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The Loughan House controversy: Moral panic, youth deviance and the failure of political imagination in 1970s Ireland

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Abstract

In October 1978, a detention centre known as Loughan House opened near Blacklion, Co. Cavan for young offenders between twelve and sixteen years of age. The history of this episode survives in folk memory as a disproportionate reaction to a perceived social crisis surrounding juvenile crime in 1970s Ireland. In order to assess the accuracy of this existing narrative, this article examines the episode through the lens of moral panic theory [MPT]. It argues that Loughan House, though not necessarily a punitive response in rhetoric or reality, nevertheless represented a failure of political imagination. This episode is particularly useful in highlighting the limitations of MPT, especially surrounding the concepts of disproportionality and punitiveness. Nevertheless, in spite of these limitations, the article contends that MPT remains valuable on both conceptual and affective levels.

Introduction

Described as “the first children’s prison in Ireland in modern times”,² Loughan House opened in October 1978 to a chorus of controversy.³ Staffed by prison officers, located in the remote environs of Blacklion, Co. Cavan and run directly by the Department of Justice, this institution was regarded by child-welfare activists, practitioners and opposition politicians as a highly unsuitable response to the delinquent activities of deprived children.⁴ Within academic studies, Loughan House has been largely

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² Campaign for the Care of the Deprived Child [hereafter CARE] (1978, 1).

³ Between 1972 and 1978, the institution had served as a place of detention for young male offenders aged between sixteen and twenty-one; Department of Justice (1972, 13).

⁴ CARE (1978).

neglected.⁵ However, a very particular narrative of this episode survives in popular memory, namely that Loughan marked a punitive, media-fuelled over-reaction to the activities of deprived youths.⁶ In other words, this folk narrative aligns with a moral panic perspective, and it is understandable why such a narrative persists. The institution was portrayed by the contemporary press as a response to a delinquent youth gang operating in Dublin's north inner-city, the Buggy Malones, who served as the folk devils of the episode.⁷ Vitriolic exchanges between key political figures such as Minister for Justice Gerry Collins and Senator Mary Robinson occurred over the respective merits and disadvantages of the institution,⁸ which heightened the sense of drama that surrounded it (thereby generating ripe conditions for a panic to "flourish and escalate").⁹ Most remarkably, a colossal sum of almost £5 million was spent on the institution amid an economic recession (approximating to €31.5 million in today's value).¹⁰ From a surface level, Loughan House appeared to be an exaggerated, dramatic and punitive response to youth deviance.

Crime historians such as Davis,¹¹ Sindall¹² and King,¹³ to name just a few, have fruitfully applied the moral panic concept to investigate the recurrent nature of anxieties surrounding deviance, and this article similarly builds on such an approach. Since first introduced by Jock Young in 1971 and systematically developed by Stanley Cohen the following year,¹⁴ the moral panic concept has been applied to a diverse range of episodes over time and across various jurisdictions such as muggings,¹⁵

⁵ An exception to this is Diarmaid Ferriter's discussion of the episode, though only passing reference to Loughan is made; (2012, 360, 383, 582).

⁶ For instance, see the popular history website Come Here to Me <<https://comeheretome.com/2017/12/05/the-bugsy-malone-gang-of-1970s-dublin/>> (5 December 2017).

⁷ See Section I.

⁸ Seanad debate, Vol.88 No.4 (15 February 1978).

⁹ Jenkins (2009, 45).

¹⁰ This figure is based on capital costs of £1,236,000, and an annual cost of £30,000 per detainee based on an average of twenty-five detainees in the institution each year; Dáil debate, Vol.320 No.9 (13 May 1980).

¹¹ (1980).

¹² (1987).

¹³ (2003).

¹⁴ Young (1971); Cohen (1972).

¹⁵ Hall *et al.* (1978).

school shootings,¹⁶ paedophilia,¹⁷ white-collar crime,¹⁸ and strike-hard campaigns.¹⁹ It has been lambasted for its ambiguity, pejorative implications and alleged inapplicability to late modernity,²⁰ yet has also been valiantly defended and reconceptualised,²¹ for instance, as a process within wider patterns of moral regulation.²² The moral panic concept has entered widespread circulation and usage – as of 7 June 2021, a Google search for the term “moral panic” yields a staggering 1,380,000 results – yet remarkably, the concept remains richly provocative rather than conceptually bankrupt.

