ While the mechanics of the ban on contraception has been well interrogated from many angles, the enforcement of the ban on contraception information has been less analysed. This article examines how the ban on contraception information within the press was enforced – formally and informally – by state and religious actors between 1929 and 1967. It examines state files on the issue held in the National Archives of Ireland, files held in the Catholic Archdiocesan Archive (Dublin), and contemporaneous coverage via online newspaper archives to illuminate the processes by which various actors sought to police the press and ensure that any mention of contraception, never mind its advocacy, was excised from the public sphere. It begins by outlining the lobbying and legislative background to the ban on birth control information, and then outlines the mechanics used to sanitise the press of such content. Consideration is given to the official and unofficial mechanisms utilised to achieve this end, press coverage of controversies that erupted, and communications between the censorship board and the department of justice. Such correspondence sheds a light not only on the mechanics of censorship but also on the mentality of those charged with implementing it. It concludes by asking what the research indicates about Ireland during the period under consideration and illustrates how, from the late 1950s onward, the censorship regime was incrementally weakened by public controversy and legislative reform.

Legislative context

In contemporary Ireland family planning is viewed as an issue of public policy worthy of public debate. But for most of twentieth-century Ireland, the issue was framed solely in terms of religious beliefs and the idea that public discussion of the issue would be detrimental to public morality. As Michael Cronin has observed, in the 1920s Irish Catholic morality discourse was not expressed not so much as sin but as need to protect vulnerable individuals – generally impressionable youth and females – from the dangers of modernity.¹⁰ In particular, British newspapers were regarded by Catholic moral entrepreneurs as highly dangerous with the prominent campaigner, Rev. Richard S. Devane calling for the adoption of a new legal definition of indecency or obscenity “in harmony with the standards of sexual morality obtaining in Saorstát Éireann”. Devane also called for the establishment of a censor attached to the ministry of justice, the banning of all “so-called ‘Birth Control’ propaganda”, the registration of imported journals, and the licensing of newsvendors and booksellers.¹¹ In January 1926, the Catholic hierarchy’s standing committee met with the minister for justice, Kevin O’Higgins, who was, noted one of his officials, “being subjected to considerable pressure from vigilance associations, the Catholic Truth Society, and bishops to introduce legislation giving more effective and definitive power to the State to prevent the importation and distribution of indecent and meretricious literature”.¹² There followed the establishment of a Committee on Evil Literature to examine whether the state needed to legislate in relation to objectionable publications. At its hearings, the issue of British newspapers and birth control information loomed large: family planning had become increasingly accepted in Britain with its newspapers and magazines media carrying adverts for mail-order contraceptives and for birth-control pamphlets and books. These newspapers and magazines circulated freely in the

newly independent Irish state and in its evidence, the Catholic Truth Society's submission estimated that the weekly circulation figures of the British Sunday newspapers to which it objected totalled 352,802.¹³ The committee's report, which recommended the establishment of a censorship board, noted that access to birth control information and contraception itself removed "the consequences of sexual indulgence among the unmarried" and was "offensive to the preponderant moral sense of the community of the Saorstát".¹⁴

Reacting to the report, the *Irish Independent*, the state's conservative and best-selling newspaper, declared that there existed "complete agreement among all creeds and sections in this country that there should be a specific ban against the unnatural doctrine of artificial birth control" (*Irish Independent*, February 1, 1927). As legislation based on the report was being prepared, the *Irish Times*, which as the voice of the southern Protestant community was wary of the new state being influenced by those who sought to ensure that the majority faith took precedence in all legislative matters, asked why the state sought "to enforce the teachings of one Church upon those members of other Churches who claim the right of public judgment in the matter of birth control?" (*Irish Times*, September 29, 1928).

The subsequent Censorship of Publications Act 1929 created a government appointed censorship board and, under Section 6, allowed for a permanent ban on any book deemed indecent or obscene or which advocated "the unnatural prevention of conception". In relation to periodicals, Section 7 of the Act allowed for a three-month ban when "several issues of a periodical publication recently theretofore published have usually or frequently been indecent or obscene or have advocated the unnatural prevention of conception". A second offence resulted in a permanent ban on the periodical. In addition, Section 16 made it a criminal offence (punishable by a £50 fine and/or six months' imprisonment) for anyone to print, publish, sell or distribute any book or periodical that advocated "the unnatural prevention of conception" and Section 17 banned as indecent any advertisement pertaining to medical products relating to sexually transmitted diseases or the prevention of conception. As noted by John Horgan, the parliamentary debate on the legislation "was notable for the almost universal acceptance of the edicts against literature dealing with contraception".¹⁵ Outlining the legislation, the minister for justice, James FitzGerald-Kenny shut down any debate on Section 17:

That section has been attacked by persons who say that this question may be treated as a social question, and that its merits or demerits should be argued out. That is a proposition to which we cannot and will not assent. In our views on this matter we are perfectly clear and perfectly definite. We will not allow, as far as it lies with us to prevent it, the free discussion of this question which entails on one side of it advocacy. We have made up our minds that it is wrong. That conclusion is for us unalterable. We consider it to be a matter of grave importance. We have decided, call it dogmatically if you like—and I believe almost all persons in this country are in agreement with us—that that question shall not be freely and openly discussed.¹⁶

