

From larceny and concealed births, to indecent assault and attempted suicide: An analysis of rural crimes committed in three small Irish villages between 1941-1943

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Acknowledgements: The author would like to thank Aidín O’Sullivan, Assistant Head of Library Services: Collections, at Technological University Dublin for her help sourcing texts that were instrumental to this article. The author would also like to express their gratitude to the anonymous reviewers for their suggestions and feedback. This article is for Mick.



Abstract

This article explores an under-researched area within Irish criminology: rural crime during the 1940s. It analyses a volume of recorded rural crimes that were committed in an area encompassing three small Irish rural villages between the years 1941-1943. Set against the backdrop of World War II and Ireland's *state of emergency*, many crimes committed were larceny, relatively minor in nature and related to "culprits" living in, or perhaps trying to survive the hardships of war, poverty and rationing. However, other crimes, such as embezzlement, indecent assault, concealment of birth, attempted suicide and sacrilege also feature within the volume. Examining these crimes provides a vignette into Ireland's past, shining light on what Irish social life was like for some individuals and groups living through a *state of emergency* in a small rural area and in a society dominated by religiosity. Crime and sin were deeply intertwined at this time. The volume also provides some insight into the habitus of those who recorded the crimes: Gardaí who were exclusively male, predominantly Catholic and who policed with moral authority that was bestowed upon them by State and Church.

Key words: rural crime; police; Gardaí; Ireland; 1940s

Introduction

Rural crime and policing in the 1940s is a largely ignored and under-researched period within criminology in Ireland. There is some work on smuggling between 1939-45 set against the backdrop of World War II (Evans, 2014). However, criminological work has tended to focus on the periods around the formation of An Garda Síochána (Ireland's National Police) in the early 1920s (McNiffe, 1997; Connolly, 1998; Manning, 2012; Conway, 2014; Mulcahy, 2016) or the addition of women to An Garda Síochána in the late 1950s (Marsh, 2019, 2020). Scholars have examined Irish police culture (Conway, 2010; Manning, 2012; Charman & Corcoran, 2015; Marsh, 2022) and "topics related to criminal justice policy development" and more recent "historical issues" (Hamilton & Healy 2016, p. 1) such as "political violence" in the North and South of Ireland (Mulcahy, 2016, p. 274). There is considerable focus Irish policing from the 1960s onwards (see for example Healy et al, 2016). Therefore, this article works to begin addressing the identified gap by shining a light on rural crime and policing in Ireland in the early 1940s.

This article is based on an analysis of a volume of recorded crimes committed in an area encompassing three small villages, in the East of Ireland, between the years 1941 and 1943. This forms part of a larger ongoing project examining crimes recorded in these villages between the years 1941 and 1953. The article argues that the habitus of An Garda Síochána ensured that they not only fulfilled their official function as agents of the State, attempting to enforce its will through the law but they also acted as moral watchdogs of Irish society, enforcing a view of social order heavily influenced by the doctrine of the Catholic Church. The article begins by providing a socio-historical backdrop to the research.

Socio-historical Context and Ireland's State of Emergency

In the 1940s, Ireland was predominantly an agrarian society (Murphy, 2000) with tillage and beef being the foremost agricultural enterprises (MHRL, n.d). At the time the volume of crime at the centre of this research was being compiled, World War II raged in Europe and whilst Ireland maintained a stance of neutrality, the country was in a self-declared *state of emergency*. Ireland's neutrality was disapprovingly viewed upon by some allied nations (Wood, 2010). However, neutrality for a small nation that was largely "defenceless" was "both symbolic and pragmatic" (Ó Drisceoil, 2006, p. 246). Symbolic in that it represented "the young States sovereignty and independence of action from Britain", pragmatic in that the country was defenceless against attack (Ó Drisceoil, 2006, p. 246).

Times were hard, and from June 1942 food items such as tea, sugar, butter and bread were being rationed due to the ongoing war and problems with the supply of goods (Murphy, 2000; Wood, 2010; Evans, 2014). This was a "real emergency" according to O'Gráda and O'Rourke (2022, p. 347). This is worth noting, as some of the crimes (i.e. larceny) that feature in the volume under analysis are related to poverty and shortages of food, fuel and supplies; they involve children, women and men stealing food items, firewood, clothing and livestock. During this period, a significant black market economy existed in Ireland, with

“new smuggling” of “small quantities of food and other consumer items” developing in response to rationing and supply issues (Evans, 2014, p. 52). Smuggling was a particular issue in counties that bordered between the Republic and Northern Ireland (Evans, 2014).

By April 1942, shortages of petrol were so severe that Government directed all nonessential road transport to stop; resulting in private motoring almost completely ceasing and electricity and gas supplies significantly reduced (MHRL, n.d.; Evans, 2014). “Compulsory tillage” was introduced due to food shortages; making life for rural farmers particularly strenuous (O’Gráda & O’Rourke, 2022, p. 348). Life in rural Ireland at this time was drab (Murphy, 2000; Brady, 2014). Emigration was high and there was discontent within rural populations due to the living conditions experienced (MHRL, n.d.).

An important dimension to the socio-historical backdrop is the religiosity of early twentieth century Ireland, which formed part of the habitus of Irish social life. The Catholic Church had developed “a close alliance with the State”, exerting considerable influence on political leaders and providing a “moral infrastructure” for “a newly independent Ireland” (Donnelly, 2016, p. 316). The 1930s and 1940s can be characterised as a period of staunch Catholic conservatism and Catholic social teaching was “the most far-reaching and persuasive influence” with “high ideals and moral virtue” the cornerstones of social life (Beaumont, 1997, pp. 564-79). Censorship was severe at this time, there was “little cohabitation” and “births outside of marriage were rare” (Murphy, 2000, p. 5). Conway (2010) argues that the Catholic Church had enshrined its place within Irish society at this time; engaging in the moral policing of society and thus contributing to low crime levels.