The attribution-oriented model of moral panics as outlined by Goode and Ben-Yehuda is adopted throughout this article in order to evaluate the extent to which the Loughan House controversy can be considered a moral panic.²³ Section I applies the five key characteristics of a moral panic as outlined under this model. It contends that while the Loughan House episode meets the majority of these criteria, it falls short on what is arguably the most important element of a moral panic, namely disproportionality. Section II examines the origins of the controversy by drawing on grassroots, elite-engineered and interest-group models. It frames the episode as a clash of interests between the “law and order brigade” and the “do-gooders” and in doing so draws attention to three particular limitations of MPT in historical research. Section III analyses the criminal justice implications of the controversy, and challenges the automatic assumption of punitiveness as a feature of criminal justice responses to moral panics. It posits that Loughan House, though not necessarily a punitive response in rhetoric or reality, nevertheless represented a failure of political imagination. The final section considers the implications of the Loughan House episode for MPT. It contends that MPT remains valuable on both conceptual and affective levels, though admittedly as an exploratory rather than explanatory approach.

¹⁶ Burns and Crawford (1999).

¹⁷ Filler (2001).

¹⁸ Levi (2009).

¹⁹ Dai (2020).

²⁰ Horsley (2017); McRobbie and Thornton (1995).

²¹ Falkof (2020).

²² Hier *et al.* (2011); Critcher (2009).

²³ Goode and Ben-Yehuda (1994).

Section I: The Buggy Malones

A moral panic constitutes a disproportionate reaction to a perceived social crisis, and according to Goode and Ben-Yehuda there are five key characteristics of same, namely concern, consensus, hostility, disproportionality and volatility. The following paragraphs will apply and evaluate these concepts in relation to the Loughan House controversy.

Concern

The first characteristic, concern, indicates that there is a significant level of public anxiety over a specific social issue, in this case, rising levels of juvenile crime in 1970s Ireland.²⁴ Throughout the 1970s, vandalism, exclusively aligned by contemporary politicians with young offenders,²⁵ was of widespread concern as measured by volume of newspaper coverage. Graph 1 demonstrates that coverage of such crimes increased by 101% between 1973 and 1977, reaching a peak of 2,236 articles in 1977. It was estimated that vandalism cost the state £4 million per year,²⁶ and in early 1977 the Lord Mayor of Dublin and colleagues sent a deputation to Minister for Justice Patrick Cooney to discuss concerns over rising levels of violence and vandalism.²⁷

²⁴ Goode and Ben-Yehuda (1994, 33).

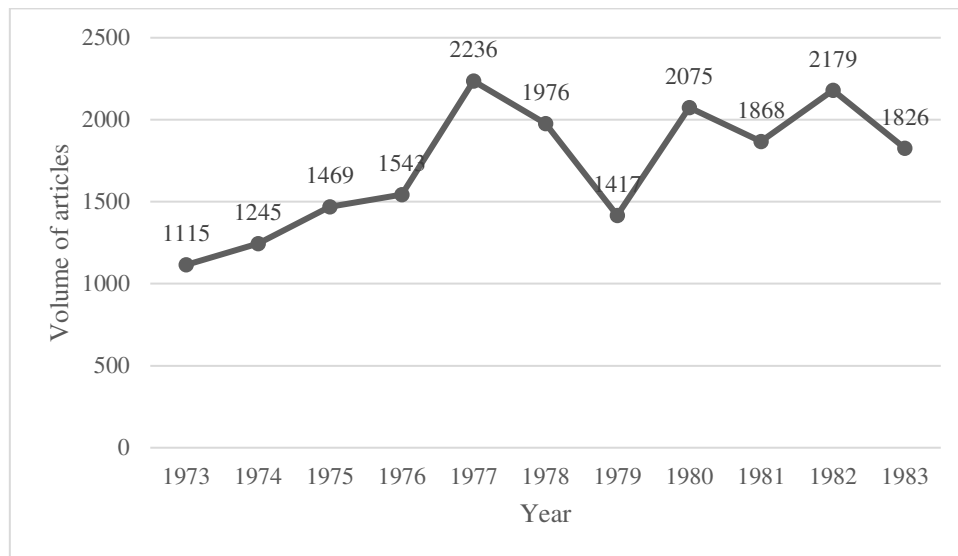
²⁵ Dáil debate, Vol.303 No.7 (14 February 1978).

²⁶ *Irish Times*, 26 September 1978, 11.

