

Address to mark 50 years of Ireland in the European Union

Speech - **City** Dublin - **Country** Ireland - **Date** 03/05/2023

Good afternoon and thank you to the Minister and the Department of Foreign Affairs for inviting me to speak to you here today as part of the celebration of, and reflection on, Ireland's 50 years of membership of what is now the European Union.

There is no doubt that our membership of the Union has been the most radically transformative part of Ireland's modern history as both the Taoiseach and the Tanaiste have stated throughout this anniversary year.

It turned the base metal of an infant, inward looking, protectionist and conservative state into the free and confident Republic that we now have.

It enabled us to grow up, to think for ourselves, to inhabit our Irishness in a way that did not depend on rigid allegiances to old ideologies, but rather allowed the best of our unique national self to flourish. I see the respect that the Irish are afforded in the EU administrative and political sphere. We have joined the grownups table; we are no longer on the margins.

When I was thinking about what I would specifically talk about, I was in some ways trying to avoid a topic that in the end became unavoidable.

I remembered a friend telling me once about the wonderful Titanic exhibition in Belfast and how the rather key moment for that ship and for its passengers – that is, its sinking – played - in his view - second fiddle to the exhibition's focus on the marvels of Belfast shipbuilding.

So it was in that spirit – of not avoiding the difficult parts of our history – that I decided that I cannot not talk about the EU's past and present role in my life and the lives of every Irish woman.

In my view, if the EU gave to the Irish state its effective liberation from the British state, so too did it give to Irish women our effective liberation from the Irish state. January 1 st 1973 was our Independence Day.

This year -2023 - brings an end to the decade of remembrance of the events that laid the foundation of the state. Yet the Irish state, as a true republic, as a true democracy, did not



become real, did not materialise, for women until decades after its nominal, legal creation.

During this decade of remembrance, many have understandably embraced the soaring, reverential narrative of the Republic that grew from the blood and ashes of the rising, the war of independence and the civil war.

We have rendered rather more opaquely the uglier narrative of female repression, female relegation to the domestic, female exclusion from the tiniest crevice of financial and political power. We have rendered rather more opaquely the reality of a state that denied its own revolutionary ideals until the EU served them right back up to us and forced us to comply.

It is extraordinary, yet revealing, that it is only now, almost 90 years since de Valera's 1937 Constitution strapped us to the kitchen sink, that we are finally promised a referendum to get rid of the provision that gave state-sanctioned misogyny constitutional cover.

Perhaps its timing is intended to give a sweet little coda to the remembrance decade, a final flourish too long, too shamefully delayed.

But while part of this lecture, will recount that story, of state-sanctioned oppression and EU-enabled liberation, it will also address that most unsettling of contemporary oppressions against women and that is the violence directed against us by men and particularly in the domestic arena, a violence so catastrophically present during the COVID lockdown that on March 27 th 2020, a bare 16 days after the UN had declared the pandemic, the organisation was forced to raise the alarm to governments all over the world that violence within the hidden and claustrophobic locked down home was already on the rise.

And yes, men were affected too, and in increasing numbers, but the victims were overwhelmingly women and children.

Violence against women, whether online, in the home, or elsewhere, has become the new staging post for our endless, exhausting battle for equal rights. It is that threat which prevents us ever from inhabiting this world, from striding through this world, as men do, as equal human beings. It is that threat that inhibits the full actualisation of our equal rights.

A survey by the EU's Fundamental Rights Agency found that 83% of our young European women - those aged between 16 and 29 – our daughters – avoid certain situations and certain places for fear of being sexually or physically assaulted.

A recent tweet by Nelle Andrew, a UK based literary agent, summed up the daily-lived reality of that statistic for many women.

She wrote: 'My husband just went for a run. It's 8pm but he did it anyway. He felt entirely able to. It didn't occur to him he couldn't or what might happen if he did. It didn't occur to him to be afraid. That is all.'



The EU is currently debating a Directive on violence against women and domestic violence. Its aim is to establish basic rules across the EU member states with regard to definitions and sanctions relating to violence against women including rape and cyber violence. *And to improve protection and support for the victims of gender-based violence .*

The degree to which the Member States will support, oppose or dilute the proposals it contains will not just determine the outcome, but will also provide a contemporary measure of our worth as women, the extent to which the EU considers that this issue merits the kind of extraordinary, transformational, intervention that has characterised the Union's growth and development since the Treaty of Rome in 1957.