Donnelly (2016, p. 328) argues that the Church was instrumental in structuring the way “Irish people see and understand the world spiritually and morally” and it can be argued that this extended to those who policed Irish society on behalf of the State. Those in society who were perceived as having committed indiscretions received considerable shaming and/or punishment by their families and communities (Inglis, 2003; Buckley, 2012). Conversely, those who embodied a “Catholic habitus” by “living one’s life as a good Catholic, through spiritual and moral self-improvement” could acquire “religious capital” (Donnelly, 2016, p. 328). Donnelly (2016, p. 329) contends that in Catholic Ireland it was possible for religious capital to be “transposable” into social capital. It was a time when women and children were subordinated and women maintained significantly unequal social positions to men (Beaumont, 1997; Inglis, 2003).

This period in Irish history is characterised by its use of institutional / reformatory homes for unmarried women and their children (Corless, 2012). “County Homes” were occupied by the aged and infirm (Corless, 2012). “Illegitimate children” (those born outside of marriage) were often “hidden” or placed “at nurse” in the care of someone other than a relative (Buckley, 2012, p. 119). The dominant Catholic expectation of women related to them fulfilling the role of wife and mother; young Catholic women were expected to conform to this ideal (Beaumont, 1997; Inglis, 1998). The treatment of women and children within

Irish society at this time is pertinent. It provides context for examining crimes relating to women and children that follow later in this article.

The Villages

The villages and surrounding areas that feature in the volume were rural and agrarian. These areas had pockets of significant affluence and also significant poverty. ‘Village One’ was the largest of the three areas with a population of approximately 1500-1600 people based on Irish census data from 1936 and 1946 (CSO, 1936, 1946). ‘Village Two’ had a population of approximately 300 people and ‘Village Three’ had a population of approximately 200 people (CSO, 1936, 1946).

Much of the crime contained in the volume reflects the local rural geography and socio-economic fabric of the areas in question. There are multiple cases within the volume where those experiencing poverty stole from those living in more affluent circumstances. The volume covers an area comprised of three neighbouring villages and surrounding townlands, the total geographic area is somewhere in the region of 50-60km² (a rudimentary calculation using Google Earth measurement tool). The relatively small geographic area and population size could be described as parochial in character, something that would have aided the local Gardaí in the detection of crime and apprehension of suspected ‘culprits’.

An Garda Síochána in 1940s Ireland

Police in the Republic of Ireland are officially known as Garda (singular) or Gardaí (plural); Gardaí are also commonly referred to as ‘Guards’ in Ireland. An Garda Síochána is both a police service and a security service / intelligence agency (Brady, 2014). McNiffe (1997) provides a detailed and rich social history of An Garda Síochána. Emerging out of Ireland’s independence from Britain in 1921, its first policing service was known as the “Civic Guard” a semi-military armed force made up of former Royal Irish Constabulary (RIC), Dublin Metropolitan Police (DMP) and Irish Republican Army members (IRA) (McNiffe, 1997, p. 12). In 1922, members of the Civic Guard engaged in mutiny; the result of political motivations by a small but influential cohort. Resulting from the enquiry, the Civic Guard were disbanded and a new policing service established: An Garda Síochána [Translation: Guardians of the Peace] (McNiffe, 1997).

An Garda Síochána was established as a civilian police service in an “effort to be ideologically different but practically similar to the RIC of the nineteenth century” according to Conway (2014, p. 9). One of the key members of the committee tasked with the formation of An Garda Síochána, Commissioner Alderman Michael Stains, envisioned a police service that would “succeed not by force of arms, or numbers, but on their moral authority as servants of the people” (cited in McNiffe, 1997, p. 26).

Catholicism formed a significant component of the habitus of the Gardaí and provided a moral infrastructure for policing in early 20th century Ireland (Conway, 2010). During the

period in which this research focuses, An Garda Síochána was exclusively male; comprised of large men (over 5 foot 9 inches tall with a minimum chest measurement of 36 inches), mostly Catholic (98.7%), under 30 years of age and unmarried; some with military experience, many from agricultural backgrounds and with the predominant educational attainment level of primary education (McNiffe, 1997, pp. 39-40). Conway (2010, p. 6) describes these men as “pioneers who disrupted the *poitín* [moonshine] trade, spoke Irish, played national sports and were devout Catholics”. These commonalities would have ensured the Gardaí shared a similar set of dispositions and principles. Individuals who share similar social conditions, under similar social structures, develop a shared habitus (Münch, 1994).

Historically, Irish men have maintained invisibility as gendered subjects (Darcy, 2018, 2019) and this is reflected by the fact that only men could join An Garda Síochána: “a stipulation so widely taken for granted” that it was not explicitly stated in the entry requirements (McNiffe, 1997, p. 52). Women were not allowed to enter An Garda Síochána until 1958 (Marsh, 2019, 2020). The authors of the volume were exclusively male, bestowed with moral authority and power to enforce the will of the State through the use of the law, and where necessary through force (Conway, 2010); important points to bear in mind when examining how crimes were recorded later in this article.

Methodology

This study is based on a volume (or record book) of recorded crimes from an An Garda Síochána police station. The researcher is aware of the volume’s provenance and authenticity. The volume was given to the researcher by a retired member of An Garda Síochána (since deceased) who retrieved it from a waste dumpster. The police station that the volume originated from was being renovated and the volume was being disposed of.

The volume consists of 202 pages (each page 28.5cm wide x 43.5cm height) of cursive hand written records of crimes committed in an area covering three small neighbouring villages in the East of Ireland (See Figure 1 for a sample of records within volume and Figure 2 for sample of cursive handwriting). The outer cover of the volume is faded blue with illegible text printed horizontally on the cover (See Figure 3). The outer cover is visibly worn with age and the pages within show considerable signs of aging and are discoloured throughout.