²⁷ *Irish Times*, 17 August 1977, 13.

Graph 1: Volume of newspaper articles referring to “vandalism” in Irish Newspaper Archives, 1973-

1983



While this concern over vandalism pertained to juvenile delinquents in general, the opening of Loughan House was aligned with the Buggy Malones in particular.²⁸ This delinquent subculture, whose name derived from a popular movie musical released in 1976,²⁹ comprised around twenty young males aged between ten and sixteen years from Dublin’s north inner city in the 1970s. Their activities included vandalism, joyriding, handbag snatching and jump-overs (the latter a robbery from a bank or business).³⁰ The below image, taken in Summerhill circa 1979, captures a number of members of the original gang:

²⁸ *Evening Press*, 19 April 1978, 9.

²⁹ The Rank Organisation, Goodtimes Enterprises, Buggy Malone Productions and National Film Finance Consortium (Producers) & Alan Parker (Director), 1976, *Bugsy Malone* [Motion Picture], UK, Pinewood Studios.

³⁰ *Evening Press*, 19 April 1978, 9; *Irish Press*, 20 April 1978, 4.

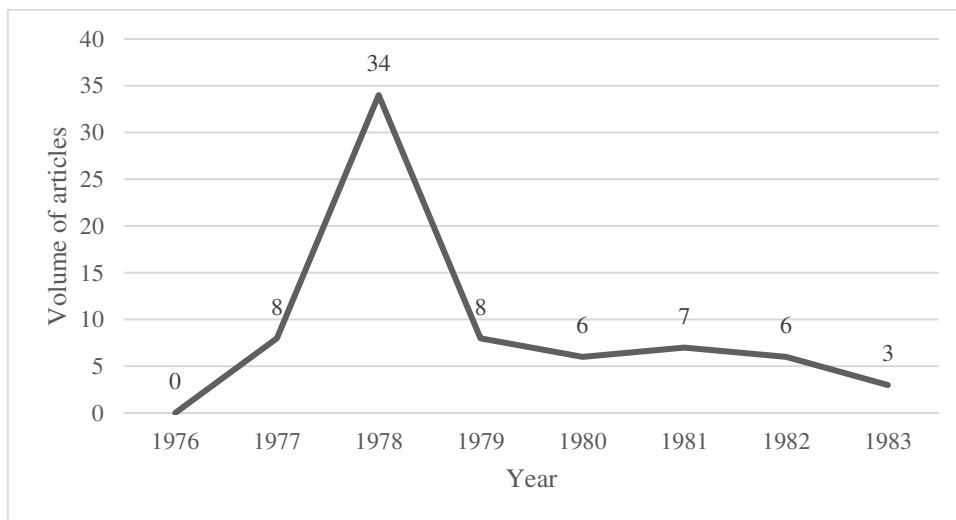
Figure 1: The Buggy Malones, Summerhill, c.1979



Source: Kevin Kearns (USA). From O'Neill G. (Ed.), 2011, *Where Were You? - Dublin Youth Culture & Street Style 1950-2000*, Dublin, Hi Tone Books.

The volume of newspaper coverage, however, dedicated to the Buggy Malones was not extensive. Graph 2 illustrates that even at the peak of the episode in 1978, a mere thirty-four newspaper articles referred directly to the subculture. While juvenile crime in general was certainly a topical issue during the 1970s, the extent to which the Buggys in particular were the focus of public concern is questionable.

Graph 2: Volume of newspaper articles referring to the "Buggy Malone(s)" subculture in Irish Newspaper Archives, 1976-1983.



Consensus

The second characteristic of a moral panic, consensus, outlines that there is a large degree of agreement among the public that the perceived threat is real and is caused by an identifiable group.³¹ Yet contemporary opinion poll data paints an unclear picture of whether there was consensus on this issue. An opinion poll by the *Irish Times/National Opinion Polls* regarding the upcoming June general election was carried out on 27-28 May 1977. Participants were asked what they considered to be the most important election issues. Of those who responded to the question, 68% said that prices/inflation or unemployment were the core issues; 11% taxation; 4% social services; and 2% Northern Ireland and security. Ordinary crime did not even feature.³² Likewise in the next general election in June 1981, crime remained unimportant to voters with just 3% identifying street crime as significant.³³ From these opinion polls, there appeared to be little consensus that crime in general, let alone juvenile crime, constituted a serious threat.