A similar process – in terms of legislative process and an absence of public discussion – followed in the banning of contraception proper. Established in 1930, the Committee on the Criminal Law Amendment Acts and Juvenile Prostitution (better known as the Carrigan Committee) would lead to the Criminal Law Amendment Act 1935, which, amongst other reforms such as raising the age of consent and amending the laws on prostitution, banned the importation and sale of all contraceptive products. Despite the similarities in process, there existed one crucial difference between the Committee on Evil Literature and the Carrigan Committee. In its examination of lax morality, the former had firmly pointed the finger of blame towards the influence of British publications. However, the Carrigan Committee was examining sexual behaviour within the newly independent state and so only the Irish people

themselves could be blamed for any immoral behaviour. Thus the first decision taken by the Carrigan Committee was that no evidence would be published in the press – this decision ostensibly being taken to allow for the frank delivery of evidence.¹⁷ Indeed, it was the frankness of the evidence given by police commissioner Eoin O’Duffy that would result in the justice department objecting to the publication of the Committee’s report. O’Duffy had, in the absence of the collation of official crime statistics, “gathered up data on the policing of sexual offences that called in to question the kind of Ireland independence had delivered”.¹⁸

In its August 1931 report, the Carrigan Committee concluded that “birth control information was circulated widely and that English agencies continued to distribute price lists throughout the country to facilitate postal deliveries”. However, the report concluded that the sale of contraception “should not be prohibited except under exceptional conditions”.¹⁹ Upon receipt of the report, the justice department objected to its publication since it contained “numerous sweeping charges against the state of morality of the Saorstát”. The damaging conclusion of the report was, as the department put it, “that the ordinary feelings of decency and the influence of religion have failed in this country and that the only remedy is police action. It is clearly undesirable that such a view of conditions in the Saorstát should be given wide circulation”.²⁰ The justice minister, James Geoghegan, agreed and so normal parliamentary process was by-passed in favour of a small all-party committee examining the report “with a view to avoiding as far as possible public discussion of a necessarily unsavoury nature”.²¹ The Carrigan Report’s finding that contraception “should not be prohibited except under exceptional conditions” was ultimately ignored. In December 1930, some months prior to the Report, Pope Pius XI’s encyclical, *Casti Connubi*, had reinforced the Roman Catholic Church’s absolute ban on contraception. While considering the Carrigan Report, in December 1932 Geoghegan met a delegation from the Catholic hierarchy. Among the issues raised by the bishops was the sale of contraception: in response, the justice minister assured them that “he would like to see a bill go through which would bring the law into accord with best Catholic practice and teaching”.²² With this assurance the legislation that would ban contraception wound its way through parliament with minimum scrutiny and, compared with the attention afforded the print censorship legislation, very little press coverage. While the *Irish Times* had published the Censorship of Publications Bill in full and facilitated robust debate in its letters columns, it could not publish the Criminal Law Amendment Bill as it had not been released into the public domain.²³ It did, however, in a leading article, criticise Section 17 of the legislation which made it an offence “for any person to sell, or expose, offer, advertise, or keep for sale or to import or attempt to import into Saorstát Eireann for sale, any contraceptive”. It noted that the provision would only encourage the spread of disease and increase the rate of infanticide (*Irish Times*, June 25, 1934). Its political correspondent also cast a cold eye on “the extreme delicacy which hung over the Dáil for the five minutes during which the bill was put before the House” and how the suggestion from one deputy “that the famous suppressed report upon which the bill is based should be available for perusal by deputies . . . had been fobbed off with no reply” (*Irish Times*, June 29, 1934). In another leading article it criticised the worldview that “idealises Ireland as a land of saints and scholars [in which] sexual aberrations are unknown – or, if by any mischance they should occur, they must be hushed up at once lest the national purity be contaminated”. There was, it concluded, “something nauseating about this puritanical smugness” (*Irish Times*, July 7, 1934).

As the paper established in 1931 to articulate the political philosophy of what would become the dominant political party (Fianna Fáil) of the new state, the *Irish Press* had, courtesy of its political masters, exclusive access to the provisions of the bill which it published but did not comment editorially on (*Irish Press*, June 20, 1934).²⁴ For its part the conservative *Irish Independent* made only the briefest of mentions as the bill passed through parliament. It neither engaged with nor editorialised on the issue. All three newspapers reported on the call by the

Irish Women Citizen's and Local Government Association (IWCLG) for the deletion of Section 17 of the bill (November 11, 1934). The *Irish Independent* published a response to this from the Catholic Young Men's Society (CYMS) which without a hint of irony criticised the IWCLG as not representing "the views of Irish womanhood" and requested the government to make mere possession (as opposed to import or sale) of contraception a criminal offence (*Irish Independent*, January 28, 1935). Such moves to cut off public discussion were repeated when some parliamentarians proposed deleting Section 17. The unsuccessful move was denounced by the Bishop of Killaloe, Dr Michael Fogarty, as "a filthy proposal" and "a brazen defiance" of the Catholic ethos of the Irish people (*Irish Independent*, March 4, 1935). It was in this environment, in which the merest mention of birth control prompted outrage amongst the guardians of Irish virtue that Irish and British newspapers were forced to operate. It is to the policing of the ban on birth control information – as illuminated by the surviving archives – that we now turn.

