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Editorial — Irish Edition

Aaron L. Willis

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The Irish Edition of *Aigne* grew out of the developing partnership between the College of Arts, Celtic Studies and Social Sciences at University College Cork and the Keough-Naughton Institute for Irish Studies at the University of Notre Dame; and specifically as a result of the Murphy Irish Exchange Fellowship. Marie-Luise Theuerkauf, *Aigne's* Editor-in-Chief, was selected as the first Murphy Fellow to travel to Notre Dame in 2012, and Aaron Willis followed as the first Notre Dame postgraduate to spend a year in residence at UCC. Both Murphy scholars have worked closely together on this edition, making it the first *Aigne* edition with an editorial board made up of postgraduates from Notre Dame and authors from UCC. We hope this edition represents not only the beginning of a strong relationship between our two institutions, but also between the postgraduate communities, united by a shared interest in Irish Studies. Jackie Mullins and Sara Goek offer the first fruits of this growing relationship.

In her article “Justice Done?: An Analysis of One Aspect to the 2006 Irish High Court Ruling in *Zappone and Gilligan v. Revenue Commissioners and Attorney General*”, Mullins explores the role of parenting and child development studies predicated upon assumptions privileging heteronormativity in the High Court’s decision on same-sex marriage. Mullins challenges the conventions underlying these studies in order to illuminate the contentious suppositions underpinning the current interpretation of Article 41 of the Irish Constitution. Highlighting the broader context of the case, much of the scientific evidence presented by the State rested on studies rooted in American cultural assumptions and norms. By looking at both the studies themselves, their use in court and in the final ruling, the article examines some of the current barriers to a ‘suspect’ ‘Other’ gaining the right to marry in Ireland.

In “The Poetics of Cultural Nationalism: Thomas MacDonagh’s *Literature in Ireland* (1916)”, Goek rescues Thomas MacDonagh’s inclusive notions of Irish cultural nationalism from critical inattention and the legacy of his participation in the Easter Rising. Goek reveals how MacDonagh defined the literary nation based not along narrow linguistic or ancestral lines, but rather through literature produced for an Irish audience in a manner free from English styles and norms. MacDonagh’s Irish nation was defined by its history and heritage, but in a way that created room for both Gaelic Ireland and Ascendancy figures like Yeats. Through *Literature in Ireland* Goek unearths a MacDonagh whose vision for an independent Ireland differed greatly from the cultural nationalism that arose in the wake of 1916 and whose legacy is more complex than many have allowed.

The two articles contained in this special issue address fundamental questions about the cultural underpinnings of modern Ireland. Yet these essays place Ireland in a broader context, exploring how outside influences, for better or worse, shaped the social debates taking place within Ireland. These influences were appropriated in Ireland as part of broader political debates. Through their analysis both authors reveal tensions over cultural and political boundaries within the Irish state.



Justice Done? An Analysis of One Aspect to the 2006 Irish High Court Ruling in *Zappone and Gilligan v. Revenue Commissioners and Attorney General*

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In this article, I conduct an analysis of extracts from the 2006 High Court ruling in the matter of *Zappone and Gilligan v. Revenue Commissioners and Attorney General*. This case centred on the issue of same-sex marriage in Ireland. While there were a number of important aspects to this ruling, I elaborate on one issue, i.e. child development in the context of the parenting that is done by lesbians and gay men. I focus on some of the research studies that informed expert witness testimony on behalf of the plaintiffs and the State in this case. Firstly, I provide an analysis of some of the research findings in an American study, which denoted a review of a number of child development research studies that were conducted in the 1980s and 1990s. In that regard, I problematise the routine reproduction of heteronormativity. With regard to the State's case, I discuss the interpretation of a research study that was conducted in the 1980s by a team of researchers in the United States. I also highlight aspects of an affidavit that was initially sworn into evidence in a same-sex marriage case in Canada. I discern errors in some of this expert testimony that was enunciated and interpreted with a view to furthering the Irish State's case. Neither the routine reproduction of heteronormativity, nor the repeated articulation of erroneous testimony garnered attention in the High Court. I argue that these dynamics denote problematic aspects to the ruling in *Zappone and Gilligan v. Revenue Commissioners and Attorney General*.

Introduction

The recognition and protection of constitutional rights is a fundamental precept, not least because their denial diminishes us as a society. In Ireland, personal rights, such as the right to marry, are provided for in the equality provisions of Article 40 of the *Irish Constitution* (1937).¹ Because Western democracies and societies, including Ireland, tend to be organised according to social norms that are grounded in assumptions surrounding gender and sexual orientation, for example, the imperative to recognise and protect constitutional rights is particularly acute *vis-à-vis* minority cohorts of our population, such as lesbians and gay men. However, in the matter of *Zappone and Gilligan v. Revenue Commissioners and Attorney General* ([2008] 2 I.R. 417),² which centred on the issue of same-sex marriage in Ireland,³ it

¹ In *Ryan v. Attorney General*, Justice Kenny ruled in the High Court that the right to marry denotes a personal right that is provided for in Article 40, even though it is not expressly stated in our Constitution. The Supreme Court accepted this interpretation of Article 40 (see [1965] I.R. 294, at p.313 and pp.344-345). See also *Irish Constitution (1937) / Bunreacht na hÉireann (1937)*.

² Hereafter, I will refer to this case as *Zappone and Gilligan*.

³ It is necessary to attach the prefix 'same-sex' to the term 'marriage' so as to acknowledge the issue of marriage inequality. While this tends to take opposite-sex marriage as the given norm, this is precisely the situation that

was determined that such persons do not have a constitutional right to marry. It is important to make the point that there were a number of reasons why the plaintiffs lost their High Court action in 2006, including the legislative backdrop⁴ (see [2008] 2 I.R. 417, at paras. 243-244), and the constitutional context *vis-à-vis* marriage and family, which I will highlight presently.

Another dynamic that led to the denial of the plaintiffs' case centred on the issue of child development in the context of the parenting that is done by lesbians and gay men (see [2008] 2 I.R. 417, at paras. 216-221). While this case did not pertain to the right to parent or the capacity to parent, much of the evidence in *Zappone and Gilligan* centred on the issue of child development in the context of lesbian or gay parenting (see [2008] 2 I.R. 417, at paras. 31-69).⁵ Some of the research that has been conducted in this area informed expert witness testimony that was enunciated over the course of these High Court proceedings. With regard to some of the child development research that was interpreted by an expert witness for the plaintiffs, I elaborate on the manner in which heteronormativity was routinely reproduced. This is important because heteronormativity denotes a social phenomenon that 'justifies'⁶ the exclusion of same-sex couples from the institution of marriage. In this article, I also focus on some of the State's evidence that largely hinged on the following: not enough is known about child development in the context of lesbian and gay parenting; some of this research is methodologically flawed (for example, see [2008] 2 I.R. 417, at paras. 46-61). The interpretation of this evidence in the High Court raised some doubt about the evidence and expertise of a researcher who testified on behalf of the plaintiffs in *Zappone and Gilligan*. Taken in conjunction with the legislative and constitutional backdrop, the latter of which I will highlight presently, all of these elements coalesced, and informed the outcome of this case. Before critiquing the child development research and its interpretation in the High Court, I elaborate on the circumstances that led to two women taking this case in the first instance.

prevails in Ireland. My preference is to use the term 'marriage equality', which holds that the right of lesbians and gay men to marry is underpinned by the fundamental principle of equality (see Pillinger, 2008).

⁴ Section 2.2(e) of the *Civil Registration Act 2004* stipulates that there is an impediment to marriage if both parties are of the same sex. As regards their claims, the plaintiffs did not incorporate this legislation into their written submission to the High Court in 2004. It came into effect in 2005, i.e. one year after the granting of a judicial review regarding their claims. The legislation was not challenged over the course of these High Court proceedings. Nonetheless, the court held that the legislation was in force and was indicative of the prevailing understanding as to the capacity to marry (see [2008] 2 I.R. 417, at paras. 74-79 and para. 244). See <http://www.oireachtas.ie/documents/bills28/acts/2004/a304.pdf> for details of this legislation.

⁵ Heteronormativity dictates that institutionalised heterosexuality denotes the standard for legitimate social and sexual relations (see Ingraham, 2007, p.199). This helps to explain why it is unnecessary to attach the prefix 'heterosexual' to the term 'parent', while the converse is the case *vis-à-vis* the parenting that is done by lesbians or gay men. I accept that the terms 'gay parenting' and 'lesbian parenting' are reductive in that they posit non-normative sexual orientations as defining characteristics that are somehow relevant to doing parenthood. However, the routine operationalisation of heteronormativity, which problematises such parenting precisely on that basis, necessitates the use of such terms.

⁶ Throughout this article, I use 'scare quotes' to signal a contentious representation of terms (see Fairclough, 2000, p.173), such as 'justifies'. This is in keeping with my politics in that I support the premise of marriage equality.

Background to the *Zappone and Gilligan* Case

The plaintiffs in this case are Katherine Zappone and Ann Louise Gilligan, who have lived as a couple in Ireland since 1983. Together since 1981, they married each other in British Columbia, Canada, in September 2003. This was possible for two reasons: this Canadian province did not require citizenship or residency as preconditions for issuing a marriage license; marriages between persons of the same sex have been legal there since the ruling in *Barbeau v. British Columbia (Attorney General)*, which the Court of Appeal handed down in May 2003 (see [2003] BCCA 251). In April 2004, Katherine Zappone and Ann Louise Gilligan sought confirmation from the Registrar General in Ireland that their marriage was legally binding in this jurisdiction. In May 2004, that office stated that it was not within its remit to make a declaration on the validity of a marriage that occurred outside Ireland.⁷ Katherine Zappone and Ann Louise Gilligan also contacted the Revenue Commissioners in Ireland in April 2004 because they wished to be treated as a married couple for taxation purposes. This was refused in July 2004. The plaintiffs then sought leave to apply for a judicial review in respect of that decision. The High Court granted this in November 2004. Their case subsequently came before that court in October 2006. In their pleadings, Katherine Zappone and Ann Louise Gilligan asserted that the refusal to treat them as a married couple breached their constitutional rights under Articles 40 and 41 of the *Irish Constitution (1937)*, and Articles 8, 12 and 14 of the *European Convention on Human Rights (ECHR)*.⁸ Justice Dunne gave her ruling in December 2006.⁹ The plaintiffs lost their High Court action (see [2008] 2 I.R. 417, at para. 257).¹⁰

⁷ The General Register Office is the central civil repository for records relating to marriages in Ireland. Marriages that take place outside Ireland are normally registered in the country in which they occur, and are not registered here. The General Register Office has no function as regards advising on or registering marriages that take place outside this jurisdiction. Indeed, there is no facility for registering such marriages in Ireland. The civil marriage certificate is normally accepted as legal proof of marriage. In cases where serious doubt exists as to whether the marriage is recognised in Irish law, legal advice can be sought, and an application can be made to the Circuit Family Court for a ruling under Section 29 of the *Family Law Act 1995* as to whether the marriage is recognised under Irish law. I garnered this information from General Register Office (2013).