It will determine whether the EU has heard the words of European Parliament President Roberta Metsola, her plea to men to 'stop killing us,' and attempt to create a legal, social and political environment right across Europe where they - to the greatest extent possible - actually do stop killing and inflicting other forms of violence on us.

For those of you interested in following this Directive as it is debated particularly at member state level through the Council, I would advise you to pay particular attention to the protestations on the Council's side about the legal basis in the EU treaty that are so often the smokescreen for more substantive concerns. Contrary to the European Commission's assessment, there are concerns among member states that there is no sound basis for the EU to legislate on rape as one form of gender-based violence, even though the EU Treaty lists sexual exploitation as one of those crimes for which the EU can establish common definitions and minimum sanctions - a so-called Eurocrime .

I appreciate that there are concerns and sensitivities. I also appreciate that determining whether or not a 'legal basis' exists isn't always straightforward, isn't always neatly black and white. Sometimes it is political will, political preference, that may tilt the balance as between 'legal basis' or 'no legal basis'. So this is very much a space worth watching.

I see a parallel between this issue and the equal pay and treatment issue that dominated the emerging social agenda of the EU in the nineteen seventies and I will come back to it later. But I want first to reflect on what I referred to earlier, on precisely how Ireland's entry into the EU in 1973 effectively gifted full Irish citizenship to the 51% who had been denied it.

I should say at this point that the rest of the EU was hardly a feminist haven. Women in every EU state suffered discrimination at many levels including marriage bars and the forced retreat from public life. There was, nonetheless, in my view, an unmatched and particular genius in the manner in which Irish Catholic Church and Irish State collaborated so seamlessly as to render us pauperised in every sense.

My first real inkling that I, as a woman, was living in a state that had legally and in many other ways hobbled me, came in 1968, five years before we joined what would become the EU.

I was ten years old, in 5th class in National School in Dublin, and one day we were brought on a



visit to the local Glen Abbey factory which some of you may remember as a major clothing manufacturer which, at its peak, employed over 1000 people, most of them women as the textiles industry was a largely all female, low pay, ghetto.

My memory is of rows of those women working the machines but my clearest recollection – and to this day - well over 50 years later - I can still picture exactly where I was standing, at that moment, on that factory floor – my clearest recollection was of a woman, working away at her own machine, but addressing our group and telling us what the ‘piece rate’ was.

I don’t know if the penny dropped then or dropped in hindsight, but at some point I realised that the school trip to the Glen Abbey factory was almost certainly a recruitment drive. And mainly for the girls.

I remember that moment so vividly because of how my ten-year-old self reacted to the woman’s words. I was startled, embarrassed. My sense of myself as bright and capable began to fracture as she spoke.

I was a child, uncertain probably of what a piece rate even was, but the message I intuited from that visit, was that, as a female, this was my potential future. This was how my world, my state, viewed me as a woman. I didn’t actually think I would ever work there, but my school had never brought us anywhere else apart from the enclosed Carmelite Convent next door. We never did see the inside of the Law Library or of Leinster House.

And then came the cavalry.

That same year, Ireland’s negotiations to join the EEC were intensifying. We were, obviously, desperate to get in, but not so desperate as to prevent the Irish negotiators from issuing behind closed doors squeaks of alarm over article 119 of the Treaty of Rome committing EEC members to accept the principle of equal pay for equal work between men and women.

The promise of the 1916 Proclamation, committing a new Ireland to equality between the sexes had long since gone the way of those who had issued it.

The gap between European Treaty utopia and the dystopian reality of Irish women’s lives was unimaginably large.

The canvas of our lives was entirely painted by men. Collectively and individually we were infantilised, degraded, deprived of financial and legal autonomy, expelled from the workplace on marriage, paid less, forbidden in effect to serve on juries, forbidden to collect even our children’s allowance, denied any legal redress for marital rape – deemed to be a contradiction in terms.

We had no right to a share in the family home, denied access to contraception, left to skivvy and to rot in Magdalene laundries, erased from public life unless a TD or Senator husband or father conveniently died and we took the vacant seat, forced to choose between motherhood and career no matter how brilliant, how gifted we were. Generations lost.