Cleansing the press

After a long campaign to prevent any mention of birth control from circulating in the new state, the censorship board – and the many lay groups which had campaigned for same— implemented the ban with relish. In May 1930, the board released its first list of banned books. Of the thirteen titles, ten related to birth control and included *What Every Mother Should Know* (1911); *Family Limitation* (1920); *The New Motherhood* (1922) and *The Pivot of Civilisation* (1923) by Margaret Sanger; *Married Love* (1918); *Wise Parenthood* (1920); *Early Days of Birth Control* (1922); *Contraception* (1923) and *Radiant Motherhood* (1927) by Marie Stopes; and *On Conjugal Happiness* (1913) by Leopold Lowenfeld. All were banned for advocating "the unnatural prevention of conception". The list of banned titles was published by the *Irish Times* which noted that it was: "almost certain that not one Irish woman in fifty thousand had known anything of the ten works of obstetric sociology. Now all these books will be subjects to tea-table talk, and will line the pockets of passengers from Holyhead to Kingstown". Referring to the dangers inherent in any censorship scheme it declared that these existed individuals "who would strain the word 'indecent' as an excuse for the suppression of free thought in the domain of religious and scientific speculation" (*Irish Times*, May 14, 1934). Despite Section 11 (4) of the Act requiring the government to maintain a publicly accessible register of banned works, the fact that the *Irish Times* was publishing the lists of banned works prompted one parliamentarian to accuse the paper of being "determined to defy" the legislation and call on the minister for justice to "use all the powers he has to prevent an abuse of that kind".²⁵

The first newspaper to be banned, in May 1930, for advocating "the unnatural prevention of conception" over several editions was the *New Leader*, a weekly title published in London variously described by the *Irish Times* as "a socialist journal [and] the official organ of the Independent Labour Party" (*Irish Times*, May 28, 1930; October 7 & 8, 1930). It was banned a second time (permanently) in October 1930 and while no file relating to its banning survives, in 1939 the department of external affairs expressed concern at its continued circulation within the state.²⁶ It is most likely that one of the many lay Catholic groups complained about the title – as happened in the case of the next newspaper to be banned on the same grounds. The machinations behind the banning of the *Daily Worker* (described by Bingham as "a communist newspaper") give a good indication of the social class-based thinking behind birth control censorship and the bias adopted by moral entrepreneurs in tackling publications that carried birth control information.²⁷ Writing to the department of justice in July 1931, Francis O'Reilly, the executive secretary of the Catholic Truth Society of Ireland (CTSI), complained that several editions of the *Daily Worker* had advocated birth control. In this letter, O'Reilly noted that in requesting a ban, the CTSI objected:

to the matter of the publication of these advertisements being referred to the publishers, with a view to their withdrawal in order to avoid the Board's ban. In some previous cases, e.g. *The Spectator*, the publishers have been given opportunity to withdraw the objectionable advertisements when complaint has been lodged against them. We cannot admit that the *Daily Worker* is such a journal as to merit consideration of this kind. We seek, therefore, that our complaint be dealt with purely on its merits, and that our views be forwarded to the Censorship Board.²⁸

While censorship board concerns had been conveyed to middle-class publications, such as *The Spectator*, that they would be banned if they continued to publish birth control matter, no such notice was given to working-class publications such as the *Daily Worker*. Having received O'Reilly's complaint from the justice ministry, the censorship board banned the title for three months (*Irish Times*, August 6, 1931).²⁹ Five years later, in November 1936 another complaint (this time anonymous) was submitted to the justice ministry. This complaint listed the Dublin newsagents at which the paper was sold and declared that the paper contained "matter of an unlawful kind".³⁰ The ministry thus requested the Irish police force to look into the availability of the title and the adverts for books on which the anonymous complaints were based.³¹ A deflating police report followed in which it was noted that the title had "not much of a circulation in Dublin. It is sold by a few newsagents in working class districts of the city, and also by newsboys". More significantly, efforts to purchase the books (presumably referring to birth control) advertised in the paper were unsuccessful, with the report concluding that "as far as can be ascertained the said books are not available here".³² The state's attorney general was unhappy with this and contended that the paper's adverts for birth control products meant that those selling the paper had committed the offence of "advertising for sale" contrary to Section 17 of the Criminal Law Amendment Act 1935.³³ However, subsequent legal advice indicated that the goods were not being advertised for sale in Ireland (they were being advertised for sale in Britain) and that a better option would be to simply ban the paper.³⁴ The file moved back to the justice ministry which duly noted that the censorship board was now purchasing copies of the paper "with a view to taking action if necessary".³⁵ Thus began a sustained game of cat and mouse between the paper's distributor and the justice ministry. For the paper to be banned it needed to be caught publishing the contentious adverts (which the justice department now defined as advocacy) in three editions published within fourteen days. As the adverts appeared in every Saturday edition and the occasional Friday, the censorship board's attempts to secure the necessary three editions were hampered by the paper's Dublin distributor cutting out the adverts "from all copies as soon as they reach him".³⁶ This game of cat and mouse continued until October 1938 when the justice ministry received three editions of the paper from August that year – all of which carried birth control adverts. As this was the paper's second offence the ban was permanent.³⁷ However, the paper's distributor took issue with the ban and writing to the justice ministry declared that "no copy of the paper containing this matter has been sold to Twenty Six County readers and that I as agent for the paper in Dublin have for the past six months removed the advertisement in question (whenever it has appeared) before distribution".³⁸ If this were so, it remains a mystery as to how the three editions were secured for the ministry: perhaps a moral entrepreneur arranged for direct postal delivery from Britain or had them sent on from Northern Ireland. In any event, the following year, the paper wrote to the justice ministry noting that while it "used to carry advertisements for contraceptives, we do not now carry any such advertisements".³⁹ Having reviewed recent editions of the paper that had been supplied to it by the publisher, and having received an undertaking that no more birth control adverts would be published, the censorship board lifted its ban in May 1939.⁴⁰

