

Republicanism and Childhood in Twentieth-Century Ireland

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Introduction

While the declaration of the Irish Republic in 1948 was the de jure culmination of Irish nationalism, the political entity of the twenty-six counties was already perceived by many to be a de facto republic in the preceding decades. During the Dáil debates surrounding the declaration Eamon de Valera asserted that ‘We were a republic, no doubt about it’.¹ Margaret Buckley, the then president of Sinn Féin, disdained the pronouncement because, she said, ‘the Republic was proclaimed in 1916, established in 1919, and it has never been disestablished’.² Buckley here identifies some of the texts that write out and interpret republican ideals in the modern Irish context, but her list is not exhaustive. The Irish constitution of 1937, for example, is a further important chapter concerned with the tensions between republican concepts and state building. Constitutional law and the law’s interpretation of rights inspired by republicanism and enshrined in the constitution further articulate and modify those ideals.

Republican theory does not preclude children from playing a participatory civic role in the republic. However, Irish republicanism in the first half of the twentieth century was preoccupied more with matters, both external and internal, that related to its post-colonial status than with civic agency. While children are notionally included as citizens of the Irish republic in its ideal and real form, they were rarely identified as a group, their specific role as citizens was not alluded to, and their capacity to contribute to *res publica* (civil society) was little acknowledged. Irish republican texts contain little exposition of the social implications of citizenship, and childhood is notably absent from its conceptual arena. The allusions are few, and at worst deploy childhood as a metaphor for subordinate citizenship or for those in need of protection. Post-independence documents such as the 1937 Constitution offer a limited, class-bound interpretation of childhood. While women objected to their designated subjectivity in the constitution, no single body argued for the

rights of children. Subsequent judicial interpretations of the constitution evince an ongoing limitation of children's rights: nowhere is this more evident than in the provision of education, where equality of access has been significantly circumscribed. However, the climate is changing. Some recent constructions of childhood focus on children's capacity for reasoned thought and their right to be heard publicly, thus closing the gap between them and more enfranchised citizens of the Irish republic.

Republican citizenship and childhood

Among the ideals variously emphasised in modern (eighteenth-century or later) republicanism are social independence, balanced government, the rule of law, and collective self-government.³ Today, notions of freedom, active citizenship, and interdependence are integral to it.⁴ Interdependence takes account of difference and diversity, and this heterogeneity is not limited to culture, gender, region, religion and ethnicity. Participatory citizenship of a republic ought not therefore be denied on the basis of individual differences that relate to age and ability and does not preclude a concurrent need for protection and nurture, although the most appropriate means of ensuring maximum participation from a sector such as children may need to be explored laterally. The common good and the civic virtues that accrue from an interdependence that articulates difference (and children may be included here) both interrogate and affirm individual interest. In the Irish context, James Connolly summarised that participatory ethos when he hoped that 'the Irish Republic might be made a word to conjure with—a rallying-cry for the disaffected, a haven for the oppressed, a point of departure for the Socialist, enthusiastic in the cause of human freedom'.⁵

The corollary of inclusivity and representativeness is a participatory disposition and the availability of deliberative forums in which all shades of informed interest and opinion may be represented. These necessarily include legal and parliamentary forms of discussion. It is axiomatic, therefore, that in a properly functioning republic not only are the rights of child-citizens upheld in legal and parliamentary discourse, but also that participatory channels are made available to children in which their understanding of their rights may be honed and heard.⁶ As I will demonstrate later in this paper, the Irish constitution and Irish legislation have served to limit rather than articulate republican civic ideals in the case of children.

Irish republican documentation of childhood

The formal documentation of the republic in the early decades of the last

century makes little reference to civic roles or to childhood as a distinctive sector of Irish society, although the term 'child' is often used metaphorically. There are sound practical reasons why this might be so. In the first place, in the period up to the Treaty, republicanism was 'a desperate search for purity, for the political thing-in-itself', in Seamus Deane's words. It was a search for a distillation, an absolute essence of republicanism, rather than a practical model for everyday living. Deane further elaborates that the republic was 'the unrealised and perhaps unrealisable entity in which power and authority will be as one, in which everything that smacks of compromise and negotiation will be forgotten and the false status of the Pharisee will be exposed before the true worth of the Publican (or re-Publican)'.⁷ Everyday matters such as active participation, order, civic education, and citizenship, which comprise the matter of Graeco-Roman republicanism, find their way on to few agendas. There are notable exceptions, among them James Connolly's socialist and Francis Sheehy Skeffington's feminist programmes. However, their contributions pre-date the foundation of the Irish state and had little impact on republicanism beyond a brief flowering of socialist ideals in the late teens and the feminist response to the 1937 constitution. Similarly exceptional is the work of Patrick Pearse. While Pearse's impassioned plea for enlightened education manifests an overt post-colonial separatist agenda, his perception of individual children as capable of exercising free choice evinces his readiness to include them as active agents in his ideal republic. Similarly, his emphasis on difference, on freedom of choice, and on children's capacity for selfless service to the community may be seen as further evidence of civic republicanism.⁸

Notwithstanding exceptions, pre-independence republicanism was primarily visionary. In the first decades of independence, its orientation was external, preoccupied with boundaries and territorialism. Within the confines of the state, its priorities included the sorely contested topic of unification (a response both to civil war scars and boundary issues), as well as tradition and the maintenance of an authentic and separate identity. It could be said that the cultural nationalism that prevailed in the early years of the Irish state, which was based on custom, language and communal memory, displaced an emphasis on civic values. The reality of fraternal strife that characterised the civil war could not bear too much looking into, and the analysis of notions such as citizenship, social rights and obligations was too painful.

