

**Published version: 'Martin McGuire and Glin Industrial School: How in God's Name?' in David Bracken (ed.), *Of Limerick: saints and seekers* (Dublin: Veritas, 2022), pp 201-209.**

In 1999 Mary Raftery's harrowing *States of fear*, a three-part documentary broadcast on RTÉ between April and May, detailed the nature and scale of the appalling abuse suffered by Irish children in reformatories and industrial schools between the 1930s and the 1970s. It provoked public revulsion and outcry and prompted an apology to those who had suffered abuse by Taoiseach Bertie Ahern. Later that year, Raftery and Eoin O'Sullivan co-authored *Suffer the little children: the inside story of Ireland's industrial schools* which drew on sources not available during the making of the documentary series and provided a more complete account of abuse in industrial schools.<sup>1</sup> They were not the first to publicize such abuse, but the efforts of Raftery and O'Sullivan contributed to the establishment of the Commission to Inquire into Child Abuse (CICA, also known as the Ryan Commission after its chairperson) in 2000. The commission's devastating report in May 2009 confirmed Raftery's findings on the physical, emotional and sexual abuse of children in reformatories and industrial schools.

*Suffer the little children* and the CICA shed a bleak light on St Joseph's Industrial School in Glin, County Limerick and highlighted the shocking case of Gerard Fogarty, a 14-year-old schoolboy, who ran away from Glin, to which he had been committed for non-attendance at school, in July 1945. Found by the police, he was returned to St Joseph's. As punishment, he was stripped naked, flogged with a leather cat-o-nine-tails and immersed in the salt water of the Shannon estuary. He then escaped again and walked 32 miles across fields to Limerick. On seeing his injuries, his mother 'nearly tore the hair out of her head'.<sup>2</sup> She and several neighbours brought the assault to the attention of Martin McGuire, their local councillor. He was first elected as an independent in 1942 along with Ted Russell, both were nominees of the Chamber of Commerce. In May 1945 Russell and McGuire formed a new municipal party called Gluais Linn (Advance with Us) and were successful at the election the following month.<sup>3</sup> McGuire was a well-known businessman and owner of Martin McGuire Ltd., Curraghower Mills on Francis Street where the Fogartys also lived. He made remarkably determined efforts to seek a public enquiry into the mistreatment of Gerard Fogarty. The episode is significant because it exposed a cruel and repressive state-sponsored system, demonstrated how McGuire's noble efforts to seek justice for the marginalized were thwarted, and also because

---

<sup>1</sup> Mary Raftery & Eoin O'Sullivan, *Suffer the little children: the inside story of Ireland's industrial schools* (Dublin, 1999).

<sup>2</sup> Fogarty's recollection cited in Raftery & O'Sullivan, *Suffer the little children*, p. 212.

<sup>3</sup> *Limerick Municipal Elections, 1841-2009*. Compiled By John Cusack and Liam Hanley. Edited By David Lee and Debbie Jacobs <http://www.limerickcity.ie/media/Elections%20final%20amend.pdf>.

it involved Fr Edward Joseph Flanagan, the Roscommon-born founder of Boys Town in the United States.