The crusade that was the Irish censorship regime was admired far and wide by those who wished to curtail discussion of what was perceived to be morally inappropriate. The

Catholic Church viewed the regime as a model to be followed worldwide. In 1938, J.P. Walshe, secretary of the department of external affairs recorded how he had been asked by the Papal Nuncio to Ireland

for information concerning our press censorship. He would like to have, for the confidential information of the Holy See, the instructions issued to the censors and a few select reports submitted by them. He would also like to have the names and qualifications of the censors. It appears that the Holy See regards our system of censorship as a model one, and the Cardinal Secretary of State is very eager to learn all about it.⁴¹

The reply to Walshe, from the justice ministry, confirms that much of the censorship board's banning came about from its own initiative rather than complaints from the public:

It is open to the board to examine and make a report to the minister, on their own initiative, on any book or any particular edition of a book. In fact, very few complaints regarding books are made by members of the public and the majority of reports on books are made by board on their own initiative. The board's secretary and clerk examine book reviews and publishers lists regularly, make preliminary examinations of books which they suspect and bring to the notice of the board any books which appear to merit prohibition.⁴²

The justice ministry reply also indicated that, up to 1938, six newspapers had been banned for "advocating" birth control. Other requests for similar information came from the Argentine Legation (November 1951) and South Africa (December 1954) – neither state then known for its democratic ethos.⁴³

Academic research into aspects of human sexuality was also banned by the censorship board thus preventing newspaper coverage – and public discussion – of the research findings. The only mention that Alfred Kinsey's ground-breaking research into male human sexuality – *Sexual Behaviour in the Human Male* (1948) – received in the Irish print media was when the *Irish Times* reported its banning for being "indecent or obscene" by the censorship board (*Irish Times*, October 24, 1948). Kinsey's *Sexual Behaviour in the Human Female* (1953) was similarly banned (*Irish Times*, November 23, 1953).⁴⁴ Statutory reports into population matters were also banned, though on this occasion press criticism of the processes used to ban such works resulted in a change in policy. In October 1949, the *Irish Times* reported that the censorship board, for the first time, had banned a British government report – the report of Royal Commission on Population – on the grounds that it advocated birth control (*Irish Times*, November 22, 1949). As Bingham has noted, the report expressed the view that "the trend towards using contraception was a reflection of the rise in status of women, which it was neither possible nor desirable to reverse".⁴⁵ Surprisingly, it was the *Irish Press* (not the *Irish Times*) that led the criticism of the move.⁴⁶ It noted that it was "certainly surprising to find the report associated with tawdry pornography in the latest list". It also noted that Section 6 of the Censorship of Publications Act required to censorship board to take into consideration the "nature and extent of the circulation" and "the class of reader" that any book under its consideration might have.⁴⁷ The board was, the paper concluded, "expected to look beyond the printed page before banning a publication" (*Irish Press*, October 24, 1949). This prompted a reply from the secretary of the censorship board, Brian MacMahon, who stated that the report had been banned under Section 16 of the Act which made it an offence for anyone to print, publish, sell or distribute any book or periodical that advocated "the unnatural prevention of conception" (*Irish Press*, October 29, 1949). This was clearly an attempt by the censorship

board to circumvent the criticism that it was supposed to have considered the criteria mentioned by the *Irish Press*. However, the *Irish Press* responded to MacMahon's retort by querying whether the board was responsible for enforcing Section 16. It noted that "in our view, they [the censorship board] would have acted more wisely if they had not intervened and had left the Report to be dealt with by the authorities under Section 16 of the Act" (*Irish Press*, October 29, 1949).

This criticism focused minds within the justice ministry and the censorship board. Although the paper's query as to whether the censorship board had the legal competence to ban works under Section 6 of the Act went unanswered, its declaration that the "nature and extent of the circulation" and "the class of reader" of any book needed to be considered by the censorship board prompted a change in procedure. Correspondence on this issue indicates that when considering books, the censorship board automatically banned books pertaining to birth control without any reference to the qualifications of circulation or class of reader. Such qualifications were only referred to by the board in the context of books being considered as indecent or obscene. The same correspondence indicates that the censorship of publications appeals board (established in 1946) implemented the same process. Upon appeal, the ban on the report of the Royal Commission on Population was lifted in January 1950, with the appeals board basing its decision on the qualifications offered by the censorship legislation. Writing to the minister for justice, Seán MacEoin, the appeals board chair (Judge Kevin Haugh) noted that while the commission's report "clearly advocates the practice of birth control by unnatural means" the board believed that the report:

would be purchased and read by a very limited number of persons. There is nothing in the title to suggest that it touches on birth control. Only persons genuinely concerned with present day serious social problems, and in the promotion of legislation to sure same are likely to invest in and read this book. Countless serious topics, other than birth control, are dealt with, many of which would be bound to interest legislators in this country.

