

# State apology is only way to express wrong done to Magdalenes

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**OPINION:** Damning information on State's links to the laundries pops up in surprising places

Last week, Minister for Justice Alan Shatter became the first representative of the State to recognise officially that Irish society may have a duty to the thousands of women (most of them no longer with us) who toiled behind the locked doors of the Magdalene laundries.

However, his new committee of civil servants examining the State's connections with laundries will need to deploy formidable skills in lateral thinking.

Official information on these institutions can be tricky to find, and may pop up in unexpected places. For instance, a search in military records might be instructive.

In the early 1940s, for example, it appeared that some State bodies, most particularly the Army, were transferring their laundry contracts from commercial laundries to what were euphemistically called "institutional laundries". These of course were the large Magdalene operations, centred in Dublin, Cork, Waterford, Limerick, Galway and New Ross.

In 1941, minister for defence Oscar Traynor claimed in the Dáil that the contracts with Magdalene laundries "contain a fair wages clause". This is a startling statement, as we know now (and indeed it would have been known at the time) that the women penitents locked up in these laundries did not receive wages for their work.

The matter had arisen in the Dáil at a time of concern that workers in commercial laundries were losing their jobs directly as a result of State contracts going to the nuns running the Magdalene laundries. The latter could outbid anyone, given their non-existent labour costs.

According to Mary Jones's history of the Irish Women Workers' Union, *These Obstreperous Lassies*, at least one laundry was forced to close in 1941 with the loss of 25 jobs. It had just lost an Army contract to the Sisters of Charity Magdalene laundry in Donnybrook.

The union wrote to the nuns running the laundries, begging them not to put workers out of a job by underbidding for State contracts. Their pleas fell on deaf ears.

This was the background to Traynor's extraordinary statement.

There is, though, something perplexing about it. The full sentence in the Dáil record reads as follows: "As, however, these contracts contain a fair wages clause, I am having the matter reconsidered and

will communicate further with the deputy as soon as practicable.”

No further communication can be found, and the mystery of why Traynor should have felt it necessary to reconsider the contracts going to Magdalene laundries remains unsolved. It is, however, undeniable that the State was perfectly content to save itself a few bob by using the cheaper Magdalene laundries – cheaper of course because of the slave labour of their inmates.

Shatter’s committee should also search the records of the Department of Enterprise, Jobs and Innovation – incorporating the old department of industry and commerce. A focus on files from the 1950s and 1960s on foot of the Factories Act 1955 would be productive. This specified detailed health and safety regulations for a range of establishments, among which the Magdalene laundries are clearly included.

What makes this so important is the requirement for all commercial operations covered by the Act to keep registers of their workers, especially listing all women and young people with their ages and specific occupations.

Further, they were obliged to send these details to the department regularly.

Consequently, the department’s inspectors had a legal duty to ensure that the names of all Magdalene workers were recorded in these registers and lodged with the State. Given that one of the rigorously applied rules of Magdalene laundries was that the names of all inmates were changed on entry, it would be interesting to see just how these laundries registered their workers. In the eventuality that no such details are discovered in departmental archives, the question then arises of State negligence in ensuring compliance with the law.

The Factories Act 1955 certainly gives the lie to former minister for education Batt O’Keeffe when he claimed that the State had no duty to inspect or regulate Magdalene laundries.

While the State did not fund these institutions, it is unarguable that the legal duty to inspect and regulate them as factories did exist.

Section 84 of the Act was headed “Institutions”, and clearly laid out that all such entities were covered by the legislation once “any manual labour is exercised in or incidental to the making, altering, repairing, ornamenting, finishing, washing, cleaning, or adapting for sale, of articles not intended for the use of the institution”.

Speaking in the Dáil in May 1955, the then minister for industry and commerce William Norton stated that “once you wash clothes in the institution, not for the institution, then that is a factory. In other words, you have a right to wash clothes for the institution, but if you start to wash other people’s clothes it is a factory, for the purpose of section 84.” The Justice for Magdalenes group has highlighted other connections between the State and the laundries, particularly in the way they were used for women on probation and remand, and indeed for children (up to 70 in 1970) transferred directly from the industrial schools.

However, there are also other factors to be considered by Government when deliberating on the issue of an apology to and redress for the survivors of the laundries. Any wider examination of the social

dynamics surrounding these institutions will show many women were put in by their families who refused to take them back. Many others used them as a threat to keep young women under control.

Society now clearly recognises that what happened to the victims of this system was wrong. The only way this can be formally expressed is through a State apology. Any Government with the courage to act on this will receive nothing but praise.

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