Figure 1

Sample of records within volume

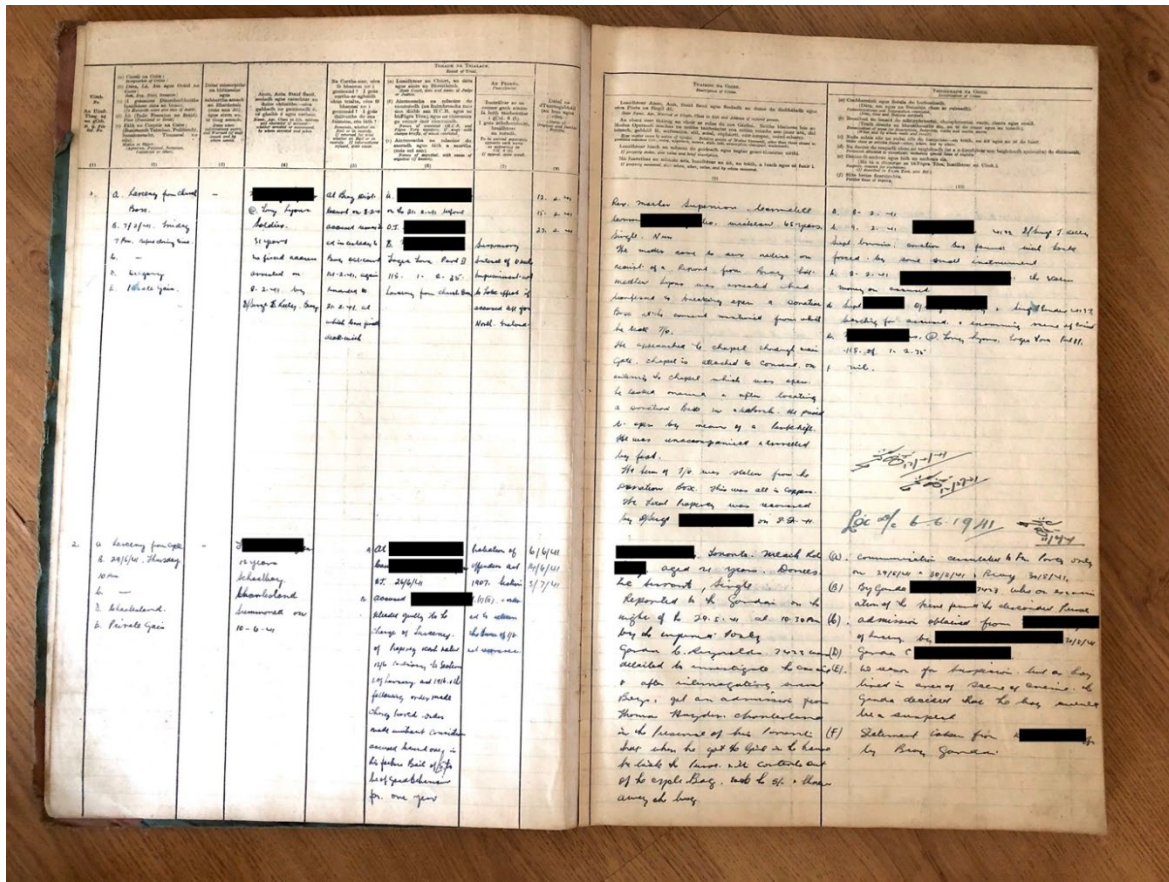


Figure 2

Sample of cursive handwriting

He approached to chapel through main Gate. chapel is attached to Convent. on entering the chapel which was open. he looked round a after locating a sonthori best in a porch. He pushed it open by means of a bent knife. He was unaccompanied & travelled by foot. He sum of 1/6. was stolen from the donation box. This was all in coppers.

Figure 3

Front Cover of Volume



The first entry in the volume is dated '08.02.1941' and the last entry is dated '17.01.1953' (however this article is based solely on the years 1941-1943). The volume was compiled by Gardaí (plural) as evident from differences in handwriting throughout. During the period examined in this article, there are two Sergeants, one Detective Sergeant, one

Superintendent and four Gardaí named within the entries. It is not known who wrote each particular entry in the volume; individual entries were not signed by Gardaí. Each entry does include a column (10d) where “personnel allocated to investigate” are named; in many cases multiple Gardaí are named in this column. A “Summary of Indictable Offences” at the end of each year is signed and dated by a station Sergeant. The volume contains details on the type of crime(s) committed, details of the “culprit(s)” and “injured person(s)” in each case, a description of the crime(s), details of judicial proceedings and sentencing, and details of evidence obtained by and procedures followed by the investigating Gardaí. In the “Summary of Indictable Offences” at the end of each year, designation of crimes are listed on the left and corresponding numbers relating to the crimes to the right.

A grounded theory approach was adopted to the research project (Glaser & Strauss, 1967), with the literature review being written after data collection and “after developing an independent analysis” (Charmaz, 2006, p. 6). The records were transcribed verbatim into a MS Word document and assigned casefile numbers by the researcher. The transcript was then checked for errors and in places where the handwriting was difficult to read or illegible in the original entry, a second and third attempt was made to decipher the text and transcribe accordingly. In places where deciphering was unsuccessful, [unclear] has been inserted into the text.

Whilst convictions and court proceedings would have been public knowledge at the time, the data contained in this article has been de-identified and anonymised. Pseudonyms for individuals and locations are used throughout. This approach has been taken out of respect to the memory of those named within the volume and to their families. Culprits were often children and this also forms part of the reason for anonymising and de-identifying the data. A quantitative document analysis followed the transcribing of the entries. Compiling and collating data on the number, type and other details of crimes committed; including details of the “culprits”, “injured persons” and sentencing. After the quantitative analysis, a qualitative analysis of the records ensued. During the qualitative analysis the data were separated, sorted and synthesised through coding, allowing for patterns, themes, commonalities and differences to emerge (Charmaz, 2006).

The author is mindful that extant texts, such as this volume, do not “stand as objective facts” although they may represent what the Gardaí at the time “assumed were objective facts” (Charmaz, 2006, p. 35). This volume was compiled by An Garda Síochána to fulfil an official function and not to serve as research data. Whilst the volume was not created as a source of social research, it has become such. This also contributes to the limitations of the data, as entries are very much summary in nature; they do not contain thick rich description.

