



1998-01-01

Child Sexual Abuse in Ireland: an Historical and Anthropological Note

Kevin Lalor

Dublin Institute of Technology, kevin.lalor@dit.ie

Follow this and additional works at: <http://arrow.dit.ie/aaschsslarts>



Part of the [Anthropology Commons](#), and the [Psychology Commons](#)

Recommended Citation

Lalor, K.: Child Sexual Abuse in Ireland: an Historical and Anthropological Note, *Irish Journal of Applied Social Studies*, 1998, vol 1(1), pp. 37-54.

This Article is brought to you for free and open access by the Social Sciences at ARROW@DIT. It has been accepted for inclusion in Articles by an authorized administrator of ARROW@DIT. For more information, please contact yvonne.desmond@dit.ie, arrow.admin@dit.ie, brian.widdis@dit.ie.



This work is licensed under a [Creative Commons Attribution-NonCommercial-Share Alike 3.0 License](#)



Child Sexual Abuse in Ireland: An Historical and Anthropological Note

Kevin Lalor, Dublin Institute of Technology

Abstract

Child sexual abuse in Ireland has entered the public domain only in the last twenty years. This process was accelerated by a number of high profile cases which became public in the mid 1990s. Prior to the recent past, few references to child sexual abuse in Ireland exist. The first written evidence is found in the Penitentials of the early Christian period. Penance is specified for those that “misuse” children. Mention of adult child sexual relations is also found in the Brehon law texts.

Historians, sociologists and anthropologists of childhood suggest that patterns of child rearing vary across time and place, depending on socio-economic, educational, religious and industrial conditions. Such variety in the conceptions of childhood and the personal variation in child guardians suggests that child abuse should not be considered impossible or absent at any point in time and place. Even where little evidence is initially apparent, we must be sensitised to the revelations and exposures of recent years, which have clearly shown that the sexual abuse of children is more widespread than had previously been imagined.

Key words: child sexual abuse, penitentials, conceptions of childhood

Introduction

It has become common place for commentators in recent years to observe that child sexual abuse has become a highly topical issue in public, professional and political life in Ireland. In so doing, authors invariably refer to the central importance of high profile child abuse scandals which became public throughout the mid 1990s such as the X case (Holden, 1994), the Kelly Fitzgerald case (Keenan, 1996), the Kilkenny Incest Case (McGuinness, 1993), the Brendan Smyth Affair (Moore, 1995) and the Madonna House Affair (Department of Health, 1996). Prior to these events, the first reference to child sexual abuse in Department of Health Guidelines was in 1983 (Department of Health, 1983). In short, the last fifteen years have seen an explosion of awareness of child sexual abuse. But what of child sexual abuse in Ireland prior to the modern period? Why does it appear to be a recent phenomenon, unmentioned in Health Board Guidelines prior to 1983? Can we assume that prior to the 1980s, little or no child sexual abuse occurred in Ireland? In this paper an attempt is made to place recent concerns regarding child sexual abuse in an historical context by means of an examination of the historical and anthropological literature. Specifically, we shall examine whether or not it is reasonable to assume that child sexual abuse has occurred throughout Irish history.

Child Sexual Abuse: A Recent Phenomenon?

Given the enormous increases in the reported incidences of child sexual abuse in the Western world in the last few decades, it might be tempting to explain child sexual

abuse as a phenomenon peculiar to late 20th century Western civilisation. However, evidence does exist that the sexual abuse of children is not a modern phenomenon. Breckenridge (1992) detailed historical incidents of child sexual abuse, referring to the impregnation of girls as young as six and nine as chronicled by Savonarola (1497) and Mandelso (1658) (cited in Helfer and Kempe, 1987). She further cites statistical information from Germany where, between 1897 and 1904, recorded convictions for sexual offences against children increased from 3,085 to 4,378. Masson (1992) reviewed the French medico-legal literature initiated by Tardieu (1860) where details of horrific cases of sexual cruelty committed against children, frequently by their own parents, were reported over 130 years ago. His *A Medico-Legal Study of Assaults on Decency* ran to seven editions between 1857 and 1878. In this book he records that, between 1858 and 1869 in France, 9,125 people were accused of rape or attempted rape on children. Bernard's *Sexual Assaults on Young Girls* (1886) reported 36,176 reported cases of "rape and assaults on the morality" of children fifteen years and younger in France between 1827 and 1870. Breckenridge (1992) argued that, historically, sexual offences against children were common and, intuitively, this seems to be a reasonable proposition. There is nothing to indicate that child sexual abuse is a novel phenomenon of the late 20th century.