The trajectory of the metaphor of childhood found in republican writing suggests that the Irish legacy of attitudes towards children is complex, containing within it strands of British class prejudice and a

colonial conflation of childhood and inferiority. From the late nineteenth century in Britain, ‘social constructions’ of children and childhood gained currency and became widely acceptable social truths.⁹ In Kimberley Reynolds’s opinion, the late Victorians simultaneously idolised and resented childhood and the new images of childhood empowered and elevated children.¹⁰ An American sociologist, Viviana Zelizer, suggests that during the years between 1870 and 1930, children were ‘sacralised’ (i.e. invested with sentimental or religious meaning).¹¹ Among the often conflicting representations that survived into the twentieth century were the cult of the child beautiful (Millais’s *Bubbles* finds its literary counterpart in Frances Hodgson Burnett’s *Little Lord Fauntelroy*) and the Rousseauesque myth of incorruptible childhood (defined in *Émile*). Children were recast as emotional and affective assets and confined to the domestic arena. While elements of this bourgeois child-centredness found their way into Irish life (for instance, the 1912 first communion photograph of the poet Austin Clarke sees him clad in a Bubblesque outfit), it was countered by a pervasive puritanism and sense of innate sinfulness, especially in sexual matters. The numerous articles by Timothy Corcoran SJ, whose philosophies dominated Irish education for the first two decades of Irish statehood, emphasise the corrupt nature of the child and the consequent necessity for strict authoritarian teaching.¹² The feminisation of childhood that was the norm elsewhere was tempered here by the role children were expected to play in relation to arduous chores on small farms and childminding in a society of large families. Curtin and Varley suggest that in rural Ireland children were not wanted as an end in themselves but ‘as a means of providing generational continuity on the farm, of supplying farm labour, or of acting as a hedge against old age’. They also observed that farmers valued silence and passivity in their children.¹³ What Foucault calls the ‘regulation’ of children—the monitoring, surveying, and calculating—dates from the turn of the century and found enthusiastic expression in Ireland in state-sponsored orphanages and industrial schools. Other manifestations of this regulatory phenomenon are the physical segregation of children from adults that is implicit in formal schooling and the compulsory education that was introduced in Ireland in 1926.

A complex of concealment, love, distrust, authoritarianism and class prejudice therefore informs our understanding of childhood in the early decades of the century and inevitably informs republicanism, albeit obliquely. *Inghindhe na hÉireann*’s* first public gesture of protest

* Daughters of Ireland.

consisted of a patriotic picnic, led by Maud Gonne, for 40,000 children in the Phoenix Park in 1900. This may be perceived as an instance of practical inclusivity, but also suggests a class-inflected approach that substitutes philanthropy for agency and is consolatory rather than enabling. As such, it serves as a caution against facile equations of children's presence at highly-charged republican occasions and their participation in public affairs. When James Connolly, that exceptional Irish nationalist in that his republicanism contains a dominant social and socialist dimension, wants to convey his opinion that the 1905 pro-Russian campaign offers no lead to Irish republicans, he calls the minds that conceived it 'childish'.¹⁴ Like many another contemporary, he employs the term 'children' of a mother-nation when he refers to citizens.¹⁵ The 1916 Proclamation of the Provisional Government of the Irish Republic refers to children no less than four times, each time as a metaphor for incipient citizenship:

Ireland, through us, summons her *children* to her Flag ... supported by her exiled *children* in America ... she strikes in full confidence of victory ... The Republic ... declares its resolve to pursue the happiness and prosperity of the whole nation and all of its parts, cherishing all of the *children* of the nation equally ... In this supreme hour the Irish nation must, by its valour and discipline and by the readiness of its *children* to sacrifice themselves for the common good, prove itself worthy of the august destiny to which it is called.¹⁶ (Emphases added)

Childhood is conflated with citizenry in the imagined, embryonic Irish republic. Child-citizens are summoned, cherished, and sacrificed: only their geographically-distanced American cousins act autonomously and as subjects rather than objects of action.

This phenomenon may be perceived as an instance of the recurring pattern, noted by Frantz Fanon, in which intellectual and social elites who have organised effective nationalist resistance rapidly reinstate hierarchical systems.¹⁷ It is not an isolated expression of unconscious but no less unrepublican thinking, as the analysis of the 1937 constitution conducted below reveals. A more positive expression of republican perception of childhood may be found in the Democratic Programme of the first Dáil of 1919. As Seamus Deane has observed, this 'provides a basis for all future declarations of republican principle ... and remains an embarrassing reminder to all subsequent meetings of the Dáil of what the struggle for independence was supposed to achieve'.¹⁸ Here, there is an awareness of children as citizens, but while its statement of intent to provide for their physical, mental and spiritual well-being is reassuring, it falls short of according a participatory role to the young:

It shall be the first duty of the Government of the Republic to make provision for the physical, mental and spiritual well-being of children, to secure that no child shall suffer hunger or cold from lack of food, clothing or shelter, but that all shall be provided with the means and facilities requisite for their proper education and training as Citizens of a Free and Gaelic Ireland.¹⁹

Even here, in the last sentence, the external priority of republicanism is apparent. The exclusive emphasis on education, training, and nurture underlines children's passive citizenship rather than their capacity for agency.

However, it is in the 1937 constitution that republican civic values and republican concepts of childhood find their fullest expression. The primary author of this text is Eamon de Valera, who perceived himself as the embodiment of pure republicanism. In the debate leading to the 1922 Treaty, he stated unequivocally that he was a symbol of the Republic, and that he did not attend the Treaty negotiations because 'I wished to keep that symbol of the Republic pure even from insinuation, or even a word across the table that would give away the Republic'.²⁰ Similarly, de Valera's avoidance of the explicit term 'republic' in the constitution was no repudiation of the ideal, but a tactical device that served the external agenda of the state. During the 'republic' debate,

de Valera read out the dictionary definition ... but said that he had deliberately avoided declaring Ireland a republic in his constitution because he was trying to 'keep open a bridge over which the Northern Unionists might one day walk'. He said that this avoidance of the nomenclature 'puts the question of our international relations in their proper place and that is outside the Constitution'.²¹

It is evident from these statements that de Valera, the primary architect of the constitution, perceived himself as the symbol of republicanism. The constitution is therefore a significant expression of republican ideals, as well as being a contract between state and people. Its noteworthiness derives in part from the role that texts play in modernising societies in defining individuals' rights to self-government and in creating institutional safeguards for those rights. 'It is the text that establishes our social identity and institutional place, it is the text that provides us with our jurisdiction or right of speech, it is the text in which we are born and in which we die'.²² As an important official narrative of the real as opposed to the imagined state, its importance in creating and setting boundaries to rights should not be underestimated. The actual act of making narratives is a crucial element in the construction of social realities, social, cultural and political institutions, and communal

identities. By conceiving the constitution as an episode in the national and republican narrative, seemingly just, equitable and transparent discourses (such as the legal) are seen to construct the reality that they appear to represent.²³

The 1937 Irish constitution

Republicanism is rarely pure and never simple. It shares a platform and sometimes, inevitably, vies for place or conflicts with the other pressing matters in a new state, such as the creation of institutions, the modernising impulse, and the designation of the 'Other'. The 1937 constitution's concern with consolidating and bringing status to converging concepts of national, rather than local, identity (through the production of texts) does not necessarily conflict with its articulation of the rights and obligations of a common citizenship. Republicanism and the state have the common reference points of 'territory' and 'people'. The constitution contains a strong statement of the people's fundamental rights, such as rights to equality before the law, freedom of expression, freedom of religion and education at Articles 40–44, that is consonant with the state's republican roots. The courts, in turn, support these rights in that they may issue binding decisions that legislation is unconstitutional if it breaches these fundamental rights.