Despite this apparent lack of public concern over crime, the main opposition party, Fianna Fáil, drew attention to a perceived rise in crime in advance of the general election. At the Fianna Fáil Ard Fheis in February 1977, party leader Jack Lynch lamented the “breakdown in law and order” that had occurred under the Fine Gael-Labour Coalition government and the resultant rise in “vandalism, theft and violence”.³⁴ On 3 May 1977, Fianna Fáil TD Joseph Dowling tabled a motion calling on the Dáil to take “serious note of the continuous rise in crime and vandalism in the city of Dublin”.³⁵ In its Action Plan for National Reconstruction, Fianna Fáil promised that “suitable remedial places of detention will be provided for youthful offenders where their detention is found to be necessary”.³⁶

³¹ Goode and Ben-Yehuda (1994, 34).

³² Sinnott (1978, 57).

³³ Kilcommins *et al.* (2004, 133).

³⁴ *Irish Times*, 21 February 1977, 7.

³⁵ Dáil debate, Vol.299 No.1 (3 May 1977).

³⁶ University College Dublin Archives, Fianna Fáil Papers P176/843, “Fianna Fáil General Election 1977: Action Plan for National Reconstruction”, 1977.

While the Bugsys were not named specifically, they certainly fell with the broad remit of this election promise.

Fianna Fáil of course had a vested interest in espousing a law and order platform to undermine their political opponents, but the media also partook of this law and order narrative which suggests a broader consensus surrounding the threat of crime. The *Irish Press* claimed at least 2,000 crimes had occurred in the Store Street area of Dublin city between December 1976 and March 1977.³⁷

Journalists such as Michael Denieffe of the *Irish Independent* pressurised the Taoiseach to address an apparent “juvenile crime wave”, claiming that gangs of youths from the inner city aged under sixteen were “operating increasingly with impunity”. He outlined that one youth had recently been charged with 1,004 offences, and another had caused £17,000 worth of vandalism.³⁸ By May 1977, it seemed there was consensus that juvenile crime had reached menacing proportions.

Hostility

The third moral panic characteristic as outlined by Goode and Ben-Yehuda, hostility, refers to the process by which the press generate folk devils.³⁹ A folk devil is the personification of evil and acts as a scapegoat for social malaise during a perceived crisis.⁴⁰ As the following paragraphs will argue, the press did bestow a folk devil status on the Bugsys, but first and foremost applied a folk hero status.

In accordance with a folk hero representation, innovative and playful descriptions such as “counter-high raiders” and “tiny tot gang”, in addition to Mafioso discourse such as “junior Al Capones”, were applied to the Bugsys.⁴¹ This introduced a sense of levity and novelty surrounding their activities. The

³⁷ *Irish Press*, 9 March 1977, 4.

³⁸ *Sunday Independent*, 22 May 1977, 14.

³⁹ Goode and Ben-Yehuda (1994, 33).

⁴⁰ Hayle (2013, 1131).

⁴¹ *Evening Herald*, 26 April 1978, 8; *Evening Herald*, 20 January 1977, 1.

first published reference to the Buggy Malone gang was made on 20 January 1977 by journalist Liam Ryan of the *Evening Herald*. This was following a jump-over in which £1,400 was stolen from Northern Bank on O’Connell Street by three youths aged between eleven and fifteen.⁴² Their actions were lauded as “daring”, tribute was paid to their intelligence in being “still one step ahead of the Gardaí”, and bank officials were depicted as foolish for allowing the raid to be conducted so easily.⁴³ Such a depiction absolved the Buggys from causing any real harm, and celebrated the delinquent youth gang as displaying bravado and skill in outfoxing the befuddled Gardaí.

Yet as the opening of Loughan House drew nearer, the press’ coverage of the Buggys became darker. On 20 April 1978, the front-page headline of the *Herald* read “If you think Loughan House should not be built meet...The Incredible Godsons”. Journalist Michael Brophy sensationally outlined how “shock” crime figures revealed that a gang of twelve “teenage thugs” who were “terrorising central Dublin” had amassed £150,000. He praised the imminent opening of Loughan as a “top security child prison” and expressed delight that the teenage gang would “almost certainly be the first inmates” of the institution.⁴⁴ Though the Buggy Malones were not directly mentioned by the article, the Mafiosa discourse – “the Incredible Godsons” – aligned with the *Herald’s* previous articles on the Buggys.