An attempt has been made to verify details contained in the volume. Both Irish and British Newspaper Archives have been searched for reporting relating to crimes featured in the volume; however, not all crimes contained within the volume were reported on. Of the eleven crimes described in the qualitative section of this article, four feature in newspaper reports from the time. The researcher has found news articles relating to: other crimes from

the volume (not described in this article); some of the Gardaí named in the volume; obituaries for some of the culprits named within the volume; and, the researcher has been able to verify places and addresses listed in the volume. Many family names can still be found in the areas featured in the volume. The volume offers a vignette into how Irish society viewed certain types of behaviours and consequently the types of crimes. The volume also provides an insight (albeit limited) into those who produced the document (Noaks & Wincup, 2004).

The following sections outline the findings from this study, quantitative findings are first presented, followed by a qualitative analysis of some of the recorded crimes. The qualitative aspect of this article focuses on four types of crimes committed, these have been chosen based on interest to the researcher but also because they shed particular light on Ireland at that time. A final fifth qualitative analytic section briefly examines the Gardaí who investigated and documented the crimes in the volume.

Findings

The types of crimes recorded during the period 1941-43 were varied (see Table 1), ranging from “house breaking” (n=7), “obtaining money by false pretence” (n=3), “attempted house breaking” (n=1) to “concealment of birth” (n=2), “sacrilege” (n=1) and “attempted suicide” (n=1) to mention a few. During the period in question, a total of 56 crimes were recorded, with the majority (n=31) being categorised as ‘larceny’. Of the 31 cases of larceny, 5 cases (16%) related to food and alcohol, 5 cases (16%) related to hardware supplies, 2 cases (6%) related to fire wood, 5 cases (16%) related to clothing, 2 cases related to livestock (6%), 4 cases (13%) related to bicycles and 8 cases (26%) related to money. The types of items stolen under larceny are indicative of poverty and are reflective of the “real emergency” in relation to shortages of food and fuel supplies in Ireland at that time (O’Gráda & O’Rourke, 2022, p. 347).

One crime that was classified as a burglary in the total number of crimes committed in 1941 in the volume, was in actual fact an attempted indecent assault. Evidence that this burglary was an attempted indecent assault is found in the description of the motive for the crime “to have carnal knowledge of a female” and from the description of the crime from the entry in the volume “[the culprit] proceeded to a bedroom where Mrs Bridges was sleeping with 3 children. He attempted to enter the bed with the woman and was feeling the bed, lifting clothes when woman awoke” (Casefile 41-006). This crime was reported on in the county newspaper and the Superintendent was quoted as describing the case as “strange” and that the defendant was unable to explain why he was in the property (Wicklow People, 1941a). The defendant’s solicitor was quoted as saying he thought that his client “was not properly developed mentally” and that “when he was leaving school at 14 years of age, he was only in the third class” [of primary school] (Wicklow People, 1941a).

Table 1

Classification of crimes recorded by Gardaí and number committed between 1941-1943

Type of Crime	Number
Burglary*	3
House Breaking	7
Attempted House Breaking	1
Larceny	31
Receiving Stolen Property	2
Concealment of Birth	2
Embezzlement	1
Attempted Suicide	1
Obtaining Board & Lodgings	1
Obtaining Money By False Pretences	3
Indecent Assault	3
Sacrilege	1
Total	56

*One crime classified as burglary in 1941 was in actual fact an attempted indecent assault.

The volume contains details of the alleged culprits and of the injured persons (see Table 2 for breakdown of culprits and injured persons by age and sex). The total number of culprits for the period was 83, with 58 (70%) male and 25 (30%) female. More than one-in-three culprits were children. In total, there were 31 culprits (37%) under the age of 18 years; of these 24 were males and 7 females. There were 64 injured persons recorded for the period, with 38 (59%) males and 26 (41%) females. There were five cases where the injured person was an organisation or entity, for example: St. Vincent de Paul; The Department of Lands; The Minister for Defence; and, The People of Ireland. The majority of injured persons were 18 years or over (N=60). Four of the injured persons were under 10 years of age; two were un-named female infants who died under circumstances relating to concealment of birth, the two other children (1 male and 1 female) were victims of indecent assault.

The volume contains data on the occupation of culprits and injured persons or in some cases a description of the individual. For example, male culprits (see Table 3) are designated into the following categories: “nurse child”, “schoolboy/messenger”, “manual/labourer”, “soldier/army”, “clerk”, “professional”, and “other/no occupation”. Similar categories are used to describe male injured persons (see Table 3), the differences being: “student”, “garda/army”, “farmer”, “clergy”, “businessman” and “no profession”. In turn, female culprits (see Table 3) are classified under the categories: “school girl”, “domestic servant”, “married/housewife”, “widow”, “nurse maid”, and “no occupation”. Female injured persons are described using similar categories to female culprits, the difference being: “infant”, “independent means”, “professional” and “clergy/nun”.