However, the constitution evinces many limitations when it comes to enshrining republican ideals, particularly with regard to essential tenets such as equality, recognition of diversity, representation and agency as they apply to children. This section of the paper will explore how the constitution underwrites, rather than demolishes, a hierarchy based on class, gender and familial status. Although it identifies the family as the basic unit of society, its bias is unequivocally bourgeois. Secondly, its elaboration of the concept of family is profoundly patriarchal and therefore excludes equality. Thirdly, many specific references to children perceive them primarily as conduits for the rights of parents rather than as a well-defined group of citizens. Fourthly, its description of children's rights as 'natural and imprescriptible' is vague and problematic. Lastly, the constitution has given rise to interpretations in the law courts that have served to limit and constrain those rights.

The 1937 constitution is 'a powerful instrument for conveying a homogenous narrative of Irish citizenship'.²⁴ It was also a narrative that was written and implemented by powerful elites of the new Ireland, middle-class thinkers including clergy, civil servants, lawyers and politicians. As such, it was central to the consolidation of middle-class Irish aspirations and reality and an example of the hegemonic processes

by which a dominant culture maintains its dominant position. Moreover, the constitution is an element of the infrastructural and administrative apparatus of the state. As the state formalised its power, its bureaucracies (legal and archival) expanded, making its power seem abstract (and, therefore, not attached to any one individual or group). This, in turn, inculcated middle-class ideals that were dependent on literacy in the people, through the judiciary, parliamentary debate, education, and publication, for example. Furthermore, its catholic idiom and the ‘special position’ that Article 2 (since amended) accords the catholic church circumscribe the commitment to diversity. The constitution is also, therefore, a statement that overtly and covertly defines an ideal class and mode of ordering society and has the incidental effect of moulding young Irish citizens according to a template inflected with class and nationalist characteristics. At a time when critics of modern Ireland such as Sean O’Faolain were berating Ireland for the thinness of society, the constitution lost an opportunity to redefine and extend the possible modalities of organisation that would have facilitated the partnerships of participatory republicanism. Instead, it upholds the fallacy that Ireland is a society lacking a complex social stratification or class system and, in the process, further privileges those in whom power is vested.

Hanafin draws attention to another inherent inequality that the constitution creates, arguing that the Irish constitutional concept of family reflected a notion of the national family that is ‘inward-looking and subject to the rule of a weak patriarchal figure’, so entrenching the patriarchal social order. The family as the ideal unit group of society (as it was perceived in the constitution) and as an ideal in itself (if based on marriage) carried subliminal messages and revealed an intolerance of difference.²⁵

The designation of roles along gendered lines is further evidence of the underlying patriarchal thrust of the document. Power and the ultimate ‘authority’ in the family are often invested in the income earner.²⁶ The roles allocated to women, contentious even at the time that the constitution was drafted,²⁷ were reinvented as imaginary, aspirational and elusive ideals. The concept of manhood was undefined and therefore the universal norm, but in practice the role of the authoritative, knowing male was limited to an elite of powerful patriarchs, while the uneducated, impoverished majority were marginalised.

Within this adult, gendered domain, children hardly figure. They are denied the status of a differentiated citizenship and consequently also denied the inclusion, empowerment and participation accorded other groups—such as citizens with property. Because they are not recognised

as a well-defined, distinct group, the state's contractual obligations to them remain underarticulated. Where the constitution does acknowledge them, it is often to empower parents to exercise their children's rights, in the matter of education and religion.

The family

It is paradoxical, therefore, that one of the defining features of the constitution is the dominant status it accords the family in Irish life, since this affirmation might seem to ensure that children's rights as citizens of a de facto republic would be protected. The reality is more complex. The constitution identifies the family as 'the natural primary and fundamental unit group of society' (Article 41.1.1), and 'the necessary basis of social order' (Article 41.1.2). While it offers no definition of this key term, Justice Henchy interpreted Article 41.1.1 so as to suggest that the family is 'founded on the institution of marriage'.²⁸ A childless married couple constitutes a family, but, for example, an unmarried couple rearing their children in a stable relationship did not enjoy similar status until recent decades. As Henchy stated in another case: 'For the state to award constitutional protection ... to the "family" founded on an extra-marital union would in effect be a disregard of the pledge of the state ... to guard with special care the institution of marriage'.²⁹ (It was not until a case was taken to the European Court of Human Rights in 1966 that the notion that the family was not confined to marriage-based relationships was accepted.³⁰) The effect of this policy was to diminish the status of children born into non-marriage based unions. Through no fault of their own, they were deemed to belong to an inferior 'unit group of society'. The point here relates not so much to constitutional legal rights, but to their right to equal public esteem and dignity as equal citizens of a republic.

The constitution details the family's rights in regard to children and parents' right to choose the type of education (denominational or otherwise), and it proscribes divorce. Specifically, it accords children 'natural and imprescriptible' rights (Article 42.5). Explicit references to children include the following:

The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children. (Article 42.1)

The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any

particular type of school designated by the State. (Article 42.3.1)

The State shall, however, as guardian of the common good, require in view of actual conditions that the children receive a certain minimum education, moral, intellectual and social. (Article 42.3.2)

In exceptional cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural and imprescriptible rights of the child. (Article 42.5)

Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending religious instruction at that school. (Article 44.2.4)

The cited provisions from Articles 42 and 44 privilege parents' dominion over their children and promote their rights to a sectarian lifestyle over their children's rights. Conversely, they also safeguard the state's right to interfere in the family unit that it defines as sacrosanct, by enabling it to 'supply the place of the parents'. In practice, when the state did act *in loco parentis*, it tolerated alternatives to its idealised family unit (such as the orphanages discussed later in this paper) that were harsh, sometimes to the point of criminality, and whose punishments were cruel and unusual. Children as a differentiated group of citizens with rights and obligations are acknowledged overtly to the extent that they are seen to possess 'natural and imprescriptible' rights (Article 42.5) and that 'the state shall endeavour to ensure that the tender age of children shall not be abused' (Article 45 4.2).