Early Christian Ireland

Prior to the early Christian period, Ireland was a pre-literate society. We shall never know much of how children were treated in that time, other than what archaeologists can tell us about eating habits, clothing, housing and so on. However, to disabuse us

of any romantic ideas we might have of a peaceful, child-centered Celtic civilisation, it is instructive to examine the archaeological evidence. For instance, McAllister (1928) notes the regularity with which the remains of cremated adults were accompanied by the remains of children in the cists of the Epimegalithic period (1,200-200 BC). This leads him to speculate that the children were being sacrificed to “requicken” the dead adult. In one instance, a cist found at Ballybrew in Co. Wicklow contained the unburned remains of a middle-aged man. Prior to death, he appears to have suffered a leg injury that had failed to heal. Given the scattered remains of a young child which surrounded the dead man, McAllister speculated that “the child had been ‘commandeered’ to provide a sound pair of legs for him in the next world” (McAllister, 1928, p. 90). Furthermore, it appears that the child was boiled, eaten and a share of his flesh was placed in the food-jar that was to accompany the dead man to the other world.

The first written evidence of the sexual abuse of children in Ireland is to be found in the Penitentials. These texts were confessional manuals used by the clergy. They contained exhaustive lists of proscribed behaviours and recommended the appropriate penance for offenders. The Penitentials originated in Ireland in the 6th century and spread from there to England and throughout Western Europe, where they remained in use until the 12th century. It is not known how the Penitentials were used in practice but, as Payer says, their “contents permit some educated speculation” (Payer, 1984, p. 8). Certainly, the Penitentials suggest that behaviours were occurring frequently enough to warrant explicit proscriptions. They contain a remarkable range of prohibited sexual behaviours, including adultery, incest, homosexuality, lesbianism, bestiality, masturbation, sodomy, fellatio, touching, kissing with and

without “pollution” (ejaculation), adultery at the urging of a husband, the use of aphrodisiacs (frequently semen based) and the use of *quasdam machinas* (certain instruments) by lesbians. Proscriptions on incest included sexual relations with daughters, sisters, brothers, step-daughters, god-daughters, aunts, god-mothers, mothers, infant sons, the sister of a wife and the fiancée of a son.

In Bieler’s *The Irish Penitentials* there are two canons that indicate the existence of child sexual abuse in early Christian Ireland. The first is taken from the Penitential of St. Columbanus:

“If any layman or laywoman has misused their child, let them do penance for a whole year on bread and water, and for two others let them refrain from wine and meats, and so first let them be restored to the altar at the discretion of the priest, and then let such a husband use his bed lawfully” (Bieler, 1963, p. 103).

The term “misuse” is indicative of sexual abuse in this instance given the preceding prohibitions listed by Columbanus on fornication with beasts and fornication with widows and virgins. Sexual abuse is further implied by the term “misuse” as it is used in the Penitential of Cummean:

“A small boy misused by an older one, if he is ten years of age, shall fast for a week; if he consents, for twenty days” (Bieler, 1963, p. 129).

Again, sexual abuse is implied by the context of preceding proscriptions against bestiality, mutual masturbation and femoral intercourse. Payer (1984, p. 42) also

highlights this canon from the Penitential of Cummean which seems to deal with the homosexual abuse of a young boy. He speculates that the reason the *victim* was required to do penance may have been “educational.” If this is the case, the tendency to blame the victim of sexual crimes is not a modern phenomenon!

Further evidence of prohibitions against child sexual abuse is found in British texts – the Canons of Theodore and the Bede Penitentials (Payer, 1984, p. 31). Each of these texts specifies a penance for a mother who simulates sexual intercourse with her small son; she is to abstain from meat for three years and to fast one day a week until vespers.