Table 2*'Culprits' and 'Injured Persons'** (by Sex and Age), 1941-1943

	>10 years	11-14 years	15-17 years	18-22 years	22-30 years	31-40 years	41+ years	Total
'Culprits'								
Male	4	12	8	5	18	8	3	58
Female	1	1	5	3	5	7	3	25
'Injured Persons'								
Male	1	0	0	2	9	8	18	38
Female	3	0	0	1	2	10	10	26

* In 5 cases the injured persons were organisations or entities: St. Vincent de Paul; The Department of Lands; The Minister for Defence; The People of Eire

Table 3*'Culprits' and 'Injured Persons' (number by sex and occupation/description), 1941-1943*

'Culprits'								
Male (n=58)	Nurse Child	School Boy/ Messenger	Manual/ Labourer	Soldier/ Army	Clerk	Professional	Other/ No Occupation	
	4	17	19	8	2	1	7	
Female (n=25)	School Girl	Domestic Servant	Married/ Housewife	Widow	Nurse Maid	No Occupation		
	1	7	8	1	2	6		
'Injured Persons'								
Male (n=38)	School Boy	Student	Manual/ Labourer	Garda/ Army	Farmer	Clergy	Businessman	No profession
	1	1	10	3	8	2	12	1
Female (n=26)	Infant	School girl	Domestic servant	Married/ Housewife	Independent means	Professional	Clergy (Nun)	
	2	1	1	15	3	3	1	

Table 4

Sentences, 1941-1943

	Imprisonment (with hard labour)	Recognisance	Probation of O. Act	Fine	Convent Reform	Other (withdrawn/ suspensory)
Males	21	11	11	7	0	8
Females	0	5	4	6	3	1

Table 5*'Culprits' Character Descriptions (number of), 1941*-1943*

	Good	Bad	Fair	None
Males	7	7	27	17
Females	14	3	2	6

*Character descriptions were not consistently recorded in 1941 for unknown reasons

Arising from the 56 crimes recorded during the period in question, 53 cases (95%) resulted in convictions. Sentences are recorded for 58 males and 19 females (see Table 4). Sentences ranged from imprisonment (with hard labour), recognisance (a bond to observe some type of condition), probation under the Probation of Offenders Act 1907, fines, a period in a convent or reformatory home (a sentence given to females only), suspensory sentence or withdrawal of charge. Imprisonment with hard labour was the most frequently used sanction with male culprits (N=21), whereas females were more frequently sanctioned with fines (N=6) or recognisance (N=5).

Character descriptions of culprits can also be found in the volume. These type of descriptions were not used consistently during 1941 but were used consistently for the years 1942 and 1943. It is not known how the Gardaí formulated character descriptions. Local knowledge would have played a role and in some cases culprits did have previous criminal convictions, which would have contributed to the Gardaí's conclusions. Never-the-less "characters" were subjectively described as "good", "bad" or "fair" (see Table 5).

The following sections examine crimes that provide a vignette into 1940s Ireland and illustrate how crime and immorality were intrinsically linked and policed by the State through An Garda Síochána. The quotations provided in these sections have been transcribed verbatim, any abbreviations or typos are those contained in the original volume, for example Garda is often abbreviated to "Gda" and Sergeant to "Sergt". Some text has been carefully omitted in places to reduce the size of quotations whilst retain meaning, this is indicated by [...].

Dumped and Decomposed: Concealments of Birth

Concealment of birth is a crime in Irish law under the “Offences Against The Person Act, 1861”. Section 60 of the act describes the crime as:

“if any woman shall be delivered of a child, every person who shall, by any secret disposition of the dead body of the said child, whether such child died before, at, or after its birth, endeavour to conceal the birth thereof, shall be guilty of a misdemeanour, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years, with or without hard labour” (Irish Statute Book, 1861).

It is worth stating that cases of concealment of birth were intrinsically linked to immorality, in so far as, women concealed births when pregnancies were ‘illegitimate’ in the eyes of the Church and Catholic society. There were two concealments of birth during the period under examination in the volume. The first of which was recorded as follows:

“At about 3pm on the [date] 1941 Dr Michael ... attended Bernie Murphy a Nurse Maid ... and that from his examination he was satisfied she had given birth to a child. Garda Butler who received the complaint visited the vicinity ... and as result of information that the child’s body had been dumped in a field. He had a search made of the area and found the dead body of a female infant wrapped up in brown and white paper from which it appears that the modus operandi was secret disposal of the infants body in brown and white paper and throwing the latter into a bunch of nettles and briars in a field.” (Casefile # 41-003)

Whilst the above excerpt is from an official record, the account cannot be fully described as objective. Two words appear particularly loaded: “dumped” and “throwing”. The recorded motive in this case was “to conceal the birth of an illegitimate child” (Casefile #41-003). This concealment of birth was reported on, alongside another case of the same (not from this volume), in the county newspaper under the heading the “Callousness of the Irish” (Wicklow People, 1941b). In the newspaper account Murphy’s employer is reported as being “prepared to take her back, only that she did not wish to do that for her own reasons” (Wicklow People, 1941b). Drawing from the work of Inglis (2003) it is likely this crime would have been deeply shrouded with shame and condemnation. Bernie Murphy (30 years of age) received the following sentence:

“She was discharged on her own bail of £10 to keep the peace and be of good behaviour for a period of 2 years” (Casefile # 41-003)

The second case of concealment of birth in the volume was discovered under different circumstances and a period had passed between the birth and the discovery of the infant’s

body, which by then was in “an advanced state of decomposition” (Casefile # 42-005). There was no motive for the crime recorded. The crime was recorded as follows:

“Unknown Female Infant of Deirdre Mooney. At 10.45pm ... Dr Michael ... reported at the Garda Station that he found the dead body of a female infant in an advanced state of decomposition in the residence of one Mrs Winnie Jennings ... The body had been wrapped up in newspapers and had been placed in a suitcase underneath the bed used by a children’s nurse named Deirdre Mooney. Sergt. [*sic*] McKellen took a statement under caution from Deirdre Mooney in which she admitted having given birth to a child in July 1941 and having placed the body in the suitcase. It remained there until [date] 1942 when Mrs Jennings found the odour in the room and opened the case. She then called in Dr Michael.” (Casefile # 42-005)

This case was not reported on in the press. The culprit, Deirdre Mooney (25 years of age), received the following sentence:

“At [place name] Circuit Court on [date] 1942 before Honourable Judge [unclear] accused pleaded guilty to the charge and was allowed out on her own bail of £10 to be of good behaviour for twelve months.” (Casefile # 42-005)

In both of the above cases the fathers of the illegitimate children remain absent and invisible, the crimes are solely that of the young mothers. This reflects the habitus of a patriarchal Ireland, where gender inequality was unquestioned and unchallenged. These crimes arose from an enforced Catholic morality; child birth outside of marriage was a sin. In both cases we see a relationship between State agencies and men policing women, in so far as, the male doctor reporting the suspected crimes to the male Gardaí. Moreover, both accounts illustrate what Inglis (2003, p. 23) has described as “local mechanisms of power”. The social institutions of medicine and policing working together to exert the will of the State. One of the unfortunate limitations of this volume is that it gives little insight into the circumstances leading up to the crimes, nor any detail on the women’s account of what happened. In latter times, women in similar positions were treated sympathetically by the Gardaí if they were perceived as being remorseful for their crime and withdrew from society (Inglis, 2003).