In theory, of course, children's rights are not limited to those identified in Articles 41 and 42 but include unenumerated personal rights as in Article 40.3.1 also: 'The State guarantees in its laws to respect, and, in as far as practicable, by its laws to defend and vindicate the personal rights of the citizen'.³¹ However, the citation of 'natural and imprescriptible rights' as a guarantee of children's citizenship deserves attention. Natural law is based on value judgements that emanate from some absolute source, such as God's revealed truth—for example, in 1927, Lambert McKenna cited St. Thomas to support his assertion that it is a principle of natural law that the right to educate children belongs to their parents.³² Were the full range of statutory legislation in place to enumerate and detail the precise nature of children's rights, the appeal to natural law would provide an additional safeguard, since, as the Supreme Court pronounced, the personal rights of Article 40.3.3 are natural in the sense

that they are inherent in the individual and antecedent to the constitution. As a *substitute* for such legislation, however, the citation of natural rights constitutes another instance of the elision of children's citizenship.

Since 1789, when the National Assembly of France set forth natural, imprescriptible, and inalienable rights in Article 2 of its Declaration of the Rights of Man and of Citizens ('The aim of all political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression'³³), the concept has had its legal detractors. 'Imprescriptible' has precise legal connotations, implying that whatever the term qualifies is immune or exempt from prescription. It suggests rights that are so fundamental that they cannot be prescribed. This, together with the appeal to natural law (which in theory is a statement of natural rights based on the principles and findings of human reason) is in effect an appeal to legal common sense, which is dangerously vague and unreliable in practice. Bentham declared that all rights are the creation of law; 'natural rights is simple nonsense: natural and imprescriptible rights, rhetorical nonsense—nonsense upon stilts'.³⁴ One commentator, Burns Weston, has opined that, by World War I, there were scarcely any theorists who would defend the 'Rights of Man' along the lines of natural law.³⁵ Bentham's fear that declarations of natural rights would substitute for effective legislation resonates in the context of children's rights in Irish law. The proof of this may be found in the fact that it was not until 1980 that the 'inalienable and imprescriptible and natural and imprescriptible rights of the child' were interpreted as of paramount consideration when a conflict arises between the constitutional rights of a child and the *prima facie* constitutional rights of the child's mother.³⁶

In addition, when the term 'natural' is applied to childhood, its negative connotations, never far from the puritan Irish psyche, are in danger of dominating thinking—the natural is thus defined as the uncultivated; the wild; the illegitimate; those born out of wedlock; existing in, or produced by nature: not constrained; not affected by humanity or civilisation. In this context, an appeal to natural law and imprescriptible rights has, in short, been a licence to the state and to adult citizens of the state to curb, control and exercise authority rather than enable citizens to exert agency. In recent decades, however, the express use of natural law reasoning has diminished.

While the intention of the constitution's authors may have been to protect vulnerable citizens, the constitution's romantic, selective idealism in effect militated against the exercise of rights. It created a hierarchy composed of those whose lifestyle conformed to the model of 'natural

and primary unit group of society’ and those whose lifestyles did not. In law and in fact, members of families (as it defines them) are accorded rights and privileges denied other citizens, such as the children of unmarried parents (of which more later). Implicit in this is an intolerance of difference and a devaluation of alternative modes of organising society: those values of difference and heterogeneity are implicit in the republican paradigm.

One illustration of how the constitutional elevation of the family has worked against children’s rights may be found in the decision of the Supreme Court in the *State (Nicolaou) v. An Bord Uchtála* (1966).³⁷ Nicolaou fathered a child outside marriage, and the mother sought to have the child adopted without his permission. Nicolaou had shown himself an interested and involved parent from the child’s birth. However, when Justice Walsh delivered his judgement in the Supreme Court, he introduced ‘the rhetoric of the bad father’ in order to deprive Nicolaou of his right to challenge the order on the grounds of the guarantee of equality in Article 40.1—‘All citizens shall, as human persons, be held equal before the law. This shall not be held to mean that the State shall not in its enactments have due regard to differences of capacity, physical and moral, and of social function’. Walsh declared that, although Nicolaou had cohabited with the mother, he was not entitled to avail of the constitutional guarantees to the family because ‘so far as Article 41 is concerned the guarantees contained therein are confined to families based upon marriage’.

When it is considered that ... it is rare for a natural father to take any interest in his offspring, *it is not difficult to appreciate the difference in moral capacity and social function between the natural father and the several persons as described in the subsections in question.*³⁸ (Emphasis added)

Here the judge moves from interpreting the constitution so as to deny the right of a child and his interested caring father to a biological family to making a general statement concerning all unmarried fathers’ moral and social shortcomings.³⁹ In earlier proceedings of the same case, it was pointed out that if Nicolaou argued on the basis of the rights of his child, ‘it is more than probable that his interests and those of the child conflict’.⁴⁰ The provisions of the Adoptions Act, 1952 provided no role for the natural father of a child born outside marriage. While this case is sometimes cited as an example of how unmarried fathers’ rights are circumscribed, it offers insights into how, as late as 1964, Irish constitutional law disregarded children’s right to a family defined in broader terms than the puritanical, class-inflected and highly idealised

terms of the constitution. Furthermore, it illustrates how the category of the 'natural' is burdened with negative connotations. The right of a child to a 'natural' father (and, by extension, to a biological family) is not entertained, and the court assumes that the natural father is necessarily morally and socially inferior. Finally, it is worth mentioning that this is not an isolated case: the previously mentioned case, *Keegan v. Ireland*, heard at the European Court of Human Rights, arose because Mr. Keegan's child, born out of wedlock, had been placed for adoption without his knowledge or consent.⁴¹

In its narrow definition of the family, the constitution is aligned with propertied citizens who have a personal stake in limiting the dispersal of property and, by extension, in containing power. Legislating to constrain sexual behaviour is the central mode of containment, as Joe Lee observes:

A sluggish society clinging to the possessor principle inevitably places decisive emphasis on inheritance patterns. God and Mammon collaborate to produce a predictable structure of morality in the circumstances. The technique of birth control devised by post-Famine Ireland, late and few marriages, required rigorous sexual self-control from the disinherited, and indeed from the inheritors until they belatedly came into their legacy. Exceptional emphasis was naturally laid on the perils of sex, whose uncontrolled consequences would threaten the whole edifice ... [Celibacy] protected the property interests of the farmer, whose children dominated the clergies, catholic and protestant, which preached these necessary values.⁴²

Dolores Dooley adduces another reason for the emphasis on the family: 'The articles on family and marriage are symptomatic of a state that has been fearful of the uncontrollable power that might be unleashed if the concession of sexual equality of citizenship were realised in action'.⁴³ The state, then, is concerned to control aspects of individual liberty, to uphold the right to own property and to retain it in the hands of the few. Here a range of republican rights are seen to be in conflict: the right to personal liberty versus the desire to control behaviour for a perceived 'common good'; and the right to preserve property versus its equitable distribution.