Thus, while holding that the report advocated birth control, the board, in considering its likely circulation and class of reader, lifted the ban. Judge Haugh also informed the minister that should the government wish to return to the previous system – an automatic ban for books that advocated birth control – then the government would need to amend the legislation to explicitly set this out.⁴⁸ In his reply, MacEoin indicated that the government did not intend "to place 'birth control' books outside the scope" of the qualifications in the legislation.⁴⁹

Formal approaches and unofficial suppression

While the above was a rare example of press coverage of the censorship regime prompting change, the censorship board was not reticent in referring what it viewed as actionable matter printed in Irish newspapers to the justice ministry. In the wake of the controversy surrounding the Mother and Child crisis of 1951, wherein the government, at the behest of the Catholic hierarchy and the medical profession, abandoned plans for universal healthcare for new mothers and their children, the *Irish Times* published a reader's letter which the censorship board and a lay Catholic group took exception to. The letter's author, a Church of Ireland clergyman, F.R. Mitchell, took exception to the Catholic's Church's role in the scheme's downfall, pointedly asking "who is better qualified to give sound and suitable instruction and advice to a married woman on the physiological problems which many marriages present in our modern world – a celibate priest in the confessional, or the qualified, and mostly married, practitioner or gynaecologist in his or her consulting room?" While this criticism must have

struck a nerve, it was the letter's concluding paragraph on which the censorship board and the lay organisation advocated legal action:

On the moral side of such matters, which is more moral, which is the more Christian, which is humanitarian – the unrestrained and often imperative reproduction of children by consumptive or otherwise delicate or diseased parents – children heavily handicapped at birth and sometimes before it, in health and happiness – or the recognition and approval of wholesome and sound instruction to married persons by competent practitioners unrestricted by sectarian bias, on the advisability and practice of family limitation, where circumstances are of such as to make this desirable? (*Irish Times*, April 16, 1951).

There followed a flurry of letters urging the justice ministry to take action against the *Irish Times*. The secretary of the censorship board, Brian MacMahon wrote to the justice minister (Daniel Morrissey) to draw his attention to the letter “which in the opinion of the Board contravenes Sec 16 (1) (a) of the Censorship of Publications Act, 1929 in that the *Irish Times* prints matter which advocates or which might reasonably be supposed to advocate the unnatural prevention of conception”. Another letter, this time from Hugh P. Allen, of the Catholic Truth Society of Ireland urged that the *Irish Times* “be prosecuted for publishing Mr Mitchell’s letter”. The complaints were forwarded to the chief state solicitor’s office which concluded that the no offence had occurred. While it agreed that “the final paragraph of the letter may ‘reasonably’ be construed as ‘advocating’ birth control”, it concluded that “there is nothing therein to suggest that such control is to be secured by ‘unnatural’ methods”.⁵⁰ Mitchell could just as easily be referring to the Vatican sanctioned “safe period” or “rhythm” method as to the use of contraceptive products, which were of course illegal anyway.

As the 1950s unfolded, the moral rhetoric that had resulted in the Censorship Act again made its presence felt. While the Second World War had resulted in a severe decline in the availability of British newspapers in Ireland, by the late 1940s, British newspapers companies were again resuming supply. Amid concerns about the increased prevalence of such newspapers in terms of the perceived threat they posed to Irish identity and the existing moral order, in March 1953 a new organisation – Boycott Objectionable Foreign Literature – wrote to the Taoiseach (prime minister) Eamon de Valera to express its concerns about parliament’s “indifference to the moral, national, and economic harm being caused by the unrestricted flood of foreign publications coming into Ireland at present”.⁵¹ At a meeting with de Valera and the minister for justice, Gerry Boland, the group noted that the newspapers to which it objected had been “repeatedly condemned by religious authorities because they propagate an outlook on life which is not merely anti-Catholic or anti-Christian but definitely and deliberately pagan”. In a throwback to the 1920s the group suggested “that a Committee might be set up to inquire into the whole problem and to make recommendations to the government”. While de Valera stated that he was open to suggestions to possible remedies, Boland asserted that “the problem was one jointly for the Home, the School and the Church and he felt that if they could not solve it the State could not”.⁵² A subsequent approach by the Catholic lay-group League of Decency for a meeting on the issue was rebuffed by Boland who noted that “the League have very exaggerated notions of what is indecent and any discussion with them could not fail to be embarrassing”.⁵³ A call by the CYMS for “a permanent full time Censorship Department [and] pending the introduction of proposals for legislation, Emergency Powers to deal summarily with the importers and vendors of the filth” also went unheeded by the government.⁵⁴

But if formal approaches to government did not work, informal methods could always be resorted to. In September 1953 a newspaper distributor's van was held up by masked men as it left Dublin city. Telling the driver that they "objected to the circulation of filthy newspapers and in particular to *The People*", the men took the bundles of the *Sunday People* and, having failed to set fire to them, "scattered all the papers on the roadway tearing up a number of them". The secretary of the justice ministry, Peter Berry, believed that, what he termed, "Catholic Action" was behind the attack.⁵⁵ In a similar vein, the censorship board was also not above taking unofficial action. In March 1956 *The Observer* published a series "Sex in Society", with the third instalment, "Family Planning To-Day", to be published on 1 April.⁵⁶ Having kept an eye on the previous instalments and having noticed the adverts for the "Family Planning" article, the censorship board – unofficially – swung into action. In a letter from the board's secretary Brian MacMahon to Thomas Coyne of the justice ministry, MacMahon recorded that:

It immediately occurred to me that here was a paper, ordinarily of the highest repute, which, with two sex articles already published (one of which seemed to be very objectionable) appeared to be running into trouble with what might well be an article advocating the unnatural prevention of conception now "on the stocks". If this fear should prove well founded it might also spell trouble for any shopkeeper who might sell the paper. Here obviously was a case for putting into effect the Censorship of Publications Board's arrangement with the Irish Retail Newsagents, Booksellers and Stationers Association.

According to MacMahon, the censorship board and the association had agreed a policy of "preventative medicine" to co-operate with each other "in cases where purely informal complaints indicated that periodicals (especially those with no previous case histories) were inclined to "go off the rails". Having contacted the Irish customs service in an attempt to have the paper seized on arrival, MacMahon was told that the service "were doubtful as to their powers to prevent the importation of periodicals which advocate the unnatural prevention of conception". MacMahon then contacted the chair of the newsagents association: "she considered the matter to be of vital interest to her association and ... she intended contacting the publisher and importer". When the distributor, a Mr Kirwan, contacted MacMahon for information, he was told simply that all the relevant information had been given to the association, to which he replied "that he had no intention of getting into trouble over 'birth control stuff' for *The Observer* people and that he would telephone them not to send the copies".⁵⁷ However, in a customs service report, also sent to the justice ministry, it was recorded that MacMahon had informed Kirwan of the penalties – a fine of £50 and six months imprisonment – applicable to those who imported such material. Thereafter Kirwan telephoned the editor of *The Observer* "requesting the omission of the offending article. The editor told him that this was impossible as they had only one edition and indicated, apparently, that what was good enough for English circulation was good enough for this country". When the consignment arrived, Kirwan and the customs officer on duty at Dublin Airport read the article and "both formed the conclusion that it was objectionable", with Kirwan feeling it "particularly inappropriate that such an article should appear in a newspaper circulating on Easter Sunday morning". The customs report also clarified that the customs service could not seize a newspaper unless it had been banned by the censorship board or judged to be indecent or obscene. However, Kirwan, as the "unwilling importer of matter which would give offence" was then given the option of "abandoning the goods to the state" – an option to take with alacrity. The customs report concluded that "*The Observer* has not been banned and the offending article, while objectionable on other grounds, was not indecent or obscene".⁵⁸

The following week *The Observer* noted that upon seeking to purchase the newspaper the previous weeks its Irish readers had been told it was “not available because it had been banned”. It also noted that the censorship board possessed no power “to ban a publication on title alone or to consider material in advance of publication” and that queries to the censorship board, the department of justice, and the government information bureau had yielded no answers in relation to the unofficial ban (*The Observer*, April 8, 1956). The *Irish Times* noted that both the censorship board and the customs service had officially denied preventing the distribution of the paper. It also published a statement from *The Observer* asking its readers to write directly to the paper (and giving the address) should they wish to receive a copy of the family planning edition (*Irish Times*, April 9, 1956). This did not go down well with ecclesiastical authorities who now urged the justice ministry to take action against the *Irish Times*. In a note on the affair, written by Dublin’s Catholic archbishop, John Charles McQuaid, it was recorded that Monsignor Joseph Deery (a sometime chair of the censorship board) “was of the opinion that the *Times* would not have been so incautiously rampant if it had not some support in the Ministry of Justice”. Deery had met with the justice minister (James Everett) who had begun the meeting by saying that “it was all the fault of the Board”. Evidently, Deery concluded, “the Minister had been brainwashed”. While a copy of the supposedly offending *Irish Times* was delivered to the attorney general “to examine cause of action”, the government demurred from prosecuting the paper.⁵⁹

Discussion and Conclusion

In a letter to the *Irish Times* in 1957 Sean O’Casey pithily described the Irish censorship regime as “bishops, priests and deacons, a Censorship Board, vigilant librarians, confraternities and sodalities, Duce Maria [sic], Legions of Mary, Knights of this Christian order and Knights of that one, all surrounding the sinner’s free-will in an embattled circle” (*Irish Times*, June 8, 1957). The maleness inherent in O’Casey’s description is apt: the files consulted for this article indicate that the censorship regime emerged from a male-dominated public sphere in which political and religious power was overwhelmingly, if not exclusively, in male hands. As a male-dominated political project, the censorship regime and the associated ban on contraception information allowed for no consideration of female life experience. Not once in the correspondence consulted did any female perspective arise. The correspondence also reveals other hidden aspects of the regime: the social class bias by which certain publications were warned off certain content while others were not; and the fact that the censorship board was effectively a law unto itself in that its members decided themselves which publications should be examined rather than it reacting to public complaints. The correspondence also reveals the clandestine war against newspapers that involved the board going outside its remit in engaging in actions that prevented the circulation of newspapers to which it – and not the public – objected. And it reveals that the censorship board felt itself above public scrutiny with the board frequently encouraging the state to take legal action against Irish papers that questioned the actions of the board. It was within such an environment that Catholic moral entrepreneurs displayed an acute sensitivity to any mention, as distinct from advocacy, of birth control in the press – a sensitivity that led to those tasked with implementing censorship going beyond their remit in terms of imposing unofficial bans or disrupting the circulation of various publications. Such actions delayed for decades any meaningful public discussion of birth control with the inevitable consequences this had for women in pre-1970s Ireland.