⁸ See Registry of the European Court of Human Rights (2010) for details of these articles. The plaintiffs' reliance on the ECHR implies obligations on the part of the Irish State. These derive from our ratification of the ECHR, and the fact that it forms part of Irish law, following the enactment of the *European Convention on Human Rights Act 2003* (see Walsh and Ryan, 2006, pp.38-41). The manner in which the ECHR was incorporated into Irish law is such that our Constitution remains a superior source of law (see Hogan, 2004, pp.33-34; Walsh and Ryan, 2006, p.40). This means that if aspects to the ECHR conflict with principles that are elucidated in our Constitution, the latter will prevail (Walsh and Ryan, 2006, p.40).

⁹ I garnered the information thus far from the reported judgment (see [2008] 2 I.R. 417, at paras. 1-6).

¹⁰ Katherine Zappone and Ann Louise Gilligan appealed this decision to the Supreme Court. In 2011, they tried to incorporate additional evidence into their appeal. Specifically, they sought to test the constitutionality of the *Civil Registration Act 2004*. However, this was ultimately denied. They subsequently withdrew their Supreme Court appeal. Katherine Zappone and Ann Louise Gilligan have initiated a new High Court action in which they will challenge the constitutionality of this 2004 legislation. I garnered this information through personal communication with Dr. Zappone in 2011 and Marriage Equality in 2012. The latter is an Irish organisation that campaigns for the right of lesbians and gay men to marry. See <http://www.marriagequality.ie> for details on this organisation.

Extract I

The following extract from the reported judgment in *Zappone and Gilligan* indicates part of the rationale for 'justifying' the exclusion of same-sex couples from the institution of marriage in Ireland:

The final point I would make on this topic is that if there is in fact any form of discriminatory distinction between same sex couples and opposite sex couples by reason of the exclusion of same sex couples from the right to marry, then Article 41 in its clear terms as to guarding the family provides the necessary justification. The other ground of justification must surely lie in the issue as to the welfare of children. Much of the evidence in this case dealt with this issue. Until such time as the state of knowledge as to the welfare of children is more advanced, it seems to me that the State is entitled to adopt a cautious approach to changing the capacity to marry *albeit* that there is no evidence of any adverse impact on welfare. ([2008] 2 I.R. 417, at para. 248)

The first 'justification' in the above extract from the ruling stems from what could be conceived of as the dominant understanding of marriage and family in Ireland, which is deemed to derive from Article 41 of our Constitution. This holds that marriage denotes the union of a man and woman, as family. Whilst the terms 'marriage' and 'family' are not defined in Article 41,¹¹ this understanding of marriage and family has been consistently enunciated through case law in our constitutional courts.¹² Taken in conjunction with the legislative backdrop, which was deemed to be indicative of the prevailing understanding of marriage in Ireland (see [2008] 2 I.R. 417, at para. 243), the High Court was not persuaded to broaden the definition of marriage.¹³ Before elaborating on the second ground for 'justifying' the exclusion of same-sex couples from the institution of marriage in Ireland, which denotes the focus of my analysis, I wish to highlight some additional considerations.

Further Considerations

Expert Witnesses

Professor Casey, who was called as an expert witness for the State, is a well-known psychiatrist in Ireland. In *Opinion* pieces and *Letters to the Editor* of *The Irish Times*, which is deemed to be the paper of record in Ireland (see O'Brien, 2008, p.13), she regularly puts forward her views on the nuclear family paradigm and same-sex marriage, the latter of which she opposes (see Casey, 2008a,b,c,d,e,f).

Professor Green is a psychiatrist and lawyer who testified on behalf of the plaintiffs. He has conducted research studies pertaining to child development in the context of non-

¹¹ With regard to the term 'marriage', see All-Party Oireachtas Committee on the Constitution (2006, p.123) and Working Group on Domestic Partnership (2006, p.23). With regard to the term 'family', see Chief Justice FitzGerald's and Supreme Court Justice Griffin's deliberations in *McGee v. Attorney General and Revenue Commissioners* (see [1974] I.R. 284, at p.302 and p.334 respectively). The term 'Oireachtas' refers to the Irish Houses of Parliament.

¹² See the following cases: *Murray and Murray v. Ireland and Attorney General* ([1985] I.R. 532); *T.F. v. Ireland, Attorney General and M.F.* ([1995] 1 I.R. 321); *B. v. R.* ([1996] 3 I.R. 549); *D.T. v. C.T.* ([2003] 1 I.L.R.M. 321). These cases were alluded to throughout the High Court proceedings in *Zappone and Gilligan*.

¹³ For wider discussion on the constitutional position regarding marriage and family, in the context of *Zappone and Gilligan*, see Ennis (2010) and O'Mahony (2010).

normative parenting (for example, see Green, 1978; Green, 1982; Green *et al*, 1986). Since the 1970s, which marked the beginning of the reliance upon expert testimony on homosexuality and lesbianism in court cases in the United States,¹⁴ he has testified in this regard (see Rivera, 1979, p.898).

Professor Nock was a demographer and sociologist who was attached to the University of Virginia in the United States. The inclusion and interpretation of his 2001 affidavit, as evidence to further the Irish State's case in *Zappone and Gilligan*, is indicative of a growing international trend towards conceiving of expert knowledge regarding lesbian and gay parenting as relevant to determining their right to marry.

Professor Waite is a sociologist who is attached to the University of Chicago in the United States. She is co-author of Waite and Gallagher (2000), which was briefly alluded to over the course of these High Court proceedings (see [2008] 2 I.R. 417, at para. 68). She testified on behalf of the State in *Zappone and Gilligan*.

Lesbian and Gay Parenting

While the right to marry is distinct from the right to parent, conceiving of these rights in isolation has its difficulties. Reading Fagan (2011) was instrumental in terms of the development of my thinking in this regard. It denotes a comprehensive audit of the legislative differences that prevail in Ireland between the institution of marriage and our civil partnership infrastructure.¹⁵ Many of these stem from the State's wilful non-recognition of parent-child relationships in families that are headed by (same-sex) civil partners. It is important to acknowledge that some gay and lesbian persons in Ireland, irrespective of their civil status, are also parents (see Valiulis *et al*, 2008, pp.24-55). I argue that all families, irrespective of the sexual orientation of parent(s), have a right to the recognition and protection that can be afforded by our constitutional and/or legislative regimes.¹⁶

¹⁴ Rivera (1979, pp.883-904) elaborates on the manner in which anxiety about lesbianism and homosexuality came to the fore in courtrooms, in the context of child custody proceedings in the wake of divorce in the United States. This needs to be understood against the backdrop of the criminalisation of same-sex intimacy in many states at the time (see Rivera, 1979, pp.949-950). Moreover, the rationale behind criminalisation in the United States also needs to be considered, i.e. sexual activity had to be gendered, heterosexual, marital, and procreative (see Eskridge, 1999, p.161). The imperatives of marital procreation and gender complementarity, combined with the embeddedness of prescriptive roles in terms of doing gender in marriage (see Dryden, 1999), would have underscored normative assumptions about the sexual orientation of parents at the time. In the 1970s, gay and lesbian persons began to rail against courts' preoccupation with the presumed immorality of same-sex intimacy, and they began to vigorously defend their right to parent (see Rivera, 1979, pp.897-898). This sparked a growing trend in the inclusion of expert testimony on lesbianism and homosexuality as evidence in court proceedings, of which Professor Green was at the forefront (see Rivera, 1979, pp.897-904). Both the conducting of research, comparing children of lesbian or gay parents with those of heterosexual parents, and the publication of that research, began in the late 1970s in the United States (see Patterson, 1992, p.1029). It is conceivable that these elements coalesced, and created a context in which the elaboration of such research findings in courtrooms became inevitable, once the right to marry became as contested a concept as the right to parent.

¹⁵ Civil partnership was introduced in Ireland with the enactment of the *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010*. See <http://www.oireachtas.ie/documents/bills28/acts/2010/a2410.pdf> for details of this legislation.

¹⁶ Marriage (opposite-sex) is the only regime that has both constitutional and legislative status and protection in Ireland. Both civil partnership, which is open to same-sex couples, and a presumptive scheme *vis-à-vis* cohabitation, which applies to opposite-sex and same-sex couples under certain conditions, are provided for in the 2010 legislation.

However, the preponderance of research studies pertaining to lesbian and gay parenting is problematic. Against the backdrop of deeply embedded heteronormative assumptions in society, it presupposes that there is something about this issue that warrants endless attention, analysis, interrogation, and/or investigation by social scientists, expert witnesses, and judges. Some research invariably compares lesbian or gay parenting *to* the unquestioned norm of heterosexual parenting (see Stacey and Biblarz, 2001a, p.162). Some studies seem eager to prove that there are no differences in child developmental outcomes amongst these cohorts of parents. This denotes the 'no-differences' thesis (see Stacey and Biblarz, 2001a, p.163). Some studies seem eager to prove that any manifestation of difference does not denote a deficiency on the part of lesbians or gay men (see Stacey and Biblarz, 2001a, p.162). I argue that the rootedness of heteronormativity is such that research *vis-à-vis* the lesbian or gay 'Other' (see de Beauvoir, 1988, p.16) as parent will need to be conducted into infinity and beyond, until such time as it can be unequivocally proven that this 'suspect' 'Other' is capable of measuring *up* to the unquestioned norm. This perpetual dynamic may account for the preponderance of such research in the first instance, in that their findings are never enough. I refer to these dynamics as the 'we-simply-do-not-know' and 'never-enough' theses. This perpetual quest for answers does not seem to require critical reflection on the great unasked question and unremarked upon phenomenon, i.e. child developmental outcomes *vis-à-vis* the parenting that is done by heterosexuals. I am not suggesting that (this normative) sexual orientation necessarily denotes a variable that must be interrogated in the context of determining the constitutional right to marry. Yet, this is precisely what happened in *Zappone and Gilligan*. I argue that until such time as the operationalisation of heteronormativity in society, as it pertains to parenting, warrants similar attention and analysis, the gay and lesbian 'Other' will remain 'suspect' - always 'out there' in the research study and the courtroom, waiting to be proven or unproven.¹⁷

Child Development and Child Welfare

I associate the term 'child development' with physical, psychological, cognitive, personal, and social development. Relevant issues in this regard include language acquisition, formal education attainment, peer-group relations, and inter-personal skills. The term 'child welfare' has a specific connotation, which largely encompasses the protection and safety of children, particularly in relation to the risk or perpetration of abuse, neglect, abandonment, and/or violence. While child development and child welfare are interlinked, I reject their seemingly self-evident conflation in the High Court.¹⁸ I argue that this is indicative of the toxicity of heteronormativity in Ireland.

¹⁷ I wish to acknowledge that the work of Stacey and Biblarz (2001a) was instrumental in terms of the development of my thinking in relation to the operationalisation of heteronormativity in the context of lesbian and gay parenting.