Upon this battleground, children are not a neutral group. When they grow up within a nuclear family in which a mother is home-maker and father the bread-winner, they are palpable evidence that all is right with the new Irish bourgeois identity and that society is successfully organised around the principle of the nuclear family. When they are born outside wedlock or are the children of parents unable to support them, they are

chafing reminders of the gaps and inadequacies of this model of social organisation and are a visible threat to the security and continuity of power.

The state found a solution to this irruption of reality: it funded and regulated institutions that concealed these children, who were the evidence of the fallacy and failure of the model of the idealised nuclear family. Significantly, it delegated the responsibility for running these institutions to the churches and demanded little accountability, transparency or articulation of rationale. In the 1920s and 1930s, when British policy moved away from institutionalising large numbers of children, Ireland, ‘for reasons that had very little to do with child welfare’, took the opposite course and institutionalised large numbers of children.⁴⁴ What we know as orphanages were in fact industrial schools that detained orphans (as the institutions’ names suggest), the children of unmarried mothers, and also those of *married* parents who were still living. In fact, the majority of children in these institutions had parents still living. So, while the state was elevating the concept of the family based on marriage, it was effectively supporting the fracture of families by institutionalising the children of materially impoverished marriages. Interestingly, in the 1930s and 1940s in particular, girls outnumbered boys to such a degree that even the Department of Education was concerned. Raftery and O’Brien claim that while the public was probably unaware of the enormous scale of the system for detaining children, there was, nonetheless, a clear and popular knowledge of the existence of a punitive system of incarceration for children.⁴⁵

The widespread abuse that took place is itself evidence of the solution being worse than the problem, as are the harsh conditions. Recurring motifs in survivors’ accounts emphasise the brutality and the pathological preoccupation with sexuality, underlining further the fact that elevating the concept of the family based on marriage was an expression of the controlling ethos of church, state and the middle classes and their impulse to retain power. The widespread acceptance of this anomaly—the privileging of the concept of the family while condoning the practice of denying children its support and public representation—illustrates how Irish society colluded with its representatives in flagrantly violating its own republican ethos. Indeed, even elected representatives have not been slow to publicly deny children equality. In 1926, for example, when the government introduced the School Attendance Act, Michael Heffernan, a TD representing the farming lobby, demanded that the compulsory primary education requirement for the children of agricultural labourers should be relaxed. The purpose of this, he made clear, was so that it

would not interfere with the higher priority of cheap labour for strong farmers.⁴⁶

Education

We have already seen how children's rights as citizens, as enshrined in the constitution, have been open to judicial, state and social interpretation that has circumscribed those rights. Nowhere is this more evident than in the field of education. Article 42.3.2 states that the state shall, 'as guardian of the common good', require that children 'receive a certain minimum education, moral, intellectual and social'. Here, several laudable republican principles are implicit: the public or common good, the implication that all children are given a minimum share of the educational cake, and a willingness to prepare children for active citizenship based on their understanding of moral, social and intellectual goods. Education is one crucial portal to civic agency; in its wider forms can safeguard freedom; and is one of the few public forums in which children participate.

However admirable and republican the sentiments expressed in Article 42.3.2, the reality has been quite different. In fact, Farry has argued the fundamental case that children do not even have a constitutional right to a minimum education, but only that the state has a duty to provide for such an education.⁴⁷ As recently as 2000, the Supreme Court ruled that the primary education to which a child is entitled is only 'what is provided by teachers in classrooms', in short, 'a basic scholastic education'. The judgement went on to say that it was extremely unlikely that those who framed the constitution, or the people by whom it was adopted, would have authorised the state to intervene in intimate matters such as toilet training (one of the issues in the widely publicised Sinnott case).⁴⁸ Here, the judge has deployed the dual strategies of contextualising the constitution in its moment of origin and defining education in terms that directly contravene contemporary understandings in order to limit the state's responsibility to vulnerable citizens. The inevitable outcome is to restrict these citizens' capacity to participate in and contribute to public life.

Furthermore, the provision of education has been the means by which a whole range of vested interests have served their own, and not children's, democratic privilege and prerogative: in particular, the state has used it to promote its nationalist agenda and the churches their determination to maintain power and influence. Language and especially class, together with gender, geography and disability, conspired to limit access. Even in its structures, the educational system in the Republic has been

exclusionist—at least until 1985 when the concept of partnership was articulated unequivocally as an educational value. The principle of liberty, so stressed in republican documents, drew the disdain and derision of Timothy Corcoran SJ, the most prolific spokesperson on education and a central influence on educational policy in the 1930s. He criticised Maria Montessori's methods because they emphasised the necessity of the child's liberty, and he could not accept that she could have adapted for 'normal' children from methods devised for the 'deficient'.⁴⁹ The educational programmes he approved were at once ethno-nationalist and competitive, emphasising British public school values, the classics and the Irish language. Corcoran was not alone in elevating the Irish language. Eoin MacNeill, minister for education in 1925, identified the conservation and development of Irish nationality as the chief function of Irish educational policy.⁵⁰ Yet the following year, the report of Coimisiún na Gaeltachta showed that there was only one secondary school in any Gaeltacht area—and it was English-speaking!⁵¹ By the mid-1930s, the vigorous implementation of the Irish language policy in non-Irish speaking areas included the directive that Irish be the language of the Infant school, prompting Joseph Lee to comment that 'when [those pupils] were dispatched from the country as emigrants they would be equipped to serve their new masters only as hewers of wood and drawers of water'.⁵²