The reformatory system was established under the Reformatory Schools (Ireland) Act in 1858 to cater for those convicted of a criminal offence. By contrast, industrial schools, first introduced in 1868, were conceived, as a government report later put it, ‘to deal with children who had not committed offences but who, through want, neglect, or lack of parental control might drift into crime’.<sup>4</sup> In theory, the industrial schools were to provide an industrial training for children and to clothe, feed and house them. In practice, the standard of food, accommodation, clothing, health care, and education (if it can be called that) was woefully deficient. A central principle of the system was the complete separation of children from their families who could only visit with the permission of the school manager. Section 58 of the 1908 Children’s Act provided the legal basis for reformatories and industrial schools. In effect, innocent children were criminalized for being poor. In independent Ireland the 1908 act was supplemented by truancy legislation in the form of the 1926 School Attendance Act, which made schooling compulsory to the age of fourteen, and the 1929 Children Act which extended court-mandated committals to industrial schools for non-attendance at school. Thousands of children were committed through the courts with little proper investigation or representation. They were not charged with custodial offences but they were sentenced to periods of detention generally until they reached the age of sixteen. The CICA indicated that the ‘great majority of children were committed because they were “needy”’ with the next most common grounds for detention being non-attendance at school.<sup>5</sup> An estimated 42,000 children were sent to industrial schools between the 1930s and the 1970s, not 170,000 as erroneously calculated in the CICA report.<sup>6</sup> Partly due to the economic hardship of the Second World War, the number of children in industrial schools peaked in the mid-1940s as did the number of prosecutions of parents under the School Attendance Act. If the severity of committing a child to an industrial school for non-attendance at school was ludicrously disproportionate, then the average committal period of four years for truancy was incomprehensibly so.<sup>7</sup>

St Joseph’s Industrial School for senior boys opened in 1872 on Sexton Street in Limerick. In 1928 it transferred to the former workhouse in Glin in west Limerick where it remained in operation until it closed in 1966. St Joseph’s was one of six industrial schools managed by the Christian Brothers. The schools were funded by means of a capitation system – a fixed sum was paid to the congregation for each boy partly by central government and partly by the local authority. The CICA report recorded that the number of boys in Glin peaked at 212 in 1949 and 1950, that the average age of those committed was nine years and ten months, that the average stay was five years and eight months, and that in the 1940s destitution, larceny and non-attendance at school (in that order) were the dominant reasons for boys being there.<sup>8</sup> Gerard Fogarty was eleven when sentenced for non-attendance at school.<sup>9</sup>

---

<sup>4</sup> *Report of Commission of Inquiry into the Reformatory and Industrial School System, 1934-1936*, p. 7 (National Archives of Ireland, TSCH/3/S2623A).

<sup>5</sup> *Report of the Commission to Inquire into Child Abuse* (hereafter *CICA*), Vol. I, para. 3.03.

<sup>6</sup> *Irish Times*, 27 Nov. 2019; *CICA*, Vol. I, para. 3.01.

<sup>7</sup> *CICA*, Vol. I, para. 3.36.

<sup>8</sup> *Ibid.*, paras. 11.09-11.

<sup>9</sup> Fogarty’s recollection cited in Raftery & O’Sullivan, *Suffer the little children*, p. 214.

The CICA report fixed the public gaze and the burden of blame on the role played by religious orders in the running of industrial schools. In an important contribution during the subsequent debate, Bruce Arnold argued that the state was primarily responsible and that this was insufficiently examined due to the terms of reference of the CICA:

The State constructed the regime of committal, punishment and privation ... The Catholic Church did not have the power to do that ... It did have the power to abuse what was regulated by the State and it clearly did so, in many dreadful ways. But the State which had the power to impose restraint and protect the children failed to do so, and that was far worse than anything the religious orders did.<sup>10</sup>

One of the most striking aspects of Martin McGuire's intervention was his clear understanding of the state's responsibility in law for an iniquitous system. Notably, his efforts focused not on the Christian Brothers but on the Department of Education which was responsible for industrial schools.

Writing on 3 August, it was McGuire's 'distasteful duty' as an upstanding public representative to draw the attention of Thomas Derrig, the Fianna Fáil Minister for Education, to 'a matter of paramount public importance'. He recounted how dark stripes and sores on Gerard Fogarty's back and arms prompted him to have a medical doctor examine the boy who confirmed that the child had been flogged. McGuire posed five questions which went to the heart of the state's lack of oversight of the industrial school system. The councillor asked whether flogging was 'prescribed by law in certain cases in Industrial Schools'. Second, if the recipient of such treatment was compelled to be stripped of his clothing. Third, 'if it was compulsory for the superior or other authorized person of an Industrial School ... to inflict such treatment'. Fourth, 'if the use of a whip with a number of leather thongs is prescribed and permitted' and, lastly, if the report from Glin industrial school agreed with the statement made by the boy.<sup>11</sup> On 25 August 1945 Dr John Holmes sent a copy of his medical report which certified that Gerard had 'wheals – about 2 to 3" long'.<sup>12</sup> In 1933 the rules and regulations for certified industrial schools aimed to reduce corporal punishment and specified permitted types of punishment. This had been grossly contravened in Glin.