Church Box and Bicycles: Selected Cases of Larceny

Larceny was a relatively common crime during the period under examination and there were in total thirty-one cases recorded. The following case of larceny is interesting in that the injured person was the Church and the culprit was a child. The crime was recorded as follows:

“Monsignor Corcoran P.P. [Parish Priest] reported to Sergt. [sic] McKellen that he suspected the donation box ... were being opened and cash being taken from them. Sergt McKellen and Garda Butler marked coins and placed them in the collection box of the St. Vincent de Paul Society on [date] 1942 accused entered the church at 9.30am opened the box and took out two shillings and six pence which were marked. At 10.30am Gd Butler went to Buckley’s Shop where he was employed to take him to the station. Smith threw away a purse in the shop which was found to contain the stolen money. In a statement he admitted opening the box on several occasions and taking in all 17 shillings. In addition he admitted having taken 6/9 o [sic] off the plate in the Sanctuary Door of the Church.” (Casefile # 42-016)

The culprit Daniel Smith was “15 years 10 months” old at the time and he was described in the entry as a “Senior Altar Server and Messenger Boy” and who’s character was “fair”. Whilst Smith held a favourable position as “Senior Altar Server”, bestowing religious capital at that time, he was viewed by the Gardaí as being of fair character. Smith was sentenced accordingly:

“... accused was allowed out under the Probation of Offenders Act on entering into a recognisance to be of good behaviour for twelve months, himself in the sum of £20 and his father John Smith as [unclear] in the sum of £20 ... a condition of the recognisance was that he be out not later than 10pm each night until the 31st of March 1943 and that he joins the Red Cross Society...” (Casefile # 42-016)

In the Smith case, the larceny is compounded by the fact it was a crime not only in law but a crime committed against God and the Church. The crime was viewed as being serious, given it was investigated by a Sergeant and Garda and involved a ‘sting’ type operation. The severity of the sentence is indicative of how the crime was viewed by the District Court Judge. The recognisance sum of £20 was a large amount of money for the time. This was a crime of immorality but it was also a crime committed by a child.

Another case of larceny that bears an undertone of immorality or indeed insubordination was one committed against a member of An Garda Síochána and by extension a crime against the State:

“Clifford Ryan, 45 years, Married, member of An Garda Síochána ... between 9pm and 9.30pm on [date] 1942 a Gards [sic] Bicycle Value £4 property of Garda Síochána was stolen from outside Hedges Hotel ... Enquires led to the discovery of the frame in a shed at rear of residence ... tyres and tubes in possession of Henry Murphy ... and the pedals in possession of Bartolomeu Denny ... Accused admitted finding the bicycle ... and dismantling same.” (Casefile # 43-005)

In this case, the injured party did not report the crime initially. Whilst there is an irony to the crime in question, it was a serious blunder for a member of An Garda Síochána to have his mode of transport stolen; particularly given the lack of other forms of transport available to the Gardaí during the state of emergency. This is reflected in the admission in the entry that:

“Garda Ryan did not report the matter to anyone but kept up his enquires which led to the recovery of the bicycle” (Casefile # 43-005)

The culprit in question Boris Reynolds (23 years, Labourer, ‘Character Fair’) was sentenced to “one months imprisonment with hard labour”. Whilst this crime had the potential to tarnish the Garda’s standing among his peers and within the community that he policed, the following section examines a crime that tarnished the culprit’s religious and social capital.

Jays Fluid and Hysteria: An Attempted Suicide

Suicide is a sin in Catholicism (Gearing & Lizardi, 2009). It was a crime in Ireland up until 1993; one of deep immorality, often hidden, and one that bore significant shame and stigma to those who attempted/completed it and their families (House of Oireachtas, 1993; Nevill, 2001). The period under examination contains one case of attempted suicide. The injured party was “The People of Eire” (The People of Ireland), the crime was recorded as follows:

“About 3pm on [date] 1942 the accused William Patrick who was employed as Kitchen Porter in the Gilbert Hotel ... attempted to commit suicide by drinking a quantity of Jays Fluid from a 1 Gall container. He was found in his room in a hysterical condition by a man named Connor Meaney, Chauffeur. Dr Michael was called in and had him removed immediately to ... Hospital where on discharge ... he was taken into custody.” (Casefile # 42-020)

The culprit William Patrick (23 years, “character fair”) was sentenced to “one months imprisonment with suitable hard labour”. The description of the state of the “culprit” William as “hysterical” is of note, given the origin of the word (Latin Hystericus – meaning of the womb) and its historical association with, and almost exclusive use in relation to, women (McVean, 2017). This case was reported on in the county newspaper and a male witness (the above Chauffeur) who testified in the case is quoted as also describing the culprit as “hysterical” (Wicklow People, 1942a). The witness had gone to check to the culprit’s bedroom to check on him “as he had been ill during the day” (Wicklow People, 1942b). By describing William as “hysterical” both the male Garda and witness are implying that he was not acting like a man. Showalter (1993, p. 289) contends that the historical use of hysteria/hysterical in relation to men implied that the subject was “unmanly, womanish, or

homosexual”. Whilst neither the Garda nor witness stated that Patrick was homosexual, we are offered a vignette into constructions of masculinities in early twentieth century Ireland: uncontrolled emotions were something Irish men should not display. Moreover, attempting to take one’s life was a sin that could significantly damage one’s religious and social capital, as reflected by the shame and stigma surrounding suicide that permeated Irish society for a sustained period (Beattie & Devitt, 2015). Rather than being offered help and support, the “culprit” was imprisoned for his immorality and crime against the People of Ireland.