But it is clear that, as the years progressed, successive justice ministers were less sympathetic, if not covertly hostile, to the censorship board’s never-ending discovery of objectionable matter and demands for government action. On becoming justice minister in 1957 Oscar Traynor broke with convention and appointed two non-religious affiliated individuals to the censorship board thereby prompting the resignation of the board’s chairman

(*Irish Times*, December 6, 1957). Despite unsympathetic ministers, the law that banned birth control information remained in place and the justice ministry did not deviate from that ban, even though the justice minister could at any time, under Section 16 of the Act, permit the publication of such content on a case by case basis. In 1965, *Business & Finance* magazine applied for a permit to allow it to re-publish an article – “Catholics and Birth Control” – by Fr Arnold McMahon which had defended the right of married couples to use contraception and which had been published in the *Birmingham Post*. In its letter, the magazine noted that “the more controversial passages have already been reported in the Irish papers” and it was anxious to put those passages in their proper context.⁶⁰ Playing safe, in its reply the ministry stated that while it was unsure whether publication of the article would constitute an offence it would not issue a permit as it might be viewed as “an evasion” of the ban on publication of birth control content.⁶¹ Two years later, in 1967, a new Censorship of Publications Act reformed the censorship regime by replacing the “permanent ban” with a twelve-year ban in the case of books banned on the grounds of being indecent or obscene. However, the permanent ban remained for books judged by the censorship board to advocate the “unnatural” prevention of conception.

By this time, the nature the women’s pages of the national newspapers had begun to change. Amid the international rise of feminism, the pages moved away from an exclusive focus on domestic-related concerns to make visible the issues such as bodily autonomy and the ban on contraception. By offering new, feminist, ways of thinking about the issue the new female journalism helped re-position the ban on contraception as a health rather than a moral issue. The new women’s pages constituted a forum for debate and discussion on the ban, a means by which social attitudes could be measured (via readers’ surveys), and facilitated the expression of the personal experience in terms of how the ban impacted on all aspects of marital life, economic wellbeing, housing conditions, and the physical and mental health of women. They also challenged the political and theological consensus that contraception was morally wrong in all circumstances. Such discussion contrasted sharply with previous decades when contraception was discussed only in the context of Catholic doctrine, literary censorship or population debates. Unsurprisingly, perhaps, such journalism incurred the wrath of those who viewed contraception as a moral evil and saw those who advocated its legalisation as a threat to the existing order with one politician, Oliver J. Flanagan, later describing the female journalists as “wildcat, crazy, daft journalists” and their journalism as “evilily designed, an attack on family life and on the family as we have known it”.⁶² But the momentum for change was growing as the re-framing of the issue as a legislative, political and health issue rather than as an undebatable issue of morality continued. In 1976 the Irish Family Planning Association established the Contraception Action Movement which sought to raise public awareness of the issue and was successful in attracting the support of student organisations, the National Women’s Council of Ireland and the trade union movement.⁶³ The ban on birth control information ended with the passing of the Health (Family Planning) Act 1979, which the government was obliged to introduce after the Supreme Court ruled in 1973 that there existed a constitutional right to marital privacy which also allowed for the use of contraception.⁶⁴ As noted by Sandra McAvoy the long-term impact on women of the ban on contraception and any information relating to fertility control in Ireland for over half a century “is immeasurable”.⁶⁵ So too are the consequences of a state devolving control over reading matter to a body of men who took it upon themselves to police the press to the widest – and beyond – limits of the law.