Equality of opportunity was further constrained. At the time of the foundation of the state, school attendance was alarmingly poor (under 70% daily attendance), and it was estimated that 100,000 children were not even enrolled. Two decades later, drop-out rates were still high, and less than a quarter of students were enrolled in the senior cycle in 1948–9. Long school journeys and poor physical conditions were a prominent feature of the lives of Gaeltacht primary school children in the 1920s. The vocational schools, established in 1930 to cater for poorer children, failed to prepare pupils for Leaving Certificate (primarily because of clerical insistence), effectively stamping them, again in Lee's trenchant words, as 'second class citizens'.⁵³ A half-century later, the completion rate of vocational school pupils was still only a third of that of secondary school pupils. When the issue of raising the school-leaving age, then fourteen, arose in 1935 (at a time when constitutional rights were being formulated), economics and class dictated the government's response: 'if the school leaving age is to be raised, it must be raised only in selected areas in which the conditions are favourable and in which there is no likelihood of serious economic results'. Things had changed little by 1960 when the Council for Education rejected the policy of

‘secondary education for all’.⁵⁴

Geography and gender are two more markers of inequality within the educational arena and are remarkable for the historical continuity they display. The counties that had the lowest rates of secondary school participation in 1962 had the lowest rates of admission to higher education in 1980. Girls’ completion of secondary school lagged significantly behind boys’ for the first two decades of the new state. Facilities for children with disabilities were provided only by voluntary bodies, and there was virtually no progress during the generation following independence—not until the mid-1950s, and then only following the initiatives of parents, friends and professionals, were schools established to cater for their needs.⁵⁵ Other multiply-disadvantaged groups of children, such as Traveller children, did not fall within the official gaze at all. It was 1960 before the Irish government established a Commission on Itinerancy, whose report, published three years later, was the basis for a programme of assimilation rather than recognition of diversity. The message is clear: education within the Irish state that fondly imagined itself a republic was the province of the favoured and served only to increase inequality and division rather than egalitarianism and fraternity.

Changing climates

Enabling children to exercise their republican rights and responsibilities poses a unique but not insurmountable challenge. Childhood has now become a battle site for competing vested interests that vie to reconstruct public perceptions of childhood according to their own precepts. Childhood has become medicalised, commercialised, legalised, and sexualised. It is both a commodity and a niche market, and not least of the commercial interests are educational: witness the grind schools, the expansion of education departments, the strength of educational publishers, and now, rather belatedly perhaps, the interest of the academy. Children’s perceived safe space is shrinking as they retire to the independent republics of their bedrooms—hermetically-sealed personal spaces. Yet, the virtual space they can access through electronic means is expanding. Childhood as we have imagined it is transgressing the boundaries within which we fondly corralled it. Dark silences remain; poverty still determines the life of many. Much is unknown; much research remains to be done. What we do know is patchy, but there is a growing awareness of the diversity of experiences that come under the umbrella of childhood discourse and a disintegration of the old authoritarian relationships between young and adult, between the child

and powerful public voices. Eclecticism, transgression of boundaries, polyphony, disintegration, and the need for self-reflexivity are the hallmarks of contemporary Irish childhoods.

The 'politics of mutism'⁵⁶ (the phrase is Kathleen Lynch's) that traditionally silenced children's voices in Ireland has finally been challenged, but official re-evaluation of childhood remains reactive and paltry. The recent copper-fastening of children's right to appropriate education came only on foot of a series of court challenges, all bitterly contested by the Department of Education and Science, which is constitutionally obliged only to ensure that 'children receive *minimum* education, moral, intellectual and social' (my emphasis). The High Court challenge by Jamie Sinnott, which attracted so much attention in November 2000, was only one of 100 cases relating to autistic and special needs people that were awaiting hearing in the courts in October 2000.

Kathleen Lynch has pointed to the need for equality of respect and a greater democratisation of schooling and of health and welfare services for children. She cites the public derision that greeted Adi Roche's suggestion in 1997 that a Children's Commission should be established and interprets this belittling as evidence that there is little public concern for the status of children.⁵⁷ Children are rarely canvassed for their views, and there is little recognition that they can be equal partners rather than passive subjects in the research process. In addition, 'researchers have been as "child-blind" as others'. Children are not a mobilised political voice, although there are discernible shifts. The actions of secondary school pupils during the 2001 secondary teachers' industrial action may suggest that this is changing. The launch of the National Children's Strategy, the National Children's Advisory Council, and the Children's Rights Alliance (composed of NGOs), whose purpose is to co-ordinate child-related activities and provide forums in which children's voices are heard, is a significant advance in public policy and awareness. The Law Society's recommendation that the constitution be amended to give children legal rights as individuals is also welcome.⁵⁸ The dark side of Irish childhood, the physical and sexual abuse, the family disorder and dysfunction are coming into the public domain.

While psychological models of childhood remain influential in defining the roles that children may adopt in society, childhood is no longer viewed as a period when cognition (including the processes of perception, intuition and reasoning) is necessarily impaired by immaturity. This is an important shift, in that it removes one of the barriers from accepting that children are capable of a more participatory

citizenship. If their rationality is no longer defined only in terms of its immaturity or limitations, then the path is open for more inclusivity, since rationality is one of the key precepts of republicanism. The work of Albert Bandura and L. S. Vygotsky has gone some way towards balancing the narrowly developmental, but profoundly influential, approach of Jean Piaget. It is now accepted that Piaget may have underestimated children's early perceptual abilities and cognitive development and did not take sufficient account of the individual differences between children. The gap between children's and adults' capacities for formal operations and abstract reasoning is now considered not to be as wide as his research suggested.⁵⁹ Contemporary theories of childhood cognition, as exemplified by Bandura's concept of social learning and Vygotsky's social development theory, propose that social interaction plays a fundamental role in full cognitive development.⁶⁰ Changes are not confined to psychological models of identity. Kieran Egan, an influential educational philosopher, stresses not only how children's thinking is different from adults' but also how it is greater in complexity, abstractness, and sophistication than is generally understood.⁶¹ The implication of this reinvention of childhood is the growing awareness of a subaltern class that can provide unique initiative and momentum. In this way, the hegemony of the elitist bourgeois class that informed the constitution is contested. In this way, too, the work of establishing what Benedict Anderson calls an imagined community as a precondition for active participation in *res publica* can continue.⁶² The question for the future is how to work out the practical minutiae and implications of this sector's claim to civic agency.