There were also two instances of fire-setting attributed to the Buggys by the *Irish Independent* in May and October 1978 which painted the gang in a disturbing light and definitively transformed their image from folk hero to folk devil. Regarding the former incident, a “gang of hardened child criminals” known as the “Buggy Malone Mob”⁴⁵ were blamed for a tenement blaze on Henrietta Street, which left twelve people homeless. During the latter episode, a supposed “training school” for “raw Buggy Malone recruits” on Lower Gardiner Street was set afire. Journalist Tom Shiel described

⁴² *Evening Herald*, 20 January 1977, 1.

⁴³ *Sunday Independent*, 23 January 1977, 8.

⁴⁴ *Evening Herald*, 20 April 1978, 1.

⁴⁵ *Irish Independent*, 1 June 1978, 24.

how “about 100 young children played in the streets as firemen fought the blaze”, climbed on the fire trucks and twisted the “water stopcocks”.⁴⁶ This depiction of children happily playing in the streets, indifferent to the chaos around them and hindering the efforts of firemen, was an unsettling one which hinted at extreme lack of empathy and remorse.

It is worth noting that two newspapers in particular, the *Evening Herald* and *Irish Independent*, predominantly engaged in this hostile coverage of the Bugsys. Both were owned by the Independent News & Media Group, and the *Herald* in particular experienced an intense circulation battle during the 1970s with its nearest rival, the *Evening Press*. The circulation of the *Evening Press* rose by 10% between 1970 and 1978 whereas the *Herald's* circulation declined by 16% during the same period.⁴⁷ This intense competition catalysed increasingly sensationalist and colourful stories to attract readers. As early as 1970, a *Hibernia* article outlined that:

There's a battle of words on the front pages of the evening papers. Every verb is explosive. Ministers rap, Priests slam, Bishops slate, the Pope lashes; nearly every one hits out or steps in; crises proliferate, councils clash, drama is everything. And that's before you get to what happens on the streets.⁴⁸

It seems that hostile newspaper coverage of the Buggy Malones by the *Herald* and its sister paper the *Irish Independent* may have been more the product of this wider circulation battle rather than being truly reflective of popular sentiment.

Disproportionality

While hostile newspaper depictions of the Bugsys featured alongside heroic ones, it is more difficult to evaluate whether disproportionality was a feature of this episode. Disproportionality implies that

⁴⁶ *Irish Independent*, 11 October 1978, 6.

⁴⁷ Ferriter (2012, 307).

⁴⁸ *Hibernia*, 29 May-10 June 1970, Vol.34 No.11, 5.

the subjective threat outweighs the objective harm, and according to Goode and Ben-Yehuda, there are four indicators of this concept. Disproportionality occurs if crime statistics surrounding a phenomenon are exaggerated; if crime statistics are fabricated; if greater attention is paid to one issue over another despite similar levels of threat from each; and if there is greater attention paid to an issue at one point in time compared to a different point in time, despite no change occurring in the objective seriousness of the issue.⁴⁹ Obtaining an empirical measurement of disproportionality, however, is challenging, as official crime statistics often provide a distorted picture.⁵⁰ Petty crime committed by juveniles may have gone unreported, and the number of reported offences may have been underestimated due to internal Garda guidelines such ‘counting rules’ and the ‘primary offence’ rule.⁵¹ The accuracy of such statistics is therefore suspect.

Bearing these limitations in mind, this argument of disproportionality was contemporaneously made by opponents of Loughan House. The Prisoners’ Rights Organisation [PRO] in 1978 published the findings of a survey conducted in Dublin’s north inner city on twelve to sixteen year old male offenders. It found that just 4% of offences committed by this cohort involved assaults against the person, and on this basis the PRO argued that the fear of serious crime being committed by juveniles was disproportionate to the actual “threat to life and limb” they posed.⁵² Moreover a detailed report on young offenders published in 1981 by a staff-student working party in the Department of Social Administration, University College Dublin argued that Loughan was a disproportionate measure as it opened at a time when juvenile crime rates were falling.⁵³ Marie Crowe, writing in the *Irish Press*, mused that this finding was “one that will do the Bugsy Malone clichés no good”.⁵⁴

⁴⁹ Goode and Ben-Yehuda (1994, 36, 43-44).

⁵⁰ Waddington (1986).

⁵¹ O’Donnell (2003, 95-96).

⁵² Prisoners’ Rights Organisation (1978, 1). For a history of the PRO, see Behan (2020).