Strange Men Accosting: Cases of Indecent Assault

There were 4 cases of indecent assault recorded during the period in question. The first case, which was recorded as a “burglary” perhaps because the “culprit” was unsuccessful in carrying out the crime, was detailed as follows:

“Reported to the Gardaí ... Entered the house through a scullery window and proceeded to a bedroom where Mrs Bridges was sleeping with 3 children. He attempted to enter the bed with the woman and was feeling the bed, lifting clothes when woman awoke. Had a previous of knowledge of the house as he was a neighbour. On woman awakening she shouted and culprit escaped the way he had entered.” (Casefile # 41-006)

The culprit Thomas Walker (19 years, labourer) was initially “was remanded in custody to Mountjoy for medical observation” but the entry does not state why. There is a possibility he sustained injuries whilst in custody or whilst being taken into custody; however, it could also have been due to the mental capacity of the culprit. Based on reporting in the county newspaper, the Superintendent is quoted as saying “he was satisfied that defendant was slightly demented but held that he knew right from wrong” (Wicklow People, 1941a). As stated earlier in this article (see page 11), the culprit’s solicitor also questioned his client’s mental capacity. Walker was later sentenced to “1 days imprisonment and to enter into a bond ... to be of good behaviour for 2 years” (Casefile #41-006). The motive was described as “to have carnal knowledge of female” (Casefile #41-006).

A separate case of indecent assault involved a number of young females who were targeted by a ‘strange man’:

“Matter brought to notice of Gda. [*sic*] Maloney by Denis Turner, Bootmaker, who had received reports from girls that a strange man was accosting and molesting girls in the town. Accused was seen loitering in vicinity of ... and accosted girls as they passed by. Breda Murphy who was sent for messages had been accosted by him on three occasions on one of which he molested her and raised her clothes and felt her leg above the knee, he also held her with his knees and tried to coerce her down a byeway.” (Casefile # 41-008)

The culprit Dominic Jasper (23 years, Builder Labourer) was sentenced as follows:

“Dominic Jasper convicted of indecent assault and sentenced to two months imprisonment with a hard labour suspensory on defendant entering into Bona [*sic*] (an intention of good faith) to keep the peace for twelve months” (Casefile # 41-008)

The above incident was one of a series of serious assaults, that must have been extremely traumatic for the young female in question. In light of this, the sentence is mild when contrasted against the following case of indecent assault, this time an assault against a young male:

“Albert Allman, 9 years, School boy ... was on holidays during the month of August 1942 with his grandmother. Mrs. Joyce ... While cycling along Green Rd., he was stopped by accused who put his hand up under the boys shorts and indecently assaulted him. The matter was reported by the boys mother Mrs. Ruth Allman”. (Casefile # 42-018)

The culprit Bernie Jones (30 years, no occupation, ‘character bad’) was sentenced to 3 months imprisonment with hard labour. It is unclear why there is a discrepancy in sentences given both are serious offences; however, the victims differ by gender, and this may explain the harsher sentence involving the male culprit and male victim. The assault against Albert was compounded by the fact that it was homosexual in nature (homosexuality was a crime under Irish Criminal Law up until 1993). Also worth noting is the absence of a motive in the case involving Allman and Jones; the only case of indecent assault without a motive stated. This crime was reported on in the county newspaper. The news article mentions the culprit being “remanded in custody on two charges of serious offences” and that the culprit was the “subject of medical observation” (Wicklow People, 1942a). The final indecent assault for the period in question also involved a male culprit and male victim; however, in this case the victim was a young adult and the sentence for the culprit was the most severe out of the four indecent assault cases:

“Walter Pearson, 18 ¼ years, Single, Student ... camped in a field at rear of Van Loon’s Hall ... He retired to bed in tent about 10pm on [date] 1943 and was awakened at 2.45am on [date] 1943 by a man entering his tent by the side. He asked the man if he wanted a bed and he said he did. The injured person gave him a rug to put over him. The man opened down the front of his pants, caught the injured person around the body and endeavoured to open his pyjamas. He had his penis exposed and was pressing against the lower part of the injured persons back. The injured person struggled, got up and taking his trousers with him ran to the residence of Mr Edwards [address] and reported the assault to him. Mr Edwards took him to the Garda Station at 3.25am and reported the matter.” (Casefile # 43-011)

The culprit William Austin (37 years, Shipping Clerk, “Character Fair”) was sentenced to “twelve months imprisonment with hard labour” the motive was described as “lust” (Casefile #43-011). This crime was reported in the county newspaper; however, the crime was not described, only that the culprit “was found guilty of a certain offence” (Wicklow People, 1943). The severity of sentencing in this case could be attributed to its homosexual nature and it is worth noting that this is the most graphic record of indecent assault in the volume, making reference to the culprit’s exposed penis. The following section discusses those who compiled the volume under examination: the Gardaí.

Moral Watchdogs: The Gardaí

A major limitation of the volume in question is that we are provided little or no detail about the Gardaí who investigated and reported on the crimes; nor do the Gardaí provide any great detail in the volume on how they conducted their investigations. Other than their name, rank and Garda identification number; all that is certain is that the Gardaí were exclusively male. During the period under review, there are two Sergeants, one Detective Sergeant, one Superintendent and four Gardaí named within the entries. The researcher has found some material on the Gardaí featured in newspapers of the era. We know from McNiffe (1997) that the vast majority of the Gardaí at that time (98.7%) were Catholic and under 30 years of age. It is also important to reiterate that at this time the Catholic Church had built a strong alliance with the State and by extension its agents (Conway, 2010; Donnelly, 2016) and Catholic conservatism was deeply embedded in Irish social life (Beaumont, 1997). It is clear the Gardaí were embedded in the three communities, they knew the inhabitants, as indicated by statements such as: “No reason for suspicion but a boy lived in the area of scene of crime the Garda decided that the boy could be a suspect” (Casefile # 41-002); “It was evident accused were locals” (Casefile #42-001); “All suspects known to have been in the vicinity” (Casefile #42-002); and, “Culprit known at time of commissioned offence” (Casefile #42-025).