Conclusion

Children are not devoid of rationality or morality. Their ability to engage in dialogue may require fine tuning, but no more than other groups. By placing them outside the pale of discourse, civic society relegates them to the realm of the amoral and irrational. The reasons that this happened in Ireland relate to the tensions between the nation's various social and cultural discourses and its external political agenda.⁶³ Not least among these is the state's focus on liberty in the external rather than civic sense, its elision of fraternity as a value in a nascent state, and its blindness to issues of equality. Its myopia is complicated by the new state's assumption that state and nation are equivalent categories. So, formal republican texts, the 1937 constitution in particular, write out ideals at once modernising, democratising and authoritarian. While they purport to empower Irish children, they succeed rather in channelling power

through them and signally fail to cherish all the children of the nation equally. Ultimately, what they say about children is what they do not say. Children were ousted from these modern and modernising texts, their rights defined in an acontractual, naturalised and restricted form. The result is that civic republicanism is skewed and denied the contribution of a worthy and significant body of its citizens.

Notes

¹ *Dáil Éireann Parliamentary Debates*, vol. lxiii, p. 926.

² 'A Perpetuation of Partition', *Irish Times* (22 November 1948), p. 1, quoted in Chris Morash, 'Theatre and the Republic of Ireland Act', in Ray Ryan (ed.), *Writing in the Irish Republic: Literature, Culture, Politics 1949–1999* (Basingstoke: Macmillan 2000), pp. 64–81.

³ See Gerry Smyth, *Decolonisation and Criticism* (London: Pluto 1998), pp. 10–34.

⁴ Iseult Honohan, 'Freedom as Citizenship: The Republican Tradition', *The Republic: A Journal of Contemporary and Historical Debate*, no. 2, (Summer 2001), pp. 15–16.

⁵ James Connolly, *Socialism and Nationalism: a selection from the writings of James Connolly* (introduction and notes by Desmond Ryan) (Dublin: Sign of the Three Candles 1948 [1897]), in Seamus Deane et al (eds.), *The Field Day Anthology of Irish Writing*, three volumes, (Derry: Field Day Publications 1991), vol. 3., p. 718.

⁶ There are several useful discussions of republican concepts in *The Republic: A Journal of Contemporary and Historical Debate*, nos. 1 & 2, (2000 & 2001).

⁷ Seamus Deane, 'Political Writings and Speeches 1900–1988', in *Field Day*, vol. 3, p. 683.

⁸ Patrick Pearse, *The Murder Machine* (Dublin 1912), in *Field Day*, vol. 3, pp. 288–93: 'I would urge that the Irish school system of the future should give freedom—freedom to the individual school, freedom to the individual teacher, freedom as far as may be to the individual pupil'. See also Eavan Boland, 'Aspects of Pearse', *Dublin Magazine* (Spring 1966) (Patrick Pearse: Commentary. 5 May 2003.)

<http://www.pgileirdata.org/html/pgil_datasets/index.htm>.

Boland quotes Pearse on the inculcation of patriotism in the pupils of St Enda's: 'We have always allowed [the boys] to feel that no one can finely live who hoards life too jealously, that one must be generous in the service and withal joyous, accounting even supreme sacrifice slight'.

⁹ H. Hendrick, *Children, Childhood and English Society 1880–1990* (Cambridge: Cambridge University Press 1997), p. 10.

¹⁰ K. Reynolds, *Children's Literature in the 1890s and the 1990s* (Plymouth: Northcote House 1994), p. 13.

¹¹ V. Zelizer, *Pricing the Priceless Child. The Changing Social Value of Children* (New York: Basic Books 1985).

¹² E. Brian Titley, *Church, State and the Control of Schooling in Ireland* (Kingston and Montreal/Dublin: McGill-Queen's/Macmillan 1983), p. 94.

¹³ C. Curtin and T. Varley, 'Children and Childhood in Rural Ireland: A Consideration of the Ethnographic Literature', in C. Curtin et al. (eds.), *Culture and Ideology in Ireland* (Galway: Galway University Press 1984), pp. 42–3, cited in Kathleen Lynch, 'The Status of Children and Young Persons: Educational and Related Issues', in Seán Healy and Brigid Reynolds (eds.), *Social Policy in Ireland: Principles, Practice and Problems* (Dublin: Oak Tree Press 1998), p. 322. Lynch's article covers some of the issues raised in this article also, but its focus is primarily on contemporary Ireland rather

than the founding principles of the Republic. See also Kathleen Lynch & Anne Lodge, *Equality and Power in Schools* (London: Routledge Falmer 2002).

¹⁴ Connolly, op. cit., p. 727.

¹⁵ Ibid., p. 723.

¹⁶ Poblacht Na hÉireann The Provisional Government Of The Irish Republic To The People Of Ireland. 5 May 2003. <<http://homepages.iol.ie/~dluby/proclaim.htm>>.

¹⁷ Frantz Fanon, *The Wretched of the Earth* (trans. C. Farrington), (Middlesex: Penguin 1967 [1961]), pp. 19–65.

¹⁸ Deane, op. cit., p. 734.

¹⁹ Ibid.

²⁰ Irish Free State: Dáil Debates, *Tuairisg oifigiúil: díospóireacht ar an gConnradh idir Éire agus Sasana do signigheadh i Lundain ar an 6adh lá de Mhí na Nodlag, 1921; Official report: Debate on the treaty between Great Britain and Ireland signed in London on the 6th December, 1921* (Dublin: The Talbot Press, 1922), pp. 257–8.

²¹ Basil Chubb, *The Politics of the Irish Constitution* (Dublin: Institute of Public Administration 1991), p. 24, (Princess Grace Irish Library (Monaco) EIRdata Electronic Irish Records Dataset. Eamon De Valera. Commentary. 5 May 2003. <http://www.pgil-eirdata.org/html/pgil_datasets/index.htm>).

²² Peter Goodrich, ‘Introduction: Psychoanalysis and Law’, in Pierre Legendre, *Law and the Unconscious: a Legendre reader* (ed. and trans. Peter Goodrich), (Basingstoke: Macmillan 1997), p. 4, quoted in Patrick Hanafin, ‘Interpreting the Irish Constitution’, in Ray Ryan (ed.), op. cit., p. 147.

²³ See Terry Threadgold, *Feminist Poetics: Poiesis, Performance, Histories* (London: Routledge 1997), quoted in Hanafin, op. cit., p. 155.

²⁴ Hanafin, op. cit., p. 154.

²⁵ Ibid., p. 156.