⁵³ Burke *et al.* (1981, 14).

⁵⁴ *Irish Press*, 18 March 1981, 6.

That conclusion was somewhat hasty, however, as the juvenile crime figures provided by Burke *et al.* need to be viewed with caution. The authors drew on the incorrect crime figures for the year 1978, therefore underestimating the true level of juvenile crime for this period. When the appropriate figures are inserted (see Table I), it reveals that juveniles committed 25.5% of crimes in 1978 as opposed to 21% recorded in the report, and in absolute terms 3,795 offences were committed.⁵⁵ Therefore in absolute terms, the number of offences committed by juveniles was 14% higher in 1978 than in 1961. This was despite the introduction of a Juvenile Liaison Scheme in 1963 which sought to divert young offenders away from the courts system.⁵⁶ Given these statistics (and the inherent problems which accompany the measurement of disproportionality), it cannot be said that Loughan was a disproportionate response to juvenile crime.

Table I: Age group of persons convicted or against whom the charge was held proven and the order made without conviction in the years 1976-80.

Year	Under 14 years	14-under 17	17-under 21	Over 21	Total	Juvenile crime rate (under 17) as a percentage of total persons against whom charges were proven
1976	734	1,888	2,609	5,291	10,552	24.8%
1977	515	1,784	2,844	5,558	10,701	21.5%
1978	912	2,883	4,198	6,893	14,886	25.5%

⁵⁵ See Garda Commissioner (1976-80).

⁵⁶ Burke *et al.* (1981, 15).

1979	684	2,789	3,945	6,338	13,756	25.2%
1980	796	2,198	3,738	6,483	13,215	22.7%

Source: Annual Reports of the Garda Commissioner on Crime, 1976-80.

Volatility

Though disproportionality was not necessarily a feature of the Loughan House controversy, the final characteristic, volatility, is applicable. Volatility implies that the moral panic is short-lived, quickly burns out and is displaced by another episode.⁵⁷ By 1983, the Loughan House controversy and the Bugsy Malones had been largely forgotten, as a new perceived social crisis erupted – this time, centred around teenage joyriders. Following the death of his brother-in-law Peter Collins in Kinsealy in March 1983 by three youths driving a stolen car, Noel Kennelly launched a campaign to pressure the government into taking firmer action against joyriders.⁵⁸ Two years later, in March 1985, in response to the lobbying efforts of Kennelly and the sensationalist reporting of the *Evening Herald*, the government announced a new prison would be opened to tackle the joyriding issue, namely Fort Mitchel Prison on Spike Island, Co. Cork.⁵⁹ While this rise in concern over “teenage tearaways” displaced concern over the Bugsy Malones by 1983,⁶⁰ it is worth noting that both episodes were manifestations of a recurring sense of crisis over youth deviance.

Section II: A clash of interests

The Loughan House controversy therefore broadly meets four of the five characteristics of a moral panic, though significantly, disproportionality cannot easily be deemed a feature of the episode. In

⁵⁷ Goode and Ben-Yehuda (1994, 39).

⁵⁸ National Archives of Ireland, Dublin [hereafter NAI], Department of an Taoiseach [hereafter TSCH] 2015/88/663, “Letter from Noel Kennelly to Taoiseach Garret Fitzgerald”, 4 May 1983; *Evening Herald*, 24 March 1983, 1.

⁵⁹ *Irish Press*, 28 March 1985, 8; Black (2015, 402).

⁶⁰ *Evening Herald*, 17 January 1983, 1.

addition to these five characteristics, Goode and Ben-Yehuda developed three main theoretical models which explain the origins of a panic, namely the grassroots, elite-engineered and interest-group models. The grassroots model outlines that members of the general public create a moral panic with the media simply reflecting this concern; the elite-engineered model argues that elites initiate a moral panic campaign to divert attention away from other pressing social problems; while the third model suggests that middle-class interest groups generate a panic to further their particular agendas.⁶¹ This section applies insights from these models to understand the origins of the Loughan House controversy, while also pinpointing a number of limitations that such models pose for historical research.