Beginning in the 7th and 8th centuries, the legal tracts that represented the ancient Celtic Brehon Laws came to be written down. These documents provide us with some, limited information regarding the care of children in early Christian Ireland. The first observation that we might make is that children appear to have been highly valued in early Christian Ireland. This is reflected in the measure of protection afforded them by law. The *lóg n-enech*, or honour-price, of a child up to age seven was equivalent to that of a cleric. That is, injuries to children were penalised in the same way as those against clerics (Kelly, 1988, p. 83). A second observation is that, unfortunately, our knowledge of children in early Christian Ireland is incomplete. Only fragments of the legal texts that deal mainly with children (*Cáin Íarraith*, on fosterage and *Maccsleхта*, on inheritance) have survived. In describing legitimate grounds for divorce, as detailed under Brehon Law, Cherici (1995) notes that “if a husband ... displayed such sexual desire for other men or boys that his wife was deprived of his conjugal services, she could divorce him” (p. 134). At least in those

instances in which the adult man was married, sexual relationships between men and boys were clearly not sanctioned, in that they provided legitimate grounds for divorce for the wife of the adult male.

Our final reference to adult-child sexual relations in Early Christian Ireland is found in *The Birth and Life of St. Moling*. Condren (1989), in an observation on the extreme penance performed by holy people, noted that St. Moling was angry because, having sucked the mucus from the nose of a leper, God had not appeared to him after such a feat. An angel appeared and asked in what form he would like the Lord to appear. He replied:

“In the shape of a boy of seven years, so that I may make fits of fondness around Him. He noticed nothing at the end of a time afterwards, till Christ sat on his lap in the shape of a boy of seven years, and he was fondling Him till the hour of rising on the morrow” (Stokes, 1906, in Condren, 1989, p. 89).

Condren (1989) quotes this extract as evidence that homosexuality existed in Celtic Ireland. However, given the desired age of the boy, this story more accurately describes paedophilic rather than homosexual longings.

The 20th Century

The 1908 Punishment of Incest Act criminalised incest for the first time in Irish society. The very formation of this legislation indicates the existence of incest at this time. It is unlikely that we shall ever know the extent of child sexual abuse as it

occurred in Ireland for much of the twentieth century and before but, clearly, it existed extensively enough as a phenomenon to warrant legislative action.

Ferguson (1996) has described the evolution of the Irish child protection system over the last 100 years, particularly with regard to the formation of the National Society for the Prevention of Cruelty to Children (1889) and the Irish Society for the Prevention of Cruelty to Children (1956). By the time the ISPCC split from the NSPCC in 1956, the perceived existence of incest was still very low. Incest cases constituted “well under one per cent” (Ferguson, 1996, p. 12) of cases. Given that 2,266 cases of child abuse were reported in 1958, this indicates that a maximum of 22 cases of incest were reported in that year. By way of contrast, 970 cases of child sexual abuse were reported in 1996 in the Eastern Health Board region alone (Eastern Health Board, 1996, p. 63).

As we have seen, relatively few references to the sexual abuse of children in Irish history exist. We can illuminate this sparse evidence by examining the historical and anthropological literature and by partaking in some informed speculation.

Historians and Child Rearing

The study of children in history is a recent one. Phillipe Ariès’s *Centuries of Childhood* (1962) was the first general historical study of childhood. The chief premise of his text is that a concept of childhood did not emerge in Europe until the late seventeenth century. Prior to this time, children were viewed as miniature adults and were accorded no special recognition or allowances. A fundamental change in this view occurred between the sixteenth and eighteenth centuries due to a renewal of

interest in education, the rise of capitalism and the increasing “maturity” of parents. De Mause (1974) supported Ariès’s theory of a fundamental change in the way in which children were treated. De Mause employed a psycho-historical approach to study the history of childhood; a mixture of evolutionary theory and psychoanalysis. He argued that societies undergo developmental processes regarding their view of children just as individuals develop or mature, and that these processes can be understood psychoanalytically. He claimed that whereas parents in the past were repressive and sadistic, in more recent times they have been increasingly willing to accept the individuality of children and to treat them more favourably. As the generations go by, he argued, some form of collective unconscious is maturing as regards the best way to treat children:

“the history of childhood is a nightmare from which we have only recently begun to awaken. The further back in history one goes, the lower the level of reported child care, and the more likely children are to be killed, abandoned, beaten, terrorised, and sexually abused” (De Mause, 1974).