¹⁸ It is important to acknowledge that the plaintiffs' submissions to the High Court referred to the issue of child welfare. The context here is that counsel for the plaintiffs sought to determine what justifications the State might advance in terms of its position on the matter that would eventually come before the High Court. This was unclear from the defence that the State initially filed. So as to make that determination, counsel for the plaintiffs looked to the international context, and the ways in which authorities in other jurisdictions have justified the restricting of the right to marry to heterosexual couples. Four potential justifications were identified: (1) procreation denotes a central feature of marriage; (2) the welfare of children; (3) the definitional argument; (4)

The Reported Judgment

The court record on which I rely over the course of my analysis, i.e. the reported judgment, comprises Justice Dunne's December 2006 recounting of the October 2006 evidence/testimony pertaining to both the plaintiffs' and the State's positions, and her elaboration on the rationale behind her eventual ruling in *Zappone and Gilligan*. The recounting feature has a tendency to morph the voices of expert witnesses and counsel into one, i.e. Justice Dunne's. Therefore, the attribution of text demands constant rigour on my part.

Most of the research studies that were alluded to over the course of these High Court proceedings, including American Academy of Pediatrics (2002)¹⁹ and Green *et al* (1986),²⁰ were introduced during Professor Green's direct testimony, cross-examination and re-examination (see [2008] 2 I.R. 417, at paras. 31-44). One exception in this regard was Nock (2001),²¹ which was discussed as part of Professor Casey's direct testimony and re-examination by counsel for the State (see [2008] 2 I.R. 417, at paras. 48-50 and para. 59). Professor Green's evidence pertained to both research studies and reviews of studies that were published over a period of four decades, i.e. from 1978 to 2002 (see [2008] 2 I.R. 417, at paras 35-36). Prior to giving evidence, Professor Casey was furnished with Professor Nock's affidavit and a statement of Professor Green's evidence (see [2008] 2 I.R. 417, at para. 52). These considerations need to be borne in mind over the course of my analysis.

Extract II

The following extract from the reported judgment in *Zappone and Gilligan* denotes an excerpt from the American Academy of Pediatrics (2002) review:

None of the children had gender identity confusion, wished to be of the other sex or consistently engaged in cross-gender behaviour. For older children in the study there were no differences in sexual attraction or self-identification as homosexual. The children showed no differences in personality measure, peer group relationship, self-esteem, behavioural difficulties or academic success.

[2008] 2 I.R. 417, at para. 35

social disapproval of homosexuality/lesbianism by the majority of the population (see [2008] 2 I.R. 417, at paras. 74-79). On the basis of the evidence that was outlined in court, Justice Dunne asserted that the State did not advance the arguments in relation to (1) procreation or (4) social disapproval, to support its position *vis-à-vis* the exclusion of same-sex couples from the institution of marriage in Ireland (see [2008] 2 I.R. 417, at para. 80). She then stated the following: “In essence therefore the arguments on behalf of the plaintiffs were narrowed down to the definitional argument and the issue in relation to the welfare of children.” (see [2008] 2 I.R. 417, at para. 81) The important point here is that it was a particular understanding of what the State might advance, in terms of justifying restrictions on the right to marry, that informed the plaintiffs' counsel's decision to refer to the issue of child welfare.

¹⁹ This denotes a brief overview of a number of research studies pertaining to the issue of child development in the context of lesbian and gay parenting.

²⁰ Professor Green, who testified on behalf of the plaintiffs in this case, conducted this study with colleagues in the United States.

²¹ This denotes an affidavit that was initially sworn into evidence in *Halpern et al v. Attorney General of Canada et al*. Hereafter, I will refer to this case as *Halpern* ([2003] 65 O.R. 3D 161).

In this extract, Justice Dunne is recounting Professor Green's testimony regarding the American Academy of Pediatrics (2002) review. Here however, the recounting feature is problematic because it is difficult to determine whether this extract constitutes Professor Green's verbatim evidence, or whether it is simply meant to denote a summary of his testimony. Either way, it is problematic because it appears to make reference to only one research study. This is misleading because the corresponding text in the 2002 review demonstrates that Extract II refers to many research studies that were conducted throughout the 1980s and 1990s by different teams of researchers. Extract II ignores other basic details that are contained in the 2002 review. For example, it is silent as to the number of children whose development formed the basis of these studies, i.e. over three hundred (see American Academy of Pediatrics, 2002, p.342). Elaborating on such details that are contained in this 2002 review, the inclusion of which was deemed to be pertinent to these High Court proceedings, could have helped in terms of challenging both the 'we-simply-do-not-know' and the 'never-enough' theses, which are rooted in heteronormative anxiety about the 'suspect' 'Other'. I now provide an analysis of each sentence in Extract II above, each of which refers to separate research findings.

The first sentence in Extract II of the reported judgment in *Zappone and Gilligan* (see [2008] 2 I.R. 417, at para. 35), and the 2002 review that it derives from, implicitly take as given, until proven otherwise, the idea that lesbian or gay parenting raises the spectre of gender identity confusion. This tends to conflate or confuse gender and (non normative) sexualities. No indication is given as to the prevalence of this condition in children who are reared by heterosexual parents. This is a reasonable expectation because the abstract to this 2002 journal/review makes reference to such a cohort (see American Academy of Pediatrics, 2002, p.341). This serves to underscore the premise that any link to gender identity confusion in children who are reared by heterosexual parents does not need to inform social scientific endeavour. Rather than investigate the phenomenon of gender identity confusion, or interrogate the normative assumptions that surround it, such silence creates a rather murky space where heteronormative panic can set in. There, the 'suspect' 'Other' becomes the starting point or the focal point for social scientific endeavour. The reported judgment in *Zappone and Gilligan* is silent as to why the research finding about not finding this condition warranted a research question in the first instance. Yet, the American Academy of Pediatrics (2002) review had to form part of expert testimony and evidence in a case that centred on the right to marry. Crucially, in terms of the rationale behind the ruling in *Zappone and Gilligan*, no explanation was required as to why the non-development of gender identity confusion is relevant to the issue of child welfare.

Here, I refer again to the first sentence in Extract II above (see [2008] 2 I.R. 417, at para. 35) and the 2002 review that it comes from. No explanation is offered as to why children or adolescents who are reared by gay or lesbian parents would wish to be of a different sex, or would engage in cross-gender behaviour to the extent that such phenomena would denote research findings deriving from research questions. Such findings about non-findings do nothing to disturb the rootedness of heteronormativity in society. Notwithstanding the imperative to prove the 'no-differences' thesis (see Stacey and Biblarz, 2001a, p.163) because of that normative backdrop, the toxicity of heteronormativity in

Ireland is such that the High Court required no explanation as to why these findings, about phenomena that do not arise, are somehow relevant to the issue of child welfare.

The second sentence in Extract II of the reported judgment (see [2008] 2 I.R. 417, at para. 35), which denotes the recounting of Professor Green's testimony regarding the American Academy of Pediatrics (2002) review, is also problematic. It presupposes that a person's self-identification as gay is necessarily of scientific interest in a way that self-identification as heterosexual is not. The latter is not remarked upon. That socio-cognitive silence implies that the onset of teenage homosexuality self-evidently denotes an issue that warrants attention and analysis, not just by researchers, but also expert witnesses and judges. No indication is given as to why that might be the case. Moreover, there is a failure to interrogate the heteronormative assumptions that are embedded in research questions that inform such research findings. Having said that, it must be acknowledged that Professor Green has, elsewhere, challenged the presumption that homosexuality is 'second best' (see Green, 1982, p.7). Nonetheless, the research finding from the American Academy of Pediatrics (2002) review underscores the premise that it is in the formation and development of sexual orientation in teenagers, who are reared by lesbian or gay parents, that heteronormative anxiety is particularly acute (see Stacey and Biblarz, 2001a, p.163). Crucially, in terms of the second ground for 'justifying' the exclusion of same-sex couples from the institution of marriage in Ireland, the reported judgment is silent as to the relevance of this research finding to the issue of child welfare.

The last sentence in Extract II of the reported judgment (see [2008] 2 I.R. 417, at para. 35) denotes the interpretation of six research studies, including Golombok *et al* (1983), by the American Academy of Pediatrics (2002, p.342). This 1983 study compared two cohorts of parents, i.e. lesbian and heterosexual mothers, and their children on a range of developmental measures. In the study, the first cohort was immediately identified through the lens of sexual orientation, i.e. the lesbian group (see Golombok *et al*, 1983, p.554). However, the second cohort was consistently identified by the status of those women within it as both single and a parent, i.e. the single parent sample (see Golombok *et al*, 1983, p.554). This grounds the idea that it is a particular sexual orientation, rather than the variable of sexual orientation *per se*, which is the starting point or the focal point of social scientific endeavour *vis-à-vis* parenting and child development. This aspect of the research design of Golombok *et al* (1983) warranted no elaboration, either in the American Academy of Pediatrics (2002) review of same, or in the Irish High Court. Crucially, the reported judgment is silent as to the relevance of academic success, for example, to child welfare. Thus far, my analysis has exposed the routine operationalisation of heteronormativity that inheres in, not just Extract II, but also Extract I of the reported judgment (see [2008] 2 I.R. 417, at paras. 35 and 248 respectively).

Extract III

The following extract from the reported judgment in *Zappone and Gilligan* pertains to Professor Casey's testimony in relation to the importance of adhering to standard methodological conventions when conducting social scientific studies, and the relevance of this dynamic *vis-à-vis* her interpretation of the research that formed part of Professor Green's testimony:

Professor Casey explained that in the affidavit sworn by Professor Nock, he detailed in the first part of it the methodological approaches to be used in epidemiological research of the sort that is concerned with gay and lesbian parenting and the second part of his report dealt with individual studies published in that area and he critiqued each one pointing to the strength and weaknesses of the particular reports. A long discussion then ensued as to the methodology involved in carrying out social research. The discussion ranged over probability samples, snowball sampling, cross-sectional studies and longitudinal studies. There was an explanation as to the need for controls in relation to studies in order to avoid confounding factors. Reference was made to the study of which Professor Green was a co-author in 1986 in which it was noted that 78% of the lesbian parents studied were living with a partner at the time and that only 10% of the heterosexual mothers who were studied had partners living with them at the time. Professor Casey commented that this was an obvious potential confounding factor for which one needed to have a control. It was also noted that so far as such studies have been conducted there appeared to be no studies conducted into the role of parenting by gay men. Having referred to all of these matters, Professor Casey commented that the various studies cited by Professor Green do not meet the criteria required for good epidemiological studies. They did not use probability or random sampling, they were of small sample size by and large and there were confounding factors in some of the studies. Only one of the studies referred to was a longitudinal study. As a result she was of the view that one had to be very cautious in making broad generalisations about the findings of these studies in regard to the general population. A reference was made to the affidavit of Professor Nock to that effect and I quote:-

“In my opinion the only *accepted* [my italics] conclusion at this point is that the literature on this topic does not constitute a solid body of scientific evidence.”

Having regard to the evidence as it now stands, she could not draw the conclusion that children were not affected by the consequences of a same sex partnership. She stated that the only conclusion she could draw is that we do not know and need studies that are more rigorous than those that are available at the moment.