Little wonder then that our male negotiators felt so empowered to protest against equal pay. How challenging to make that imaginative leap from a world where women made barely a ripple on the public life of a state to a new world where they were invited to live as equals.

It's entirely possible that they simply did not believe that the EEC was actually serious about it, just as they and the generations before them were never actually serious about the words of their very own Proclamation.

Any chance, whispered the Irish side, of delaying it for five years?

For a time the issue faded. The European side ignored the Irish request for a transitional period and in 1973 we joined the EEC anyway.

Nothing happened for a few years until foot dragging by a number of states - including Ireland - on the introduction of equal pay legislation prompted a directive compelling them to do so.

And this is the point in the narrative where the penny begins to drop for Ireland, where the Government starts to realise that membership goes way beyond the marketplace, the money, the grants, the loans, the benefits.

The Government starts to realise that it has signed up to a fledgling social Europe where – mystifyingly – “the faceless EU bureaucrats” – and not itself – will come to breathe actual life into the discarded words of Pearse and Connolly and their fellow insurrectionists.

It will be up to “the faceless EU bureaucrats” to protect the female citizens of this state and begin to restore to them a modicum of the humanity that it – their own state - had trashed.

This is also the point where the gap between politics Irish style and politics EU style also begins to emerge, where the pooling of sovereignty begins to bite.

As chief negotiator, Fianna Fail's Paddy Hillery had been happy to push the line on Ireland's allergic reaction to equal pay. But in January 1973, Hillery was appointed European Commissioner for Social Affairs serendipitously at a point when both France and Germany had begun actively to push that fledgling social agenda.

Later that year, the Fianna Fail government was replaced by the Fine Gael Labour coalition and any incentive there might have been for Hillery to continue to wear the green jersey was now well and truly gone — Amhrán na bhFiann giving way to Ode to Joy.

The Government drafted legislation to give effect to the Directive on equal pay but the howling outrage of the employers unnerved it.

There is no doubt that the economy was under severe stress. The degree to which it would be further stressed by equal pay measures – which in any event would be challenging for women



to access given the legal acrobatics involved in defining 'equal' across sectors – was questionable.

The Government sought and was refused a deferral, the Commission taking the opportunity to remind it that equal treatment of men and women is enshrined as a basic human right in the Universal Declaration of Human Rights, which the Commission was not prepared to ignore, whatever about the Irish Government.

It did nonetheless send a Working Party to Dublin to analyse the situation for itself and assess the economic implications of equal pay.

The Working Party's report was lengthy – data rich – and delightfully French bureaucrat in its understatement and verbal eye rolling, essentially depicting the Irish case as back of an envelope wishful thinking untouched and untroubled either by coherent analysis or verifiable fact.

Foreign Affairs Minister Garret Fitzgerald, confident that he could save the day, approached Hillery but met his match in the Commissioner's French legal advisor, who, after praising Fitzgerald's European credentials so highly that the Taoiseach was – reportedly – practically levitating, then remarked 'And now you want to do this dreadful thing to women?'

Europe did not budge. It showed Ireland how any needed supports could be requested or acquired outside of Equal Pay deferrals and the seeds of Ireland's new European reality had been well and truly planted. To quote from another era, the boys were playing senior hurling now.

The Equal Pay saga encapsulates for me the essence of the ideal, of the genius, of the Union. Employment equality rights were effected, not by a state that had assiduously nurtured gender apartheid since its foundation, but by a body unmoored from the pressures of the parish pump and indeed of the Catholic Church.

On this, and on other issues, at its best, the Union behaves as a neutral but ethical actor that gives life even to that which some of its component parts do not want to give life to.

When it succeeds, it succeeds as though 'it' is an entity that floats if not entirely free from politics and sectoral interests but is somehow, sometimes – magically – detached from them.

And now we are again in need of that magic. We are in need of a neutral, ethical actor at a point in time when violence against women across the world has reached such levels that nothing short of collaborative and radical action can hope even to keep pace with it. And the European Union, as a powerful ethical global actor, needs to take that lead.

- Every single day, 137 women and girls across the world are killed by a family member or intimate partner, a woman or girl killed every 11 minutes in their own home, six killed every hour by men around the world, mostly by those they intimately know.
- In the UK, a woman is killed by a man every three days.



- In the EU, two women are killed every day by an intimate partner or family member.