After six weeks McGuire wrote again to the minister to seek 'a full reply'. This elicited a brief note from the secretary of the Department of Education on 29 September to the effect that the minister had made enquiries and appropriate action had been taken. Unwilling to be fobbed off, McGuire took up his pen once again on 1 October to demand an answer to his original question of what law permitted the punishment of Gerard Fogarty and what 'appropriate action' entailed. The minister issued a patronizing response: he did 'not feel called upon to give you [McGuire] the information you have asked for in the matter unless he is supplied with evidence as to your right to obtain that information'.<sup>13</sup> Undeterred, McGuire asserted his right as a public representative to be answered. His efforts appear to have prompted the minister to have Gerard Fogarty discharged from St Joseph's in October 1945. This was a tacit admission that abuse had occurred. That, however, was not the end of the matter.

---

<sup>10</sup> Bruce Arnold, *The Irish gulag: how the state betrayed its innocent children* (Dublin, 2009), p. 19.

<sup>11</sup> CICA, Vol. I, para. 11.41.

<sup>12</sup> Raftery & O'Sullivan, *Suffer the little children*, p. 212.

<sup>13</sup> CICA, Vol. I, para 11.47.

McGuire eventually received a confidential reply on 5 January 1946 for his attention alone. Clearly perturbed at official efforts to keep the case secret, in mid-April 1946 he again wrote to Derrig to seek a specific enquiry into the Fogarty case because nothing short of which would 'satisfy the public conscience', and also a general enquiry into the running of industrial schools. On 26 April the departmental secretary ruled out both. The need for a general investigation was dismissed on the basis that an enquiry had been conducted between 1934 and 1936.<sup>14</sup> This referred to the Cussen enquiry which was established because it was recognized that the Irish Free State was 'behind most European countries in its arrangements for dealing with this most important social question'.<sup>15</sup> Cussen did not consider the issue of corporal punishment and did not occasion any reform of the system. McGuire's correspondence with the Department of Education ended on 9 May 1946 when he issued an angry rejoinder that the purpose of an enquiry was to put 'the public in possession of the facts which the Minister and his officials and a few others only now possess'.<sup>16</sup>

When McGuire's efforts to publicize the Fogarty case were stymied by the Department of Education, he contacted Father Flanagan through James Shields, manager of the Theatre Royal in Dublin. All of the documentation, with the exception of the confidential letter of 5 January, was forwarded to Flanagan in the hope that he could use it 'to shock the public, the Minister for Education and his Department, into the grave responsibilities which must rest upon them for these conditions'.<sup>17</sup> McGuire's stand would have remained unknown had Mary Raftery not found the material in Fr Flanagan's archive in Nebraska. No record of the Fogarty case was uncovered in the files of the Department of Education.