[2008] 2 I.R. 417, at paras. 48-51

In this extract, emphasis is placed on the importance of conducting rigorous social scientific research. This is a premise that generally recommends itself to researchers who are interested in social phenomena. I now demonstrate how an over thirty-year-old repertoire of social scientific knowledge, *vis-à-vis* child developmental outcomes in the context of lesbian and gay parenting, can be reduced to the 'coherence' of the 'we-simply-do-not-know' and the 'never-enough' theses. These helped to 'justify' the exclusion of same-sex couples from the institution of marriage in Ireland (see [2008] 2 I.R. 417, at paras. 215-221). This will become clear as my analysis evolves.

Because social research is not conducted in a vacuum, I argue that a crucial confounding factor *vis-à-vis* the 'logic' of Extract III above is the historical conceptualisation and criminalisation of same-sex intimacy in the West,²² with its attendant legacies of inequality and stigma. Against the backdrop of deeply embedded heteronormative assumptions in the United States at the time that Green *et al* (1986) conducted and published

²² Indeed, over the course of Professor Green's cross-examination, he made reference to the criminalisation of same-sex intimacy in many jurisdictions (see [2008] 2 I.R. 417, at para. 38).

their study,²³ a gay or lesbian parent risked not just social opprobrium, but also that of judges whose preoccupations with the 'Other' exposed the vulnerability of (some) parents in child custody cases.²⁴ Researching a hidden and frightened cohort of the population (see Patterson, 1992, p.1026) would have been difficult in the United States in the 1980s. It is unlikely that a research team that was concerned about child development and child custody, against a heteronormative and possibly homophobic backdrop, could have had the luxury of employing a large-scale research design, the methods of which satisfied the criteria for good epidemiological studies, as suggested in Extract III above. This begs an immediate question: What precisely does the discipline of Epidemiology have to do with child developmental outcomes in the context of lesbian or gay parenting?²⁵ This was not remarked upon in the reported judgment. Furthermore, Professor Nock, in his 2001 review of research studies pertaining to child development in the context of lesbian and gay parenting, unquestioningly and inappropriately applied the research design that works best in his discipline, i.e. Demography, to an entirely different discipline, i.e. Child Development/Developmental Psychology (see Stacey and Biblarz, 2001b, p.6).²⁶ It is unfortunate that Stacey's and Biblarz's (2001b) affidavit in *Halpern* did not denote evidence in *Zappone and Gilligan*. It could have challenged aspects to the sworn/written testimony and articulated testimony in Extract III above (see [2008] 2 I.R. 417, at paras. 48-51).

Another cog in the evidential wheel relates to excerpts from Extract III of the reported judgment that are factually incorrect. The first error is rooted in misreading, rather than misinterpreting, the Green *et al* (1986) study. Here, I refer to the reliance on percentages in Extract III above (see [2008] 2 I.R. 417, at para. 49), which misrepresented basic details about the research cohorts that took part in Green *et al* (1986). Extract III fails to show that while fifty-six percent of the lesbian cohort in that study did live with their partners, twenty-

²³ For example, the decriminalisation of homosexuality at a federal level in the United States did not take place until 2003, on foot of the Supreme Court ruling in *Lawrence et al v. Texas* (see Denniston, 2003).

²⁴ Rivera (1979, p.900) refers to a custody case in Maine in 1976, in which the court held that the mother was intelligently seeking to minimise, if not totally eliminate, the impact of her lesbian lifestyle on her children, i.e. she did not flaunt her lesbianism. This 'logic' is implicitly informed by heteronormative anxiety about the lesbian 'Other'. It was allayed by the submission of a highly favourable report by a child psychiatrist (see Rivera, 1979, p.900). Rivera (1979, p.898) also alludes to a case in Ohio in 1974 involving a lesbian wherein the judge asked Professor Green, as an expert witness, how sex between lesbians was accomplished? Such voyeurism in a person who had the institutional authority (see Bergvall and Remlinger, 1996, p.476) to decide on the matter before the court is a measure of the toxicity of heteronormativity. Having said that, Rivera (1979, p.901) also makes reference to a custody case in California in 1977, in which the court refused to allow the introduction of evidence surrounding sexual orientation. The judge held that the fitness to parent of both the mother and father denoted the only relevant issue before the court (see Rivera, 1979, p.901).

²⁵ Professor Casey's recounted testimony is as follows: "Epidemiological studies measure the prevalence and risk factors and outcomes of particular conditions." (see [2008] 2 I.R. 417, at para. 46) While there is a social dimension to such illnesses as cancer and diabetes, associating medical research regarding disease prevalence and prevention with social research pertaining to lesbian/gay parenting and child development is problematic. It normalises a seemingly self-evident connection between pathology, child development, and (some) parents. Even if a (homo-)sexual orientation were a medical condition, we do not know the specificities of its prevalence in Ireland. The latest census of the population, which took place in 2011, did not ask respondents about their sexual orientation (see Central Statistics Office, 2011). Ticking the box marked 'marital status' in the census form does not enlighten demographers as to the prevalence of any sexual orientation in Ireland. Therefore, when considering the merits of conducting good epidemiological studies, on demographically hidden cohorts of the population, it is important to reflect on why demographers do not ask such questions in the first instance.

²⁶ Stacey's and Biblarz's (2001b) affidavit was initially sworn into evidence in *Halpern*. It denotes a detailed and trenchant rebuttal of Nock (2001).

two percent lived with female roommates (see Green *et al*, 1986, p.172). Moreover, the ten percent figure regarding the heterosexual cohort actually refers to female roommates and relatives, such as a sister or mother (see Green *et al*, 1986, p.172). Therefore, the relevant excerpt from Extract III above conflates female lovers with female roommates, and male lovers (who did not exist) with female relatives and female roommates. Professor Nock's affidavit contains the same error (see Nock, 2001, pp.60-61). This error would have been obvious from a cursory reading of Green *et al* (1986). It is a reasonable expectation that the author of an affidavit would fully apprise himself of a research study prior to reviewing it and including it in his affidavit. Similarly, it is a reasonable expectation that an expert witness would fully apprise herself of that 1986 study prior to giving an opinion on it. It is unfortunate that these errors did not attract attention over the course of the cross-examination of this expert witness for the State.

Another error in Extract III of the reported judgment centres on the statement about the possible lack of studies regarding the parenting that is done by gay men (see [2008] 2 I.R. 417, at para. 49). Notwithstanding its tentativeness, this claim is patently false. Its ingenuity derives from its caution and imprecision, which inhere in the phrase 'there appeared to be' in Extract III above. It manages to chip away at the foundations of a repertoire of social scientific knowledge surrounding child development in the context of gay male parenting. I now highlight some of the primary research that can reject the persuasiveness of that imprecision in Extract III of the reported judgment. Stacey's and Biblarz's (2001a) review of research studies denoted part of Professor Green's re-examination by counsel for the plaintiffs, and Professor Casey's cross-examination by counsel for the plaintiffs (see [2008] 2 I.R. 417, at paras. 43-44 and paras. 56-57 respectively). Over the course of Professor Green's re-examination, reference was made to gay parents (see [2008] 2 I.R. 417, at para. 43). A number of studies that comprised Stacey's and Biblarz's (2001a, p.169) review pertained to gay male parenting, including Bailey *et al* (1995). This team of researchers interviewed gay fathers and their adult sons with a view to elaborating on the latter's sexual orientation (see Bailey *et al*, 1995, p.125). The Bailey *et al* (1995) study also formed part of Professor Nock's review of child development research in his affidavit (see Nock, 2001, pp.78-79). Professor Nock (2001, p.80) also reviewed a research study that was conducted in the mid to late 1970s, over a period of three years, in Canada and the United States (see Miller, 1979). This study would have been at the cutting-edge of this type of research in North America by virtue of its time line. Miller (1979, pp.544-545) conducted in-depth interviews with both men as fathers, whose age range from youngest to oldest spanned forty years, and their minor or adult children, who ranged in age from young teenagers to persons in their thirties.²⁷ With regard to the High Court proceedings in *Zappone and Gilligan*, the crucial point here is that, prior to giving evidence, an expert witness was furnished with documentation (see [2008] 2 I.R. 417, at para. 52) that problematises the statement regarding gay male parenting in Extract III above (see [2008] 2 I.R. 417, at para. 49).

²⁷ Other minor children were not interviewed due to the following: ethical considerations regarding their incapacity to consent; their inability to understand the nature of the research; their lack of knowledge about their fathers' sexual orientation; and the attendant issue of such parents' right to confidentiality (see Miller, 1979, p.545).

The last aspect to my analysis of Extract III centres on the Nock (2001) affidavit. The relevant excerpt from it states the following: “However, in my opinion, the only *acceptable* [my italics] conclusion at this point is that the literature on this topic does not constitute a solid body of scientific evidence.” (Nock, 2001, p.47) The term 'accepted', which forms part of Extract III above (see [2008] 2 I.R. 417, at para. 50), means established or time-honoured. The term 'acceptable', which was used by Nock (2001), means adequate or satisfactory. The term 'accepted' manages to neutralise the caveat that inheres in the phrase 'at this point'. It creates a gulf between 'proper' research that adheres to time-honoured conventions that have been established and maintained through a solid body of scientific evidence, and the 'never enough', i.e. the research that informed Professor Green's testimony, for example, which was conducted and published over a period of four decades (see [2008] 2 I.R. 417, at paras 35-36). The ideological wherewithal of this distinction is such that the recourse to the disciplines of Demography, Epidemiology, and Mathematics in the High Court 'made sense' in a case that centred on the constitutional right to marry.

Extract IV

The inexorable pull and persuasiveness of the percentages in Extract III above was such that the misreading of basic information in the Green *et al* (1986) study was repeated in the High Court. The following extract from the reported judgment in *Zappone and Gilligan* denotes Justice Dunne's recounting of Professor Waite's testimony:

She was critical of Professor Green's 1986 study in relation to the outcome for children in terms of sexual identity and relationship to their peers which involved a comparison between children brought up by gay parents, 78% of whom had a partner, and children brought up by heterosexual parent[s] of whom only 10% had a partner and she commented that one could not do a comparison in such circumstances. She said that it was extremely important to have a full picture of the methodology used for a particular study and the controls used to exclude confounding or biased factors. Her comment was as follows:-

“No one should pay any attention to studies that are poorly done. They are just some stories, they really are not science.”

Finally she indicated that she did not come to her views from any kind of ideological viewpoint in relation to these issues.

[2008] 2 I.R. 417, at para. 67

Here, the ideological distinction between science and story could not be more acute. The repeated error about the living arrangements of the research cohorts that took part in Green *et al* (1986) is utterly spurious. I reiterate that this error could have been immediately discerned from the most cursory reading of that study. It is a reasonable expectation that this expert witness would have fully apprised herself of that 1986 study prior to proffering her expertise on it in the High Court. I argue that it is precisely at the point when an expert is impelled to assert that her position is not ideological, that the morphing of a study into just some story becomes just that. It is precisely that protagonist's agenda that is served by the distinction between science and story in the first instance.