By contrast, parents have now arrived at the “Helping Mode” of child rearing, which began in the middle of this century:

“Children are neither struck nor scolded, and are apologised to if yelled at under stress. The helping mode involves an enormous amount of time, energy and discussion on the part of both parents, especially in the first six years, for helping a young child reach its daily goals, means continually responding to it, playing with it, tolerating its regressions, being its servant rather than the other

way around, interpreting its emotional conflicts, and providing the objects specific to its evolving interests” (De Mause, 1974, p. 52).

It does appear to be the case that conceptions of childhood (Archard, 1993) have changed in recent centuries in Europe. However, the literature on the sociology of childhood overwhelmingly suggests that such varying conceptions of childhood are the result of economic, educational, industrial and religious changes, as opposed to a “maturing” of the human race regarding child-rearing (for example, Archard, 1993, Boydon, 1990, Parton, 1985 and Shahar, 1992). Indeed, given what we know about the prevalence of child sexual abuse (for example, Finkelhor, 1986 and Baker and Duncan, 1985) and child physical abuse (for example, Gil, 1970 and Kempe and Helfer, 1980), De Mause’s view of modern child rearing as being characterised by “Helping” seems hopelessly naïve. Pollock (1983) rejected Ariès and de Mause’s evolutionary theories of the history of childhood. She found no evidence of a dramatic change in child-rearing practices in the 1700s and argued that this is a myth “brought about by over-hasty reading, a burning desire to find material to support the thesis and a wilful misinterpretation of evidence” (p. 271). Pollock warned of the dangers of “presentism” or “temporocentrism” - the assumption that if things were different in the past to the way they are now, they were inferior.

One method of examining child-rearing standards in earlier times might be to examine child-rearing practices in traditional, pre-literate societies, characterised by extended families and a peasant based agricultural system. When we do this we find little evidence of random, idiosyncratic, senseless violence against children; few examples of purposeless terrorising or harming of children. Ethnographic and anthropological studies have not found a people that systematically treat their children in the way

proposed by De Mause and other proponents of his “maturing collective unconscious” view. Rather, child-rearing practices vary across time and place, depending on a host of social and economic factors. There is so much variety in child rearing worldwide today that there is little evidence for the notion of child rearing “progressing” linearly. Furthermore, there is nothing to indicate that this variety of the nature and quality of childcare did not also exist in the past.

Anthropology and Child Abuse

Anthropologists have not traditionally focused a great deal of attention on the physical or sexual abuse of children. Korbin (1987) commented that “anthropology has tended to devote far greater research attention and theoretical emphasis to the regularities of cultural behavior than to deviance ... The underside of human behavior, then, is not often confronted by anthropologists” (p. 251). In a series of papers (1977, 1981, 1982 and 1987), Korbin examined the incidence of child abuse cross-culturally. Of particular relevance is a review of adult-child sexual relations as presented in the ethnographic record (Korbin, 1987). The author firstly observed that, whereas there is a very large literature on incest taboos, information on transgressions is largely anecdotal. Much of the incest referred to in the literature applies to same-age children engaging in sex-play or to cases of sexual behaviour between consenting adults who are related. Korbin could present only the following examples of adult-child sexual abuse from her review of the literature:

- (a) Among the Gusii of East Africa, sexual relations between pre-pubescent girls and their fathers were reported to occur and were most often treated as religious offences.
- (b) Korbin reported from her field notes that a man had sexual relations with a teenage foster daughter in a community of rural Hawaiian-Polynesians. The community regarded this as a matter of private shame and not something to be reported to the authorities.
- (c) Finally, Korbin referred to Goldstein's (1964) study of *Ldab Ldobs*, a category of Tibetan monks known to kidnap both adults and young boys for homosexual purposes