Flanagan was an international authority on child welfare. The success of Boys Town, which aimed to create a home not a prison, captured the imagination of the American public and in 1938 Spencer Tracy won an Academy Award for portraying Flanagan in the film *Boys Town*.<sup>18</sup> Flanagan visited Ireland in July 1946 and was rapturously received. His speeches emphasized the need for understanding rather than punishment and condemned the use of corporal punishment. He praised St Patrick's Industrial School in Belfast and St Joseph's Industrial School in Artane in Dublin after visiting them but Flanagan subsequently became more critical of the penal system in Ireland. During a lecture in Cork, he described Ireland's borstals and prisons as a 'disgrace' and enjoined his audience to keep their children away from institutions of punishment.<sup>19</sup> Flanagan's intervention drew criticism in the Dáil, where Gerald Boland, the tough Minister for Justice, accused the priest of describing in 'offensive and intemperate language conditions about which he has no firsthand knowledge'.<sup>20</sup> A lively press correspondence on the issue continued for several months and included statements by Flanagan. In an editorial in October 1946, the *Irish Press* described Flanagan's comments as 'reckless' and 'political stunting about a serious social problem'.<sup>21</sup> Unsurprisingly, the priest's

---

<sup>14</sup> Ibid., paras 11.51-52.

<sup>15</sup> Department of Education memorandum on proposed commission of enquiry into reformatory and industrial schools system, 12 Feb. 1934 (National Archives of Ireland, TSCH/3/S2623A).

<sup>16</sup> Raftery & O'Sullivan, *Suffer the little children*, p. 216.

<sup>17</sup> Ibid., p. 211.

<sup>18</sup> James Quinn & Diarmaid Ferriter, 'Flanagan, Edward Joseph' in *Dictionary of Irish Biography*, DOI: <https://doi.org/10.3318/dib.003265.v1>.

<sup>19</sup> *Cork Examiner*, 8 July 1946.

<sup>20</sup> *Dáil Éireann debates*, 23 July 1946, vol. 102, no. 9.

<sup>21</sup> *Irish Press*, 16 Oct. 1946.

call for a public enquiry into penal conditions was similarly condemned. Flanagan did not mention the Fogarty case while in Ireland but did refer to it obliquely in a public statement in October 1946. In a letter to Flanagan the following month Walter Mahon Smith, author of *I did penal servitude* (1945) which made a significant impression on the priest, indicated that none of the daily papers would investigate or publish details of the Fogarty case.<sup>22</sup> In his private correspondence Flanagan was scathing of the mistreatment of Irish children in industrial schools and wondered 'How in the name of God could a man like Mr. Boland justify his stewardship of these helpless little children.'<sup>23</sup> Flanagan announced his intention to visit Irish penal institutions for adults and children in the summer of 1948, but he died suddenly in May 1948 in Berlin while advising the US forces on child welfare programmes.<sup>24</sup>

After Flanagan's untimely death and McGuire's withdrawal from local politics in 1950, the Fogarty case remained unknown for half a century until recounted to Mary Raftery. Gerard Fogarty lived in Limerick until his death in 2007. McGuire enjoyed a successful business career during which the advancement of Limerick remained an overriding concern. He was twice president of Limerick Chamber of Commerce and served as chairperson of the Harbour Board for almost two decades.<sup>25</sup> On 26 October 1964 McGuire died suddenly at the age of fifty-eight while addressing an annual meeting of the Silvermines Lead and Zinc Company in Jury's Hotel in Dublin. Unhappy at being manoeuvred out as a director after fourteen years, he defended his record and claimed the company had been carried on by 'a system of undesirable practice' before he collapsed.<sup>26</sup> By defending a deeply wronged 14-year-old child in the mid-1940s and by demanding that the state discharge its basic responsibilities, McGuire demonstrated compassion, a sense of justice and an understated heroism at a time when the majority stayed silent and took refuge in the appearance of things.

**Daithí Ó Corráin, School of History and Geography, Dublin City University**

---

<sup>22</sup> Raftery & O'Sullivan, *Suffer the little children*, p. 216.

<sup>23</sup> *Ibid.*, p. 193.

<sup>24</sup> Quinn & Ferriter, 'Flanagan, Edward Joseph'.

<sup>25</sup> <https://limerickchamber.ie/limerick-chamber-presidents/>; *Limerick Leader*, 28 Oct. 1964.

<sup>26</sup> *Irish Times*, 27 Oct. 1964.