Extract V

The cumulative effect of the complexities and inaccuracies in Extracts III and IV above becomes apparent in the following extract from Justice Dunne's elaboration on part of the rationale behind her ruling in *Zappone and Gilligan*:

Having considered his evidence carefully, taking on board the evidence that I also heard from Professor Casey and from Professor Waite, I think that one must have some reservation in relation to the conclusions drawn by Professor Green. The phenomenon of parenting by same sex couples is one of relatively recent history. The studies that have taken place are consequently of recent origin. Most of the studies have been cross-sectional studies involving small samples and frequently quite young children. I have to say that based on all of the evidence I heard on this topic I am not convinced that such firm conclusions can be drawn as to the welfare of children at this point in time. It seems to me that further studies will be necessary before a firm conclusion can be reached. [...] [S]o far as the evidence is concerned it seems to me that the research into this topic which is of significant importance is not developed to the extent that one could draw such firm conclusions as Professor Green has expressed. The evidence of Patricia Casey largely dealt with the issue of the methodology employed in the various studies described by Professor Green. As is clear from my comments on the evidence of Professor Green, I accepted her evidence in relation to the question of methodology used for conducting the research relied on by Professor Green and commented upon in the affidavit of Professor Nock. It is not necessary to comment further on that issue.

[2008] 2 I.R. 417, at paras. 216-220

This extract is implicitly informed by the 'logic' of the 'we-simply-do-not-know' and the 'never-enough' theses. Their inexorable pull derives from the seemingly self-evident rigour of sworn testimony that was submitted, and expert testimony that was articulated, on behalf of the State in *Zappone and Gilligan*. I have demonstrated that some expert knowers, reviewers, interpreters, and testifiers may not have fully apprised themselves of the evidence on which they proffered their expertise. Yet, the weight of their evidence managed to raise the spectre of doubt about Professor Green's evidence, experience and expertise. Such is the weight that is wrought by heteronormativity in Ireland.

Conclusion

In this article, I conducted an analysis of extracts from the High Court ruling in *Zappone and Gilligan*. While there were a number of dimensions to that ruling, I focused on the issue of child development *vis-à-vis* the parenting that is done by lesbians and gay men. An important consideration in this regard is the rootedness of heteronormativity in society, which impacts upon research that is conducted in this area. I argued that the seemingly self-evident conflation of child development and child welfare denoted one example of the routine reproduction of this social phenomenon. Other manifestations of heteronormativity, in the context of lesbian and gay parenting, include the 'we-simply-do-not-know' and 'never-enough' theses. These invariably revolve around the 'suspect' 'Other'. I also problematised the failure to take cognisance of the fact that social research does not take place in a vacuum, and that considerations, such as the criminalisation of same-sex intimacy, need to be borne in mind when interpreting social research studies pertaining to lesbianism or homosexuality. The

errors that I discerned are perhaps the most damning in terms of the seemingly self-evident rigour of some of the expert witness testimony that furthered the State's case in *Zappone and Gilligan*. The reported judgment is such that the repeated articulation of erroneous testimony did not garner attention in the High Court. Moreover, the routine operationalisation of heteronormativity, which is the dynamic that problematises gay and lesbian parenting in the first instance, went largely unchecked. Until such time as this phenomenon attracts attention and analysis, the gay and lesbian 'Other' will remain 'suspect' - always 'out there' in the research study or the courtroom, waiting for their rights to be affirmed and protected.

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The Poetics of Cultural Nationalism: Thomas MacDonagh's *Literature in Ireland* (1916)

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This article examines Thomas MacDonagh's book, *Literature in Ireland: Studies Irish and Anglo-Irish*, published in 1916, as a case study in perspectives on nationalism and identity in Ireland in the early twentieth century. It takes an interdisciplinary approach, assessing the text, which is based on literary criticism and analysis, in the historical context of cultural nationalism. MacDonagh's legacy has hinged on his participation in the Easter Rising, but popular memory of that event has subsumed the diverse views of its participants into a rigid national narrative. In contrast, this article argues that *Literature in Ireland* and the 'Irish mode' in poetry that it posits present a broader and more inclusive ideal. MacDonagh defines the Irish nation based on shared history and heritage, but acknowledges the consequences of that history, such as the presence of two linguistic traditions, Irish and English. He expresses, on the eve of revolution, the need to look forward and not only back for unity. This book has long been marginalized, when mentioned at all, in both history and literary studies, but the on-going 'decade of centenaries' provides an excellent opportunity to reassess its legacy and vision.

Though remembered primarily for its political significance, the roots of the Easter Rising of 1916 spread into the rich and varied soil of Irish society and culture at the turn of the twentieth century. The militarisation of politics in Ireland and across Europe in that era contributed to growing support for physical force separatism, but cultural nationalism, a broad movement for the definition of the nation by its shared, inherited cultural traits, rather than on solely civic or ethnic grounds, played an important role in changing public attitudes. Of the seven signatories of the Proclamation of the Irish Republic, three, Patrick Pearse, Joseph Plunkett, and Thomas MacDonagh, were poets, possibly "the gentlest revolutionaries in modern history" (Kiberd, 1996, p.199). MacDonagh's role in the Rising and subsequent execution overshadows his legacy, but his academic career, particularly the manuscript *Literature in Ireland: Studies Irish and Anglo-Irish*, published posthumously in 1916, merits attention. It is a manifesto not for the necessity of violence or independence, but for the definition of the nation by its unique heritage and character. Until the last ten years, historians and literary scholars have tended to focus their discussions of cultural nationalism on the giants of the Gaelic and Literary Revivals, such as Douglas Hyde and Lady Gregory, giving less consideration to broader aspects of the beliefs of the participants in the events of 1916 and beyond. More recent scholarship has expanded the focus to include previously marginalized figures, groups, and ideologies and this article adds to the widening picture.¹

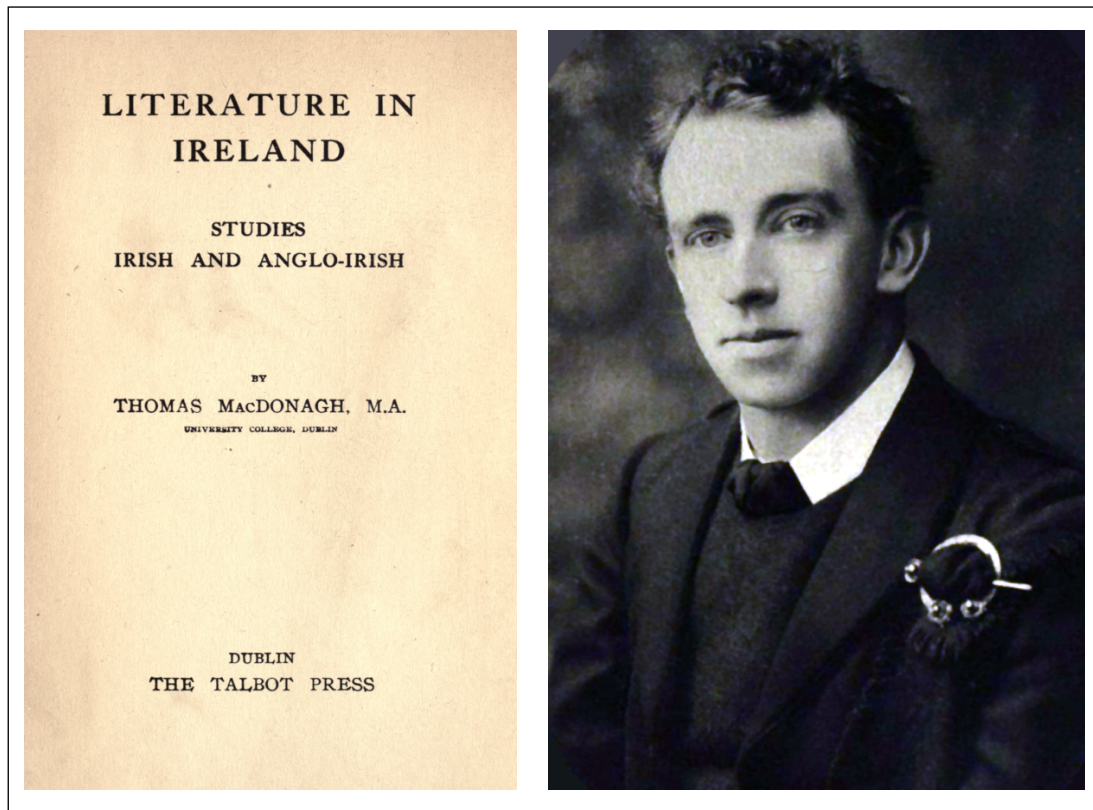
¹ Examples of this trend include the essays in B.T. FitzSimon & J.H. Murphy (eds.), *The Irish Revival Reappraised* (2004) and the *Irish University Review*, vol.33, no.1, Special Issue: New Perspectives on the Irish Literary Revival (2003).

The ongoing commemorative decade of centenaries provides an apt time for the reassessment of the contribution and legacy of Thomas MacDonagh.

In *Literature in Ireland* MacDonagh proposes an “Irish mode” in poetry, with distinct national boundaries. He suggests that previously verse in Ireland fell either under the category of the Gaelic tradition (if written in Irish) or English literature (if written in English). By the late nineteenth century many recognized the inadequacies of these labels and MacDonagh describes an emergent literary tradition that he calls “Anglo-Irish”, written in English but with unique Irish characteristics (1916, p.7). This literature, by and for Irish people, had the potential to ensure that regardless of political status the people recognized their valuable heritage and personal dignity while also presenting that image to the world. Ostensibly the main objective of the book is literary theory and analysis, defining the “Irish mode” and providing examples of it, but taken as a whole it contains much more. This article begins by situating MacDonagh in the historical context of cultural nationalism and the Revival, which is crucial to understanding the purpose and motivation behind his work. It then addresses his views of Irish history, the place of literature in Irish society, debates over the boundaries of the national imagination, and his hopes for the future, arguing that *Literature in Ireland* advances a unique vision of the origins and progressive potential of literature in developing the heart of the nation.

MacDonagh and the Revival

During his lifetime Thomas MacDonagh was an influential teacher, writer, university lecturer, republican, and labour activist. He was born in Cloughjordan, Co. Tipperary in 1878 to a father from Roscommon and a mother from Dublin of English Unitarian heritage, both schoolteachers. MacDonagh began preparing for the priesthood until he experienced a crisis of faith and decided instead to follow in his parents’ footsteps to become a teacher. In the Gaelic League he developed a passion for the Irish language and achieved fluency as a speaker and writer, though eventually he became disillusioned with the organisation. In 1908 he moved to Dublin where he taught at Patrick Pearse’s school, St. Enda’s, and pursued first a BA and then an MA at University College Dublin, writing a thesis published as *Thomas Campion and the Art of English Poetry* (1913). He was appointed a full-time lecturer at UCD in 1911 and during this time he developed a circle of literary friends in the city. He translated poems from Irish into English, examples of which appear in the appendix to *Literature in Ireland* (1916), and he published original poems in English. He joined the Irish Volunteers the week they formed in December 1913 and the Irish Republican Brotherhood in March 1915, but despite this he only found out about plans for the Rising a few weeks beforehand. During Easter Week he was positioned at Jacob’s Biscuit Factory and after the surrender he was executed on 3rd May along with Patrick Pearse and Thomas Clarke (White, 2009). This latter event has unfortunately led to the simplification of the ideas of the leaders of the Easter Rising into a combination of zealous patriotism and a quest for martyrdom (Dawe, 1996, p.ix). Examining MacDonagh’s work and offering comparisons to other contemporary literary critics highlights both the common goals of many participants in the Revival and the diversity of opinions, and sometimes “violent disagreements – physical and rhetorical”, on the means to achieve them (McMahon, 2008, p.5).