Apart from widespread evidence from Europe and the United States, this is the extent of child sexual abuse uncovered by Korbin (1987) in the ethnographic record. Of course, it is most likely that the potential for physical and sexual abuse of children exists in most cultures. It seems unlikely that there exist a people who are not capable, given certain circumstances, of abusing children. We should not entertain an unrealistically positive view of traditional or non-western child-rearing practices. Korbin (1977) suggested that perhaps child abuse appears to occur predominantly in Western societies due to widespread awareness of the problem there and consequently high levels of reporting. Modern societies have an infrastructure of professionals to detect, report, record and analyse incidents of child abuse. Such an infrastructure is generally lacking or is poorly developed in Third World countries: this is particularly the case in rural areas where informal justice, as administered by elders, is the norm. Consider, for example, the incident mentioned earlier from Korbin's (1977) field notes where a man had sexual relations with his adolescent foster daughter: the

community in question (rural Hawaii) felt a collective shame and did not report the incident to the authorities. It is unlikely that this event would ever have been reported were it not for the presence of an inquisitive anthropologist. In addition to a reluctance to reveal to outsiders information which is likely to cast the community in a bad light, further restrictions upon the collection of data on child abuse in an anthropological context might be an unwillingness by researchers themselves to insult their hosts by asking potentially offensive questions. Furthermore, there is the possibility that there are such low levels of child abuse in the ethnographic record because it is a non-issue in the communities which anthropologists study. That is, there may be little or no awareness of child sexual abuse; as it is never discussed, it is not on the political agenda. After all, only twenty-five years ago child sexual abuse hardly existed as an academic or public policy issue in the West. Only since the late 1960s has there been a growth in awareness and, consequently, reporting of this behaviour. Korbin (1987) commented that because a practice is not seen, this does not necessarily mean that it does not occur: "The unanticipated prevalence of child sexual abuse in the United States stimulated professionals and the public to action. It should alert anthropologists to the existence of sexual conduct with children as within the repertoire of human behaviour and disarm too facile assumptions that the incest taboo is strong enough to preclude the behaviour" (p. 261).

Conclusion

To conclude, the sexual abuse of children is not a recent phenomenon in Ireland. It is probable that the massive increase in reporting in recent years reflects a greater awareness of the issue amongst professionals and the public, rather than an actual increase in incidence. We will never know the true incidence of child sexual abuse throughout Irish history. However, the few references to it which exist in the

Penitentials and the Brehon Law alert us to the fact that the sexual abuse of children was merely discovered, rather than commenced, in the late 20th century. As to the apparent absence of child sexual abuse in the anthropological record, it would be reassuring to think that this reflects reality. However, as in Europe and the US prior to the 1960s, it could also mean that the right questions are not being asked.

Bibliography

Archard, D., (1993), *Children: Rights and childhood*, London: Routledge.

Ariès, P., (1962), *Centuries of childhood*, London: Jonathan Cape.

Baker, A. & Duncan, S., (1985), Child sexual abuse: A study of prevalence in Great Britain, *Child Abuse and Neglect*, Vol. 9, pp. 457-467.

Bernard, P., (1886), *Des attentant à la pudeur sur les petites filles*, Paris: Octave Doin.

Bieler, L., (1963), *The Irish Penitentials*, Dublin: Institute for Advanced Studies.

Boyden, J., (1990), *Childhood and the policy makers: A comparative perspective on the globalization of childhood*. In A. James & A. Prout (Eds.), *Constructing and reconstructing childhood: Contemporary issues in the sociological study of childhood*, London: The Falmer Press.

Breckenridge, J., (1992), *An exotic phenomenon? Incest and child rape*. In J. Breckenridge & M. Carmody (Eds.), *Crimes of violence: Australian responses to rape and child sexual assault*, Sydney: Allen and Unwin.

Breckenridge, J. & Carmody, M., (Eds.) (1992), *Crimes of violence: Australian responses to rape and child sexual assault*, Sydney: Allen and Unwin.

Condren, M., (1989), *The serpent and the goddess*, Harper: San Francisco.

Department of Health (1983), *Non-accidental injury to children. Guidelines on procedures for the identification and management of non-accidental injury to children*, Dublin: Department of Health.

Department of Health (1996), *Report on the inquiry into the operation of Madonna House*, Government Publications Office: Dublin.

De Mause, L., (Ed.) (1974), *The history of childhood*, London: Souvenir Press.

Eastern Health Board, (1996), *Child care and family support services in 1996: Review of adequacy*, Dublin: Eastern Health Board.