Notes

- ¹ Rockett, *Irish Film Censorship*; Adams, *Censorship*; Carlson, *Banned in Ireland*; Martin, *Censorship*.
- ² McEvoy, "Its effect on public morality," 35
- ³ Keogh, *The Vatican*.
- ⁴ Horgan, "Saving Us"; Curtis, *A Challenge to Democracy*.
- ⁵ Ferriter, *Occasions of Sin*, 190–1903.
- ⁶ Finnane "The Carrigan Committee"; Smith, "The Politics of Sexual Knowledge."
- ⁷ McEvoy, "Its Effect on Public Morality" and McEvoy, "A Perpetual Nightmare."
- ⁸ Earner-Byrne, "Moral Prescription," 207–208.
- ⁹ Valiulis, "Neither Feminist nor Flapper."
- ¹⁰ Cronin, *Impure Thoughts*, 54.
- ¹¹ Devane, "The Committee on Printed Matter," 593–594
- ¹² National Archives Ireland, (hereafter NAI), CEL/Jus/7/1/4, letter dated January 21, 1926.
- ¹³ Adam, *Censorship*, 28.
- ¹⁴ NAI, Jus 7/3, *Report of the Committee on Evil Literature* (1927), 14–15.
- ¹⁵ Horgan, "Saving Us," 66,
- ¹⁶ Irish Parliamentary (Dáil) Debates, vol. 26, col. 608 (October 18, 1928).
- ¹⁷ Finnane, "The Carrigan Committee," 524.
- ¹⁸ *Ibid*, 530.
- ¹⁹ McAvoy, "The Regulation of Sexuality," 256.
- ²⁰ NAI, DJ H247/41C (cited in Finnane, "Carrigan Committee," 527).
- ²¹ NAI, DJ H247/41B (cited in Finnane, "Carrigan Committee," 528).
- ²² Keogh, *The Vatican*, 205.
- ²³ See *Irish Times*, August 8, 1928 for text of censorship bill.
- ²⁴ The *Irish Press*, June 23, 1934 records the exclusivity of the paper's outlining of the bill's provisions.
- ²⁵ Irish Parliamentary (Dáil) Debates, vol. 38, col. 356 (April 24, 1931).
- ²⁶ NAI, DFA/4237/9 (n/d).
- ²⁷ Bingham, *Family Newspapers*, 34
- ²⁸ NAI, 90/102/104, letter dated July 16, 1931.
- ²⁹ Cullen, *Eason*, 271 outlines in detail the preventive notice given to middle class publications by the censorship board.
- ³⁰ NAI, 90/102/104, letter dated November 28, 1936.
- ³¹ NAI, 90/102/104, memo dated December 1, 1936.
- ³² NAI, 90/102/104, report dated December 7, 1936.
- ³³ NAI, 90/102/104, memo dated December 11, 1936.
- ³⁴ NAI, 90/102/104, memo dated January 2, 1937.
- ³⁵ NAI, 90/102/104, memo dated January 13, 1937.
- ³⁶ NAI, 90/102/104, memo dated February 23, 1937.
- ³⁷ NAI, 90/102/104, memo dated October 13, 1938.
- ³⁸ NAI, 90/102/104, memo dated October 19, 1938.
- ³⁹ NAI, 90/102/104, memo dated March 24, 1939.
- ⁴⁰ NAI, 90/102/104, memo dated May 23, 1939.
- ⁴¹ NAI, 90/102/137, memo dated July 9, 1938.
- ⁴² NAI, 90/102/137, memo dated July 11, 1938.
- ⁴³ NAI, 90/102/137, (n/d).
- ⁴⁴ Academic work on the Kinsey Reports, such as *American Sexual Behaviour and the Kinsey Report* (1948) by Morris Ernst and David Loth and *An Analysis of the Kinsey Reports on*

Sexual Behaviour in the Human Male and Female (1954), edited by Donald Porter Geddes – was also banned.

⁴⁵ Bingham, *Family Newspapers*, 83.

⁴⁶ *The Irish Times*, October 31, 1949, did however publish a letter from A. A. Luce of Trinity College, Dublin which noted that the censorship board had used its powers “not to exclude dirt, but to stifle clean inquiry and to dim the light of knowledge”.

⁴⁷ Section 6 (3, A) of the Act also required the board to consider the “scientific” merit of works.

⁴⁸ NAI, 90/102/235, letter dated January 9, 1950.

⁴⁹ NAI, 90/102/235, letter dated January 17, 1950.

⁵⁰ NAI, 90/102/236, letters dated April 20, 21, 26, 1951.

⁵¹ NAI, TSCH/3/S2321 A, letter dated March 28, 1953.

⁵² NAI, TSCH/3/S2321 A, memo dated May 21, 1953.

⁵³ NAI, TSCH/3/S2321 A, memo dated November 18, 1957.

⁵⁴ NAI, TSCH/3/S2321 B, letter dated January 2, 1958.

⁵⁵ NAI, JUS/8/1013, memos dated September 28, 1953 and October 2, 1953. For more on “Catholic Action” see Curtis, *A Challenge to Democracy*.

⁵⁶ The four-part series included “Unmarried Mothers” (March 18, 1956); “Young People Going Steady” (March 25, 1956); “Family Planning To-Day” (1 April 1956); “A Christian View of the Problems” (8 April, 1956).

⁵⁷ NAI, 90/102/139, letter dated April 6, 1956.

⁵⁸ NAI, 90/102/139, memo April 6, 1953.

⁵⁹ Dublin Diocesan Archives, McQuaid Papers, AB8/B, note dated April 13, 1956.

⁶⁰ NAI, 2006/148/14, letter dated February 26, 1965; see also *Irish Times*, February 23, 1965.

⁶¹ NAI, 2006/148/14, letter dated March 18, 1965.

⁶² *Irish Parliamentary Debates (Dáil Éireann)*, vol. 313, cols. 1258–70, April 5, 1979. For more on the new female journalism see O’Brien, “Modernity Comes Knocking,” and Kelly, “The Contraceptive Pill.”

⁶³ Galligan “Contraception,” 149–150.

⁶⁴ The Court also ruled that the ban on the sale and importation of contraception was not unconstitutional. The 1979 Act sought to bridge these two findings by allowing for the availability of contraception for family planning or for adequate medical reasons provided the purchaser had a doctor’s prescription. Subsequent legislation, such as the Family Planning Act 1985 and the Health (Family Planning) Act 1992, further liberalised the availability of contraception. For more on the political context to the legalisation process see Girvin, “Contraception, Moral Panic” and Girvin, “An Irish Solution.”

⁶⁵ McAvoy, “The Regulation of Sexuality,” 257–258.

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