We get a glimpse of investigating and interrogation practices, and how Gardaí identified potential culprits, but any information provided in the volume is summary. What is clear from the analysis of the volume is that the Gardaí relied heavily on interrogation or interviewing over evidence. During the period under review (1941-43) interrogation is recorded in 13 out of the 56 crimes in the volume (23%). However, admissions of guilt or statements of guilt are recorded in 34 out of the 56 crimes recorded (61%). *A total of 53 out of the 56 cases recorded resulted in convictions (95%).*

Bourdieu (1990) contends that those who share a habitus respond to social action in the same way, due to shared dispositions and internalised social structures. Given the confession/admission rate from the volume (61%) it can be argued that the habitus of the Gardaí ensured their interactions with culprits led to confessions of guilt in a high number of cases. The habitus of the culprits ensured they confessed under interview or interrogation. Culprits had no legal representation during interview or interrogation and drawing on the work of Conway (2010) it is reasonable to contend they would have been acutely aware of

the power asymmetry at play between them and the Gardaí. Thus, interview and interrogation can be conceptualised as a tool within the Gardaí's field (social space) that involved a type of praxis (social action) informed by their habitus (dispositions).

Loader (1997, pp. 3-4) has drawn attention to the symbolic power of policing forces as a social institutions; determining that the symbolic power of the police is embedded in a "set of durable dispositions" (habitus), which "incline a wide range of people to act and react to policing in certain ways". Child culprits were often interviewed or interrogated during the period 1941-43 and based on the entries, these interactions almost always lead to admissions of guilt. Conway (2010, p. 8) contends that historical interrogation practices of the Gardaí "have been highly problematic". Marsh (2022, p. 93) argues that "from a historical perspective, Irish policing was heavily linked to brutality and use of force". Given the Gardaí held considerable symbolic and physical power at that time in Ireland (Conway, 2010), it is no surprise that interactions with children resulted in admissions of guilt without any stated evidence within the volume.

During the period in question, the only outright denial of offence during interview or interrogation relates to the stolen Garda bicycle discussed earlier (Casefile #43-005). It is unclear from the volume whether the interviewed or interrogated children were accompanied by an adult; however, in one case it is recorded that the interrogation took place without the presence of an adult parent or guardian. The case was a "house breaking" involving a 9-year-old culprit under "Suspects, reasons for suspicions" in the volume the following entry was made: "Accused was interrogated and made a statement admitting the crime. He was accompanied by his brother Brendan aged 6 years" (Casefile #43-014).

What is evident from the volume, given the types of crimes detected and recorded, and the intertwinement of sin and criminality, is that the Gardaí policed with moral authority as intended by Commissioner Stains when he envisioned the new policing service in the 1920s. This moral authority was influenced by a Catholic morality that underpinned Irish social life (Beaumont, 1997; Donnelly, 2016). Moral authority was a significant aspect of the habitus of An Garda Síochána and it can be argued that the habitus of Ireland resulted in Gardaí policing in a way that was informed by pre-conceived conceptions (based on the moral lens that was hegemonic at that time) of how Irish citizens should act and behave. The Gardaí not only fulfilled their function as agents of the State exerting its will through the enforcement of the law, but they also fulfilled a function as moral watchdogs; guarding the social and moral fabric of Irish society and enforcing dogma disguised as law on behalf of the State's social partners: the Catholic Church.

Conclusion

This article has examined a volume of crimes that were committed in three small rural Irish villages during the period 1941-43. The contribution of this article lies in how it makes visible the ways crime, poverty and morality were intertwined in 1940s Ireland. The volume also demonstrates how morality featured in the policing habitus of the time. Crimes such as

larceny, were clearly linked to poverty and economic disadvantage; given the socio-historic backdrop and based on the examination of the crimes featured in the volume. Cases of larceny involved theft of food and alcohol, hardware supplies, fire wood, livestock, clothing, bicycles and money. The crimes in this volume reveal historical aspects of social life in 1940s Ireland and shine a light on how Irish society viewed certain behaviours and social problems. Crime and sin were deeply intertwined at this time, as evident by the cases of concealment of birth, attempted suicide, sacrilege and indecent assault.

This volume demonstrates that the habitus of the Gardaí involved fulfilling their official function to uphold the law of the State but it also included moral lenses and moral dispositions, which undoubtedly shaped their perception of crime and culprits. In this way, the Gardaí held dual roles as watchdogs for State and Church. Gardaí not only fulfilled their official function as agents of the State, attempting to enforce its will through the law but also as moral watchdogs of Irish society, enforcing a view of social order heavily influenced by Catholic dogma. This volume of crimes provides some, albeit limited, insight into the investigating practices unique to the field of the Gardaí. Whilst the volume was compiled for official purposes, there is evidence that the Gardaí were subjective in both how they viewed and recorded the crimes they investigated (see for example Table 5, “Culprits” Character Descriptions). Drawing from Rasmussen (1981, p. 276) it can be argued this subjectivity was a result of the “objectivist structure” of the habitus in which the Gardaí shared.

Noaks and Wincup (2004, p. 110) remind us that “historical work has contemporary significance” in that it can provide “an important baseline for measurement of both continuity and change”. Whilst this article did not work to make a comparative analysis of Irish society then and now, nor of the Gardaí then and now, it is fair to say the volume demonstrates that aspects of Irish society have changed, particularly in relation to religiosity and classification of crimes (for example concealments of birth, homosexuality and suicide). The volume somewhat helps to understand what rural life was like in 1940s Ireland: austere, patriarchal, heteronormative, conservative and Catholic.

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