Finkelhor, D., (1986), *A source book on child sexual abuse*, Beverly Hills: Sage.

Ferguson, H., (1996), *Protecting Irish children in time: Child abuse as a social problem and the development of the child protection system in the Republic of*

Ireland. In H. Ferguson & T. McNamara (Eds.) *Protecting Irish children: Investigation, protection and welfare, Administration*, Vol. 44, No. 2, pp. 5-36.

Ferguson, H. & McNamara, T., (Eds.) (1996), *Protecting Irish children: Investigation, protection and welfare, Administration*, 44 (2).

Gil, D.G., (1970), *Violence against children: Physical child abuse in the United States*, Cambridge: Harvard University Press.

Goldstein, M., (1964), A study of the Ldab Ldob, *Central Asiatic Journal*, Vol. 9, No.2.

Helfer, R. & Kempe, R., (1987, fourth edition), *The battered child*, Chicago: University of Chicago Press.

Holden, W., (1994), *Unlawful carnal knowledge: the true story of the Irish X case*, London: Harper Collins.

James, A. & Prout, A., (Eds.) (1990), *Constructing and reconstructing childhood: Contemporary issues in the sociological study of childhood*, London: The Falmer Press.

Kelly, F., (1988), *A guide to early Irish law*, Dublin: DIAS

Keenan, O., (1996), *Kelly: A child is dead. Interim report of the Joint Committee on the Family*, Houses of the Oireachtas: Dublin.

Kempe, C.H., Silverman, F.N., Steele, B.F., Droegmueller, W. & Silver, H.K., (1962), The battered child syndrome, *Journal of the American Medical Association*, Vol. 181, pp. 17-24.

Kempe, C.H. & Helfer, R.E., (Eds.) (1980), *The battered child*, Chicago: University of Chicago Press.

Korbin, J.E., (1977), Anthropological contributions to the study of child abuse, *Child Abuse and Neglect*, Vol. 1, pp. 7-24.

Korbin, J.E., (Ed.) (1981), *Child abuse and neglect: Cross cultural perspectives*, Berkeley: University of California Press.

Korbin, J. E., (1982), *What is acceptable and unacceptable child-rearing? A cross-cultural consideration*. In K. Oates (Ed.), *Child abuse: A community concern*, Secaucus, New Jersey: Citadel Press.

Korbin, J. E., (1987), *Child sexual abuse: Implications from the cross-cultural record*. In N. Scheper-Hughes (Ed.), *Child survival: Anthropological perspectives on the treatment and maltreatment of children*, Dordrecht, Holland: D. Reidel Publishing Company.

Masson, J., (1992, third edition), *The assault on truth: Freud and child sexual abuse*, London: Fontana.

McGuinness, C., (1993), *Report of the Kilkenny incest investigation*, Dublin: Stationary Office.

McAllister, R., (1928), *The archaeology of Ireland*, London: Methuen.

Moore, C., (1995), *Betrayal of trust: The Father Brendan Smyth affair and the Catholic church*, Dublin: Marino.

Oates, K., (Ed.) (1982), *Child abuse: A community concern*, Secaucus, New Jersey: Citadel Press.

Parton, N., (1985), *The politics of child abuse*, London: Macmillan.

Payer, P., (1984), *Sex and the penitentials. The development of a sexual code 550-1150*, Toronto: University of Toronto Press.

Pollock, L.A., (1983), *Forgotten children: Parent-child relations from 1500 to 1900*, Cambridge: Cambridge University Press.

Scheper-Hughes, N., (Ed.) (1987), *Child survival: Anthropological perspectives on the treatment and maltreatment of children*, Dordrecht, Holland: D. Reidel Publishing Company.

Shahar, S., (1992), *Childhood in the Middle Ages*, London: Routledge.

Stokes, W., (1906), The Birth and Life of St. Moling, *Revue Celtique*, Vol. 27, pp. 257-305.

Tardieu, A., (1860), Etude médico-légale sur les sévices et mauvais traitements exercés sur les enfants, *Annales d'hygiène publique et de médecine légale*, Vol. 13, pp. 361-398.

Tardieu, A., (1878), *Etude médico-légale sur les attentats aux moeurs*, Paris: Publisher unknown.