The title page from *Literature in Ireland* (1916) and the photograph of MacDonagh published in *The Poetical Works of Thomas MacDonagh* (1916).

MacDonagh wrote portions of *Literature in Ireland* before the summer of 1914, completed it in January 1916, and it was published posthumously in June of that year. The main purpose of the book is to propose and describe the Irish mode, a sort of national stylistic fingerprint in literature, and the linguistic, cultural, and historical factors that produced and maintained it. He argues that all true Irish poetry is in the Irish mode and shows the influence of the Gaelic tradition, Irish music, and Anglo-Irish (Hiberno-English) speech. MacDonagh develops this in counterpoint to Matthew Arnold's "Celtic Note", which he calls "vague and illogical" and Arnold's book, *The Study of Celtic Literature*, "largely a work of fiction" (Arnold, 1900; MacDonagh, 1916, p.5, p.55). In sentimentalizing the "Celt", Arnold "denied him parity" and thus by extension denied his nation equal status (Ward, 2002, p.128). Whether a definite "national distinctiveness" could exist in literature and its place in the development of the nation remain the crucial issues in literary criticism of the era (MacDonagh, 1916, p.xvi; Graham, 2001, p.33). The Irish mode that MacDonagh proposes applies to two languages present in Ireland, Irish and English, as both contributed to the distinctiveness of a national literature. However, he focuses on poetry written in English, because this Anglo-Irish poetry, as he terms it, requires definition *vis-à-vis* literature in England.

This central purpose places *Literature in Ireland* within the cultural nationalist milieu of the turn of the twentieth century. In Ireland, this manifested itself in the Literary Revival, Gaelic Athletic Association, Gaelic League, and other similar organizations all of which formed part of a growing interest in the country's heritage and history. P.J. Matthews calls these cultural groups and related material and political ones such as agricultural co-operatives

and Sinn Féin “self-help initiatives,” important pieces of the complex process of decolonization (2003, p.2). While strictly political nationalists argued that national dignity depended on the exercise of self-determination as an independent state, cultural nationalists strove to preserve and promote pride in cultural distinctiveness with or without political sovereignty. In his influential speech, “The Necessity for De-Anglicising Ireland” in 1892, Hyde claimed that by adopting English customs and language “we have thrown away with a light heart the best claim which we have upon the world’s recognition of us as a separate nationality” and many agreed with him (in: Duffy, et al., 1894). In his view, the Irish people sought an independent political state, but had forsaken many things that gave them a separate identity (Mays, 1996, p.6). Language in particular became a central and divisive issue (Anderson, 2006, ch.5; Fanning, 2003, p.11; Hobsbawm, 1992, p.59). The broad cultural nationalist movement that arose out of these goals was a progressive and formative force, “a stimulus towards innovation and change rather than a barrier to it,” and arguably more influential in its construction than its political counterparts (Matthews, 2003, p.2; Hutchinson, 1987, p.23).

Literature played an important role because cultural nationalists sought to use the power of a shared heritage and history to transcend divisions, uniting all “in the task of constructing an integrated, distinctive and autonomous community” that could bring the nation from “degeneration” to “regeneration” (Hutchinson, 1987, p.34, p.132; Mays, 1996, p.7; McKenna, 2010, p.401; Foster, 1988, pp.454-6). George Russell (AE) stated that “a nation exists primarily because of its own imagination of itself”, but Ireland had lost that unity of imagination under the influence of England and its empire (O’Driscoll, 1982, p.403). Only when the people of the land all believed in belonging to a greater national community (an “imagined community”, to use Benedict Anderson’s concept), sharing an identity and heritage, could the nation truly exist. Through the new body of writing, the leaders of the Revival sought to create an aesthetic in order to regenerate the national spirit culturally. Debates centred on how to define and delineate Ireland’s cultural distinctiveness and the beliefs of prominent figures in the movement diverged as it evolved, threatening this autonomy, but nonetheless the idea remained a potent force. As MacDonagh says in *Literature in Ireland*, “the Gaelic revival has given to some of us a new arrogance”: it developed the “heart” of the nation and created a sense of pride among the people (1916, p.167).

Rewriting the Past

In the first step towards the imagined and actual sovereignty of the nation both politicians and writers in Ireland attempted to appropriate the past for their own present needs. This was necessary, because, as Frantz Fanon argued, “colonialism is not satisfied with snaring the people in its net or of draining the colonized brain of any form of substance. With a kind of perverted logic, it turns its attention to the past of the colonized people and distorts it, disfigures it, and destroys it” (2004, p.149). Clearly many in Ireland thought that this had happened, that English rule had deprived the Irish of their own history. Consequently, political and cultural nationalists, including Tom Kettle, Erskine Childers, L.G. Redmond-Howard, Patrick Pearse, James Connolly, and MacDonagh himself, based their writings on

alternate interpretations of history, seeking to reclaim the past and counter the influence of English domination. For example, in his book *The Open Secret of Ireland* Kettle argues that Irish history should be read not as a series of failed rebellions against English rule over several centuries, but rather the opposite. He reshapes the narrative to one in which “Ireland has won all along the line” because “no other people in the world has held so staunchly to its inner vision; none other has, with such fiery patience, repelled the hostility of circumstances, and in the end reshaped them after the desire of her heart” (1912, pp.45-6). In rewriting history to escape “the cliché version of the nationalist myth,” Kettle and other participants in the Revival created a “more appealing myth,” or myths, as each had a slightly different narrative but all rejected the imperial one (Garvin, 2005, p.116). In doing so they adhered to the concept that “freedom in the future is predicated on the liberation of the past” (Richards, 1991, p.121). They regained history from the pens of the colonizer. This involved not only returning to the source in literature and history, but also selecting those sources and ideals relevant to the present and future of the nation, making it “by and large... a modernizing force” (Castle, 2011, p.293).

For MacDonagh, Irish literature, and the mentality that produces it, exists only because of the configuration of events and contingencies called Irish history (Duddy, 2003, p.20). This has much to do with the impact of the Renaissance on thought and culture: he argues that across Europe it introduced “rationality”, but he rejected this limiting authority of structured knowledge, suggesting that in Ireland there remained an element of continuum from the Middle Ages (MacDonagh, 1916, pp.5-8; Gerson, 1995, p.341). Interestingly, MacDonagh’s view seems to have retained at least some its currency, because Seán Ó Tuama echoed it several decades later when he wrote, “from 1600 onwards there was little direct contemporary European influence on Irish poetry” (Ó Tuama, 2002, pp.xxxi-xxxiii). This is not to say that poetry in Ireland remained isolated: Ó Tuama cites the influence of French medieval courtly love poetry and MacDonagh that of Romanticism, a claim that clearly distinguishes him from the “hidden Ireland” thesis of Daniel Corkery.² The willingness to admit outside influence and the facts of history contributes to MacDonagh’s relatively inclusive vision and another piece of evidence to support it lies in his dedication of the book to George Sigerson, the scientist and poet. In his August 1892 speech to the Dublin branch of the Irish Literary Society, titled “Irish Literature, Its Origin, Environment, and Influence”, Sigerson argued that literature in Ireland showed the effects of the convergence of the many traditions brought to the island by different peoples, both in successive invasions and peacefully (in: Duffy, et al., 1894, pp.61-114). He said in that speech, “Irish literature is of many blends, not the product of one race but of several” and these traditions together create a literature that is “the guardian and the honour of our common country” (in: Duffy, et al., 1894, p.109). These diverse influences mould into the national style and are adapted to serve the purposes of the Irish people.

² MacDonagh’s acknowledgement of European influences and placing of the Irish mode on parallel with modernist movements in literature (1916, p.8) differentiates him from Corkery’s “hidden Ireland” thesis (1924), which has generated much controversy. MacDonagh also emphasizes the points of interconnection between Gaelic and Anglo cultures within Ireland, whereas Corkery focused on their separateness. It is possible that MacDonagh’s claim that Irish poetry did not experience direct outside influence in the seventeenth and early eighteenth centuries (when Romanticism developed) reflects a desire to depict Ireland as unpolluted by the Protestant Reformation or the rationality of the Enlightenment.

The English language represents perhaps the most significant element adopted into Irish literature. While the Gaelic League mourned the loss of Irish and sought to restore it as a national language, MacDonagh accepted the reality of language shift and realized the positive opportunity and “freshening breath” it offered (1916, p.103). It is estimated that at least half the population spoke Irish in the early nineteenth century before the Great Famine of the 1840s, but by 1861 this dropped to 24.5 percent and by 1911 it had dropped further to 17.6 percent, though with higher proportions in some regions (Census of Ireland 2006, table 01A; Ó Gráda, 2012). Despite his high regard for Irish, MacDonagh recognized that English had come to dominate as a spoken language in Ireland and therefore also as a literary one. Consequently, *Literature in Ireland* focuses primarily on the new Anglo-Irish literature. Anglo-Irish refers to the form of English spoken in Ireland (now commonly called Hiberno-English), rather than a class or group of people, because “there is, of course, no Anglo-Irish race, though many Irishmen have English blood in their veins” (MacDonagh, 1916, p.28). Unfortunately, this term would assume a pejorative usage, directed by Irish-Irelanders at writers whom they deemed alien to an authentic Ireland.

Present Realities: Defining Anglo-Irish Literature

Because Anglo-Irish literature shares a common language with its English counterpart, MacDonagh set out to define its fundamental distinctiveness. As Yeats wrote, “there is no great literature without nationality, no great nationality without literature,” a principle that MacDonagh seems to have believed (cited in Regan, 2006, p.88). MacDonagh puts forward three main theses: first, that Anglo-Irish literature only became worthy of that special designation and recognition when English became a common language among the Irish people with a literature written by and for them; second, Irish ways of life and thought are distinctive enough to merit their own literature and English literature cannot do them justice; and last, that English in Ireland differs from elsewhere, with its own rhythm and character, showing the influence of the Irish language on it (1916, pp.viii-ix, p.58). These three qualifications make Anglo-Irish writing a “distinctly a new literature, the first expression of the life and ways of thought of a new people, hitherto without literary expression” (MacDonagh, 1916, p.23). In MacDonagh’s view this new literature, resulting from the language shift, is written by and for Irish people but in English, something unimaginable before the mid-nineteenth century, though modern histories of Irish literature dispute this dating and generally include earlier writings (Kelleher & O’Leary, 2006).