In a recent address to the European Parliament, Frances Fitzgerald encapsulated it like this: “*Every 10 years, a city the size of Marseille, Zagreb or Amsterdam disappears from the face of the earth as 850,000 women are murdered globally in what we call femicide: killing a woman because she is a woman .*”

And what of Ireland? Many of you may have seen the Irish Times article detailing the killing of 239 Irishwomen between 1995 and last year 2022 based on research and statistics compiled by Women’s Aid whose work over decades I so highly commend as indeed I also commend the work of the National Women’s Council of Ireland and all of those who have fought so hard to bring these issues from the margins to centre stage.

In preparing this lecture, I went through the Irish Times list, woman by woman, looking for patterns, struggling for insight.

I looked at their ages - 41, 44, 86, 13, 61, 58, 28, 20, 70 – a bell curve with most women killed in their twenties and early middle age but with outliers of children and the very elderly.

I looked at who had killed them - random stranger, grandson, former friend, husband, neighbour, estranged husband, friend of son, husband, husband, local man, boyfriend, husband, ex-partner – a pattern repeated around the world, a majority killed by someone they knew.

I looked at how they had died - strangled, knifed, stabbed in front of children, stabbed 66 times, shot, strangled, shot, stabbed 99 times, kicked to death, strangled - manners of death suffused with a cruelty that suggests levels of rage, of hatred, of misogyny, of entitlement and possessiveness that are terrifying, that demand a response that matches its force with equal if not greater force.

The clear eyed determination of ‘it’ - the EEC of 50 years ago to force through what some of its own member states did not wish – equal pay and equal treatment of women – is again necessary to face down and triumph over those forces that have yet to comprehend, or are indifferent to, the nature of the crimes of violence against women, the fact that it is essentially their gender that has determined that this violence should be rained down upon them.

The Directive on combating violence against women and domestic violence has been sought yet blocked for many years and it is a credit to Commission President Von der Leyen that she has brought it finally to the table. The European Parliament is currently dealing with amendment proposals with Irish MEP Frances Fitzgerald as one of the two strong parliament leads or rapporteurs on the Directive.

The Council – that is the member states – is expected to give its opinion in June but soundings suggest an amount of pushback from many member states.



The reasons vary, from concerns about EU ‘overreach’ into the area of criminal law, to classic power-balance sensitivities between the Commission and the member states, to political and cultural opposition from some conservative member states to such an overtly gendered piece of proposed legislation.

Several EU states still refuse to ratify the Council of Europe’s Istanbul Convention on violence against women and while the European Court of Justice has ruled that the EU can ratify it without their acceptance, that ratification is still awaited.

The harmonisation of definitions is challenging, many Member States for example still require the use of force, threats or coercion for the crime of rape. Other Member States – including Ireland – solely rely on the condition that the victim has not consented to the sexual act. Only the latter approach, according to the Directive, “achieves the full protection of the sexual integrity of victims”.

This is now a race against the electoral clock. The European Parliament Elections will be held next year, by the time the next legislative cycle begins with a new Commission, more conservative states, such as Hungary will be presiding over the Council with the power to speed up, slow down, or simply ignore legislative files. There is probably just a nine-month window before this Directive begins to lose momentum.

Ireland does not and will not for many years hold the Presidency of the Council but that does not mean that we cannot act, that we cannot be the ethical actor in this arena. In recent years, through referendums and legislation we have done much to introduce positive change in the areas of gender equality and violence against women including through the recognition of coercive control as a crime.

We need to move this positive momentum on to the European level and to do this we need to believe, to internalise, that we have the power to do this because already we exert an executive and soft power in the EU that defies our population size.

The many positions we currently hold show that Ireland and Irish people are capable of attracting power, are capable of exerting influence and are seen as trusted players within the legal, executive and political architecture of the EU.

Later this year, I presume that the referendum to repeal the women in the home constitutional provision will be held and I also presume that it will be repealed or amended to reflect the contemporary reality of caring in this state.

But how much more meaningful, how much more powerful it would be if this state threw its not inconsiderable weight also behind this directive, championed the passage of its most vital provisions, persuaded its opponents to come on board, and ultimately, use this as its way of rolling back the years, of going some way to undoing the damage it inflicted for so many decades on so many women - the denial of life chances, of family, of independence, even of life itself.



Let this be our practical, tangible, way of celebrating EU50, by gifting back to the EU just a tiny part of what the EU has gifted to us.