²⁶ Dolores Dooley, ‘Gendered Citizenship in the Irish Constitution’, in Tim Murphy and Patrick Twomey (eds.), *Ireland’s Evolving Constitution, 1937–1997: Collected Essays* (Oxford: Hart 1998), p. 128.

²⁷ See the exchanges in *Irish Press* (22, 25, 26, 28 June and 1 July 1937); *Cork Examiner* (29 June 1937), cited in Lee, op. cit., p. 208; see also Yvonne Scannell ‘The Constitution and the Role of Women’, in Brian Farrell (ed.), *De Valera’s Constitution and Ours Thomas Davis Lectures* (Dublin: Gill and Macmillan 1988), pp. 123–136.

²⁸ *Re J an infant* [1966] IR 295.

²⁹ *The State (Nicolaou) v. An Bord Uchtála* [1966] IR 567, at p. 572, in Michael Farry, *Education and the Constitution* (Dublin: Round Hall/Sweet & Maxwell 1996), p. 61.

³⁰ *Keegan v. Ireland* (1994) 18 EHRR 342, in Farry, op. cit., p. 61.

³¹ The Supreme Court indicated this in *Re Article 26 and the Adoption (No 2) Bill* [1989] IR 656.

³² Lambert McKenna, ‘State Rights in Education’, *Studies*, vol. XVI, 1927, p. 215.

³³ At University of Minnesota Human Rights Library. French Declaration on the Rights of Man, Declaration of the Rights of Man and of the Citizen (August 26, 1789). 6 May 2003. <<http://www.bibliomania.com/2/1/327/2414/27948/1/frameset.html>>.

³⁴ Jeremy Bentham, *Anarchical Fallacies*, in *The Cambridge History of English and American Literature*, 18 volumes, (1907–21), vol. xi. The Period of the French Revolution, III. Bentham and the Early Utilitarians, 8. Natural Rights. 6 May 2003. <<http://www.bartleby.com/221/0308.html>>.

³⁵ *Encyclopaedia Britannica*. Burns H. Weston, “‘Nonsense upon stilts’: The critics of natural rights’. 6 May 2003. <<http://www.uichr.org/features/eb/weston2.shtml>>.

³⁶ *PM v. AW, MM and Attorney General* (unreported, High Court, 21 April 1980).

³⁷ *The State (Nicolaou) v. An Bord Uchtála* [1966] IR 567.

³⁸ *Ibid.*

³⁹ See Leo Flynn, 'To be an Irish Man—Constructions of Masculinity in the Constitution', in Murphy and Toomey, *op. cit.*, p. 139, for a useful interpretation of this judgement from the perspective of the constitution's failure to ensure the rights of unmarried fathers.

⁴⁰ [1966] IR 567, at pp. 590–1.

⁴¹ (1994) EHRR 342.

⁴² J.J. Lee, *Ireland 1912–1985: Politics and Society* (Cambridge: Cambridge University Press 1989), p. 645.

⁴³ Dooley, *op. cit.*, p. 130.

⁴⁴ Mary Raftery & Eoin O'Brien, *Suffer the Little Children: The Inside Story of Ireland's Industrial Schools* (Dublin: New Ireland 1999), p. 17.

⁴⁵ *Ibid.*, p. 14.

⁴⁶ State Paper Office S4606, cited in J.J. Lee, *op. cit.*, p. 131.

⁴⁷ See Farry, *op. cit.*, pp. 13–22.

⁴⁸ [2000] *Jamie Sinnott v. Minister For Education, Ireland & The Attorney General* IR 326 & 327, (judgement of Murphy J., 12 July 2001).

⁴⁹ Titley, *op. cit.*, p. 95.

⁵⁰ *Ibid.*, p. 93.

⁵¹ Séamus Ó Buachalla, *Education Policy in Twentieth Century Ireland* (Dublin: Wolfhound Press 1988), p. 428, fn. 96.

⁵² Lee, *op. cit.*, p. 133.

⁵³ *Ibid.*, p. 132.

⁵⁴ Unless otherwise stated, material in this and the next paragraph is drawn from Ó Buachalla, *op. cit.*, pp. 356–67.

⁵⁵ Páid McGee, 'Special Education in Ireland', *European Journal of Special Needs Education*, vol. 5, no. 1, (1990), pp. 48–64, especially p. 52; see also Páid McGee, 'Acts, Commissions and Change', *Reach Journal*, vol. 3, no. 1, (1989–90), pp. 11–13.

⁵⁶ Lynch, *op. cit.*, p. 322.

⁵⁷ *Ibid.*, pp. 323–4.

⁵⁸ Carol Coulter, 'Give All Children Legal Rights as Individuals—Law Society', *Irish Times* (26 May 2001), p. 4.

⁵⁹ See, for example, K.S. Berger, *The Developing Person through the Life Span* (2nd ed.) (New York: Worth 1988).

⁶⁰ For Bandura's theories, see A. Bandura, *Aggression: A Social Learning Analysis* (1973), *Social Learning and Personality Development* (London: Holt Rinehart and Winston 1970), *Social Learning Theory* (Englewood Cliffs; London: Prentice-Hall 1977), and *Social Foundations of Thought and Action* (Englewood Cliffs; London: Prentice-Hall c1986); K. Bussey & A. Bandura, 'Social Cognitive Theory of Gender Development and Differentiation', *Psychological Review* 106, (1999), pp 676–713; A. Bandura, 'A social cognitive theory of personality', in L. Pervin & O. John (eds.), *Handbook of Personality* (2nd ed.) (New York: Guilford Publications 1999), pp 154–196. For Vygotsky, see L. S. Vygotsky, *Thought and Language* (Cambridge, Mass: MIT Press 1962), and *Mind in Society* (Cambridge, Mass: Harvard University Press 1978); J. V. Wertsch, *Culture, Communication, and Cognition: Vygotskian Perspectives* (Cambridge: Cambridge University Press 1985).

⁶¹ See, for example, Kieran Egan, *The Educated Mind: How Cognitive Tools Shape Our*

Understanding (Chicago & London: University of Chicago Press 1997), and *Children's Minds, Talking Rabbits, and Clockwork Oranges* (Ontario: The Althouse Press 1999).

⁶² Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso 1983).

⁶³ Tzvetan Todorov, *On Human Diversity: Nationalism, Racism, and Exoticism in French Thought* (trans. C. Porter), (Harvard: Harvard University Press 1993).

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