What makes this new Anglo-Irish literature “Irish” is the orientation of the writers towards Ireland (not England) and the maintenance and adaptation of older styles and to a different language, and MacDonagh devotes a great deal of space in *Literature in Ireland* to poetic analysis, using it to support his ideas on cultural distinctiveness. He argues that in the Irish mode, verse is accentual, a pattern of stressed and unstressed syllables, but not used in the same way as in English poetry. In the latter, generally the emphasis is on syllables, like in iambic pentameter, the common metre of Shakespearean verse. In Irish verse, the line or phrase becomes the metrical unit. Therefore, MacDonagh says “to read correctly Anglo-Irish poetry one must follow either Irish music or Anglo-Irish prose speech” (1916, p.70). Irish music, both song airs and dance tunes, also centres on phrases and the connection between

this and poetry is perhaps best illustrated through example. One poem (and song) that MacDonagh addresses is “An Páistín Fionn”³ (first verse below):

*Grá mo chroí mo pháistín fionn,
A croí is a haigne ag gáire liom,
A cíocha geala mar bláth na n-úll
Is a píob mar eala lá Márta.*

Oh my fair Pastheen is my heart's delight;
Her gay heart laughs in her blue eye bright;
Like the apple blossom her bosom white,
And her neck like the swan's on a March morn bright! (In: MacDonagh, 1916, p.182)

He says of it,

I remember once hearing this latter song sung in Irish by a large number of people in the South of Ireland. The singers swayed their heads slightly in a slow, drowsy way; the song went on through its full length, verses and chorus, without a break. When I read the poem now, the original or Ferguson's version, I find in it – read into it perhaps – that continuous swaying. (1916, p.79)

Samuel Ferguson's translation appears in an appendix to the book, but when listening to the original rendered by a great *sean-nós* singer this “continuous swaying” becomes quite apparent, as in recordings of singer Níoclás Tóibín (1928-1994) from An Rinn, Co. Waterford.

MacDonagh uses the example of Yeats's “The Lake Isle of Innisfree” to demonstrate how Anglo-Irish literature has adapted this characteristic of verse from the Irish (Gaelic) tradition. He takes the first line of the second stanza, “And I shall have some peace there, for peace comes dropping slow”, saying that English metrists would divide it into sets of two syllables, “And I | shall have | some peace...”, but it evades this inaccurate simplicity. Instead, it should read like “musical verse”, though it is not and was never intended to be a song. It has the same “general movement, changing from a slow beat to an easy rise and fall”, the same “continuous swaying” as present in “An Páistín Fionn” that makes it characteristic of the Irish mode (MacDonagh, 1916, pp.67-8). In addition, “The Lake Isle of Innisfree” has “acoustic appeal”, imagining a place as much through sound as through visual imagery. The reader *hears* the “bee-loud glade”, “the cricket sings”, and “lake water lapping with low sounds”, lending credence to MacDonagh's claim for poetry following the sounds of either Irish music or prose speech (Regan, 2006, pp.91-2). Critics past and present have given credence to the poetic facets of MacDonagh's literary criticism (Pound, 1916; Davis, 2004, pp.149-52). However, whether or not we accept the objective existence and characteristics of the Irish mode is incidental: what truly matters is the ideology it represents and debates over its boundaries.

³ In the text he Anglicizes the spelling to ‘Pastheen Finn’.

“For the Irish People”: Inclusion and Exclusion

The inclusion of Yeats in the new Anglo-Irish poetry in the Irish mode raises the issue of whom MacDonagh’s vision of the nation encompasses. As he accepts Yeats (though not without some criticism), a Protestant, his exclusion of the eighteenth-century writers Swift, Sheridan, and Goldsmith created much controversy, which he acknowledged (1916, p.vii). Bearing in mind his emphasis on the connection between the nation and literature, MacDonagh applies the criterion for this new literary form back in time to discover its origins and grounds for inclusion. Based on the fact that he embraces Dublin street ballads as examples of folk poetry, clearly he does not in any way exclude people or writers from inside “the Pale”. Rather, he states that the roots of Anglo-Irish literature are in “the life and ways of the Gael”, that it has within it “memories of the old Gaelic literature” and the “rhythm of Irish music” and it comes “from the new English speakers of the country whose fathers or grandfathers spoke only Irish” (1916, pp.23-4). His excludes Swift and his contemporaries with the justification that they remained with their faces to England, an attitude “rather of dissent from an English orthodoxy than of consent in an orthodoxy of their own or of Ireland’s” (1916, p.vii). Both Richards and Stewart seize on this statement as proof of an “exclusivist and conservative” view (Richards, 1991, p.127; Stewart, 2000, p.32). However, they judge by today’s increasingly pluralistic standards (e.g. Kelleher & O’Leary, 2006) and focusing on this one case ignores the content and themes of the rest of the book. Instead, in MacDonagh’s opinion Anglo-Irish literature that comes “from the new English speakers of the country” illustrates exactly the kind of practical opportunity he saw in the language shift. In his view, Anglo-Irish literature could now constitute a valid national form of literary expression because English had become a widely spoken language in the country.

MacDonagh specifically includes those who made an effort to participate in the life of Ireland and forge an Irish identity, like Yeats and Synge, saying that Anglo-Irish “is worth having as a term only to apply to the literature produced by the English-speaking Irish, and by these in general only when writing in Ireland and *for the Irish people*” (emphasis added, 1916, p.28). Though he expressed some doubts about nationalist leaders and developments, Yeats clearly intended to write with this purpose in mind and saw a place for himself within it, saying that a truly national literature is created by writers “who are moulded by influences that are moulding their country, and who write out of so deep a life that they are accepted there in the end” (in: O’Driscoll, 1982, p.414).⁴ Taking this into account, on the spectrum of opinions of inclusion and exclusion within cultural nationalism MacDonagh seems fairly inclusive and progressive, at least compared to “Irish-Irelanders” like Douglas Hyde and D.P. Moran, and later Daniel Corkery, in whose eyes writers using the English language could never purport to express the ways of life and character of the Irish people. While Hyde included Anglo-Irish literary traditions in his 1892 speech, by 1900 his opinions had shifted and “he attached the idea of Irish nationality solely to the Gaelic tradition” (Stewart, 2000, p.35). Likewise, Moran (1900; 1905) saw in Ireland two distinct civilizations with

⁴ This sentiment is also evident in Yeats’s poem “To Ireland in the Coming Times” in which he identifies himself with historic figures and writers, including Ferguson and Mangan, whom MacDonagh praises, and expresses the wish that “I would accounted be / True brother of that company / Who sang to sweeten Ireland’s wrong / Ballad, story, rann and song.”

irreconcilable ways of life, a view that has until recently dominated criticism of the Revival and had a reductive influence on what was a “multi-layered” phenomenon (Ferriter, 2005, p.92; Matthews, 2003, pp.98-103, p.147). While Corkery (1931) admitted the existence of an Anglo-Irish literature he strongly believed it could in no sense be deemed a national literature.⁵ In contrast to this, MacDonagh includes all writers who willingly devoted themselves to the nation and accepted an Irish identity without trying to hold onto English standards or roots, an idea in keeping with the essential project of cultural nationalism.

A “Resurgent Ireland”? Visions for the Future

As addressed above, through the Revival, cultural nationalists sought to repossess the Irish past (both its historical and mythical elements) and use it to create a viable identity. However, some remained overly focused on the past and unable to recognize present realities, let alone provide a positive and constructive vision for the future. The Gaelic League seems to have fallen into that trap, lamenting the loss of the Irish language, but retaining overly ambitious goals regarding its future and ineffectual means of pursuing them, while a high turnover of members meant few developed true proficiency in the language (McMahon, 2008). MacDonagh and others, including Sigerson, recognized that the past, the rich cultural heritage of Ireland, had much of value to offer, saying “we are true to the best of the old literature when we are true to the part of it which we inherit now in the twentieth century, when we discover in ourselves something of its good tradition” (MacDonagh, 1916, p.112). However, the key to this is the process of discovery: selecting “the best” of the old and using it to move forward. Translations from Irish into English constituted part of this undertaking (Brown, 2010, pp.23-4). Not solely a substitute for learning Irish, they were often conceived of as a way of arousing interest in learning the language (Crotty, 2006, pp.80-1). MacDonagh appreciated that “the literature of tomorrow will be in terms of the life of tomorrow” (1916, p.112, p.137). He recognized the importance of emphasizing a shared history and cultural legacy to create a unified identity, but one with fairly expansive boundaries, certainly with borders encompassing both linguistic traditions. The argument put forward in *Literature in Ireland* suggests recognition of the complexity and needs of an independent Ireland, rather than the impossibility of returning to a pre-colonial past.

Apart from this ideal unifying vision, in this book MacDonagh offers little suggestion of how he hoped events would proceed in the nationalist cause. Nonetheless, in his introduction to the text Padraic Colum suggests the author had a “prophetic outlook” and hopes for a “resurgent Ireland” (in: MacDonagh, 1916, p.xv). Colum knew MacDonagh personally so perhaps he read the text with more in mind than the average twenty-first century reader knows. The language used in the book implies a connection between literary trends and political separatism, describing the Irish mode as a “revolt”, “independent”, “a separate thing”, “a period of disturbance, of change”, “revolution”, and “free from the old

⁵ Corkery argued in *Synge and Anglo-Irish Literature* that the English language could not properly express Irish life; Russian national literature is written in Russian so by extension Irish national literature should be in Irish. However, this ignores the example of colonized peoples who have literatures in the language of the colonizers. Corkery further says that Anglo-Irish literature was written primarily by writers from the Ascendancy (colonizing) class living outside Ireland and for an audience outside Ireland, thus disqualifying it from any status as national literature, which must be “written primarily for its own people” (pp.2-6).

authority” (MacDonagh, 1916, pp7-8; Davis, 2004, p.150). While he uses these terms to place the development of Anglo-Irish literature on a parallel with the avant-garde, they evoke nationalist rhetoric. However, the text offers only two direct references to fighting for “the cause”, perhaps because the author wrote some of it before the outbreak of the First World War radicalized his views.

Many strong workers in the national movements are good poets too; no Irish poet or dreamer knows the day when he may be called into action in the ancient fight. (MacDonagh, 1916, p.16)

It is well too that here still that cause which is identified, without underthought of commerce, with the cause of God and Right and Freedom, the cause which has been the great theme of our poetry, may any day call the poets to give their lives in the old service. (MacDonagh, 1916, p.103)

In both of these instances, he suggests that should the opportunity arise, he would take a gun to stand with his compatriots in “the ancient fight”, which could (and did) claim his life. However, unlike some of Patrick Pearse’s work, which contains a feeling that he not only extolled but *desired* martyrdom, MacDonagh seems much more restrained.⁶ He may have willingly fought and died for Ireland’s independence, but he was not determined to do so and neither does he continually allude to a tradition of martyrdom as a theme in history or literature.

MacDonagh’s original poem, “Of a Poet Patriot” contains similar sentiments. It originally appeared in 1903 under the title “To William Rooney”, but he changed the name eleven years later to add universal appeal. It has frequently been interpreted as a self-epitaph, though it is unclear if the author had that intent:

His songs were a little phrase
Of eternal song,
Drowned in the harping of lays
More loud and long.

His deed was a single word,
Called out alone
In a night when no echo stirred
To laughter or moan.

But his songs new souls shall thrill,
The loud harps dumb,
And his deed the echoes fill
When the dawn is come. (In: Colum and O’Brien, 1916, p.11)

In this, people remember the poet for “his deed” and in a sense MacDonagh’s own death and subsequent legacy fulfilled that prophecy, with his intellectual work “drowned” by his role in the Easter Rising. William Rooney, the poem’s original dedicatee, died not for “the cause” but of tuberculosis, though during his life he was an active member of the Gaelic League, a poet and journalist and his views of Irish language and literature shared many similarities

⁶ Perhaps the most famous epigram of Pearse’s connection between martyrdom and the nationalist cause comes from his oration at the grave of O’Donovan Rossa: “Life springs from death; and from the graves of patriot men and women spring living nations” (1922, pp.136-7). Much of his poetry expresses similar sentiments.

with MacDonagh's (Rooney, 1909; Matthews, 2003, pp.102-3). The life and work of both suggest that a nationalist, and particularly a writer, could contribute to developing the state. Though MacDonagh is remembered primarily for his final "deed", this view oversimplifies his legacy. Both "Of a Poet Patriot" and *Literature in Ireland* indicate that he wanted first and foremost to advance the cultural foundations of the nation and its writers. Today, scholars accept the existence of an Irish literature in the English language (though the debate over its boundaries continues). MacDonagh's text is revolutionary for suggesting this possibility, for its willingness "to really begin again and to defer to a future which is beyond knowledge but not speculation" (Graham, 2001, p.40).

Conclusion

MacDonagh concludes the preface of the book (dated January 1916) with the words, "these wars and their sequel may turn literature definitely into ways towards which I looked, confirming the promise of our high destiny here" (1916, p.ix). What is that high destiny and was the promise fulfilled? Did he merely express a utopian but possibly unrealistic desire? Hutchinson notes that "all ideological movements find it difficult to translate their general principles and aspirations into concrete political programmes once they occupy government" and this seems to have occurred in Ireland (1987, p.306). Post-independence Ireland espoused primarily negative definitions of the nation, an Irish-Ireland constructed in opposition to the idea of England: Catholic (not Protestant), spiritual (not materialistic), Gaelic (not English), agricultural (not industrial), rural (not urban), conservative (not liberal), and morally pure (not licentious). Supporters of this reactionary vision sought to claim the legacy of the Easter Rising and their view dominated for decades, leading to denial and exclusion of many, exemplified by the regime of literary censorship. One writer commented on this difference even in 1928, stating that "between the literatures of MacDonagh's day and ours, there lies a whole world of difference in inspiration and idealism, a gulf that is tragically wide" and "the Ireland of today is in reaction from the Ireland of yesterday... Idealism has swung round to disillusion" (Hurley). For many years the harsh realities of war and then governance largely subsumed those dreams.

In a recent essay Michael Pierson questions whether a progressive vision ever existed, asserting that proponents of the Revival ignored social class and perhaps naively assumed that a shared national identity could overcome divisions (2013, pp.193-204). His view and analytical focus on Yeats shows similarities to arguments first put forward by Seamus Deane three decades earlier (Deane, 1985, p.33; Brown, 2010, pp.14-15).⁷ While both correctly point out that revivalist writers often favoured unifying visions over depictions of a divided reality, they fall into a focus equally narrow to that of which they accuse Yeats by ignoring the ideas of more marginalized writers such as MacDonagh. The definition of Irish literature in MacDonagh's work clearly held a place for all the people of Ireland, as long as their orientation and dedication remained to that island rather than across the sea to England.

⁷ Deane first delivered the lecture 'The Literary Myths of the Revival' in 1973, though it was not published until later. In it he addresses the influence of Yeats and other Revival writers: "This Romantic-aesthetic heritage, with which we still struggle, clearly harbours the desire to obliterate or reduce the problems of class, economic development, bureaucratic organization and the like, concentrating instead upon the essences of self, community, nationhood, racial theory, *Zeitgeist*" (1985, p.33).

Though he does not address social class, Dublin working-class writers could easily fit these qualifications and in the long term his views have proven prophetic. Colin Graham notes,

MacDonagh's fascinatingly tentative "Irish" is not only a pointer to a national literature which he wants to see confident and creative. MacDonagh is also envisioning, through his criticism, a new Ireland moving towards statehood, and in this, in his relative acceptance of two linguistic pathways for Irish writing, and in his aversion to pugilistic rhetoric, *MacDonagh is a genuinely visionary literary critic* (emphasis added, 2006, p.576).

MacDonagh's pragmatic acceptance of the inroads made by the English language in Ireland (along with a love and respect for Irish), his emphasis on the interpenetration of the two linguistic traditions, his forward-looking views of poetry, and his relatively inclusive conception of the boundaries of Irish literature marked him out from many of his more polemic contemporaries. *Literature in Ireland* transcends the narrow "battle of two civilizations" view of the Revival to embrace a pluralistic and aspirational vision of Irish literature and the centenary of the Easter Rising and the book's publication provides an apt time for its recognition and reassessment.

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Review—*The Destruction of Da Derga’s Hostel: Kingship and Narrative Artistry in a Medieval Irish Saga*, by Ralph O’Connor

Oxford: Oxford University Press, 2013. 400 pp. £65

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Just as the image of the sun is thrown
Upon the haze, before it rises, so
Great destinies send out their harbingers.
And in today, tomorrow’s spirit walks.¹

Perhaps like no other medieval Irish saga, *Togail Bruidne Da Derga* ‘The Destruction of Derga’s Hostel’ epitomises the incontrovertibility of fate, which entangles the saga’s audience just as much as it does its royal protagonist, Conaire. In turn, the reader witnesses Conaire’s rise to and fall from power as Ireland’s high king as a path which has been laid out before him, and over which Conaire exerts next to no control.

Cautionary tale, tragedy or political allegory, interpretations of the *Togail* have been manifold. Yet, Ralph O’Connor’s study is the most comprehensive which has appeared to date. In ten chapters, O’Connor demonstrates the impressive scope of his analysis. The first chapter sets out the textual background of the story, situating the saga within its manuscript context, yet taking care to address both an expert and a general readership. Chapters 2 (“A Child of the Otherworld”) to 7 (“Sovereignty Shattered”) comprise the core of O’Connor’s work. Through close reading of the text, O’Connor enables the reader to accompany Conaire on his journey, beginning with his unusual conception and birth and culminating in his death at Da Derga’s Hostel. Chapters 8-10 look beyond the text: Chapters 8 and 9 focus on the Latin and specifically the Biblical dimension of the *Togail*, reviewing the question of classical and Biblical versus vernacular influence on the structure and ethos of the story; while Chapter 10 revolves around the reception of the text by its original audience, providing a historical framework for contemporary concepts of kingship.

The Destruction of Da Derga’s Hostel is a work which wants to be understood and appreciated by more than just a Celtic Studies audience. O’Connor has supplemented the general index with a glossary of jargon and Latin and Irish terms, and has made ample use of tables and figures to elucidate the intricate structure of the story. His writing style is lively and engaging. His chapters are broken up into sections, which are rarely longer than 8-10 pages, thus presenting the discussion in digestible portions. All quotes from the numerous languages O’Connor uses are accompanied by either in-text or footnote translations, making the work more accessible to students.

¹ This passage appears at the beginning of chapter 5 of O’Connor’s book (“The House of Death”); who in turn takes it from Schiller, F. (1979) *The Robbers and Wallenstein*. Translated by: Lampert, F.J. London: Penguin., p.456.

Further, O'Connor revisits questions and challenges assumptions, which are central to the discipline of Celtic Studies in particular. Most provocative is his calling into question of the long-held belief that textual inconsistencies in a medieval saga must necessarily point to a lack of skill on the part of the compiler. Rather, O'Connor starts out with the postulate that the work was structured "for its author's own reasons" (p.15), highlighting the various parallels, climaxes and narrative devices which form the building blocks of the story. On a more general note, he challenges the assumption that the "[...] very appropriateness of literary analysis requires defending from the ground up" (p.18).

In the same way that Greek tragedy uses prophecy to steer its characters towards their doom, Irish saga uses *geisi*. These (usually royal) taboos are injunctions placed upon the sovereign-to-be or hero. What is more, they are a kind of contract with the Otherworld, any breach of which will result in destruction and, ultimately, death. Thus, one of the saga's central issues is the determinist nature of kingship as evidenced by the career of Conaire. This topic has previously received attention from Thomas Charles-Edwards (1999, pp.38-59), who viewed the preoccupation with a preordained fate, and the characters' struggle to escape it, as intrinsic to early Irish culture and literature. O'Connor extends Charles-Edwards's argument by showing that Conaire's fate is reflected in the structure of the saga itself, and that Conaire's journey is further mirrored in the movements of his enemies, culminating in the final battle at Da Derga's Hostel.

In his chapters on the Latin and Biblical dimensions to the *Togail*, O'Connor cautions against assuming an *a priori* relationship between traditional Irish narrative and the Bible solely on the basis of the latter's prestige, or a superficial resemblance of motifs or characters. He thus revisits the question of Biblical influence on the *Togail*, specifically with regard to kingship ideology. Looking at the Old Testament, O'Connor examines King Saul's rise to and fall from divine grace, which, he argues, served as a structural model for the description of Conaire's reign and fall from power. Yet, he does not neglect the most striking difference between the two stories: in many ways, the ill-fated Saul paves the way for his successor David; yet Ireland is without a king after Conaire's demise. As O'Connor points out, Conaire is an amalgam of both Old Testament kings: an Irish King David slowly turning Saul (p.261).

O'Connor's book represents a great accomplishment not only to the discipline of Celtic Studies, but also serves as a bridge to more general medieval literary criticism. Yet, there is one minor point, which needs to be addressed. O'Connor states that his analysis is to demonstrate that narrative compilation is a creative act and not evidence of lack of skill. It is therefore deplorable that an article (forthcoming at the time of the publication of this book), which examined the various so-called 'inconsistencies', was published separately at a later stage (2013, pp.1-48). Considering that this piece strengthens O'Connor's argument considerably, it would have been more fitting as part of the discussion in this work. This is particularly the case since, as O'Connor states himself, some of these 'inconsistencies' "play a purposeful role in the narrative, even if they are technically contradictory." (p.44).

The inclusion of this material would further have bolstered his argument that historiography and literary accomplishment need not be mutually exclusive.

Since no critical edition of the text has appeared to date, O'Connor used Eleanor Knott's 1936 edition of the *Togail* for citations. While this lack of a critical edition is a deplorable state of affairs for the discipline as a whole, it has not undermined O'Connor's work. Rather, it has sustained his criticism of the common perception that editorial groundwork needs to be completed before literary criticism becomes feasible.

O'Connor's book is an appreciation of one of the finest works of medieval Irish written culture. It is further one of the few monographs in medieval Irish studies dedicated to any single text (other than the traditional edition-commentary-glossary publications) with the purpose of engaging primarily in literary criticism. Given the impressive range of material covered, and its previously noted accessibility, it is to be hoped that the publication of *The Destruction of Da Derga's Hostel* will increase the attention paid to medieval Irish (and Celtic) literary criticism by scholars in the field, as well as spark more enthusiasm from literary critics and medievalists in general.

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