The controversy over Loughan House was contemporaneously regarded as a struggle between two main groups, the “law and order brigade” and the “do-gooders”. The “law and order brigade” referred primarily to the Department of Justice, which was perceived as taking a tough stance on the issue of juvenile crime. This term was coined and retrospectively applied to the controversy by Charles Mollan, chairman of the Children First organisation.⁶² This brigade represented the political elite, and yet these elites cannot be regarded as deliberately “engineering” a crisis over juvenile crime; rather, it will be argued that they responded to a long-standing deficit in the juvenile justice system in a manner shaped by a turbulent political context. In contrast, the term “do-gooders” was used widely during the controversy in 1978, and comprised a coalition of activists, practitioners and academics involved in the field of child welfare.⁶³ It will be argued that the response of this interest-group to Loughan was shaped by not only by its concerns surrounding the welfare of children, but also by its concerns over the professional status of social workers.

⁶¹ (1994, 128-140).

⁶² *Irish Times*, 20 June 1981, 13.

⁶³ *Cork Examiner*, 21 February 1978, 14; *Irish Times*, 26 April 1978, 11.

Before proceeding to examine the perspectives of these groups, there are two caveats to note. The first is that these terms were contemporaneously used in a pejorative manner; the phrase “do-gooders”, for instance, was used in scoffing reference to those “who believe that crime is symptomatic of the society in which we live and that we should not be too hard on the criminal”.⁶⁴ Moreover there was criticism inherent in Mollan’s employment of the term “law and order brigade” as Children First was vociferously opposed to Loughan House.⁶⁵ While not intending to undermine the seriousness of the debate surrounding Loughan, or reproduce any such negative connotations, this article nevertheless deems it appropriate to use the terms given their prominence at the time of the Loughan House controversy. Second, it should be noted that these categories represent a certain mindset rather than a distinctive group of individuals; this point will be further explored throughout the following paragraphs.

The law and order brigade

In order to understand the mindset of the law and order brigade during the Loughan House controversy, it is necessary to situate this within the backdrop of the Northern Ireland conflict known as the Troubles. The Troubles had two major implications for Loughan House. First, it indirectly resulted in a deficit in the juvenile justice system which meant that by 1977, an institution for young offenders was seen as a long overdue necessity. Second, it directly shaped the dismissive attitudes of the law and order brigade towards the do-gooders. These issues will be addressed in turn.

Regarding the deficit in the juvenile justice system, the two main institutions for young offenders in the state, Marlborough House and Daingean Reformatory, had closed in August 1972 and October 1973 respectively on the basis of the recommendations of the Report of the Commission of Inquiry

⁶⁴ Dáil debate, Vol. 334 No. 2 (5 May 1982).

⁶⁵ *Evening Herald*, 27 February 1978, 4.

into Industrial and Reformatory Schools [the Kennedy Report] (1970).⁶⁶ Though alternative institutions such as Scoil Ard Mhuire and St Laurence's were intended to fill this gap in the juvenile justice system, the religious orders who ran these institutions refused to cater for "disruptive" boys as they did not want a reputation as "gaolers".⁶⁷ This essentially meant that between the closure of Daingean in 1973 and the opening of Loughan House in 1978, juvenile offenders aged between twelve and sixteen could act with impunity in the sense that no custodial institutions were available for their detention.⁶⁸

Two key reports published in August 1974 and September 1975 respectively, the Second Interim Report of the Interdepartmental Committee on Mentally Ill and Maladjusted Persons [Henchy Report],⁶⁹ and the Interim Report of the Task Force on Childcare Services [Task Force Report],⁷⁰ advocated the establishment of an institution to cater for young offenders aged under sixteen. It took over two years and a change of government for these reports to be considered, and the Troubles largely explains this delay. This political conflict meant that resources were directed away from "basic police duties" towards the policing of republican organisations.⁷¹ The murders of Gardaí Richard Fallon, Michael Reynolds and Michael Clerkin during the 1970s by republicans further intensified the preoccupation of the Fine Gael-Labour Coalition government with the Troubles,⁷² and a consequence of this tunnel vision was the neglect of a serious deficiency in the juvenile justice system.

⁶⁶ NAI, TSCH 2005/7/94, "Review of the present condition in relation to the major recommendations in the Kennedy Report".

⁶⁷ NAI, Office of the Attorney General 2005/77/73, "Memorandum from the Attorney-General to Mr Matthew Russell", 21 October (c.1974).

⁶⁸ There is a caveat to be noted here. A sixteen-year old could be sentenced to St Patrick's Institution, while a fifteen-year old deemed by a court as "unruly and depraved" could be committed to a prison; NAI, TSCH 2005/7/94, "Review of the present condition in relation to the major recommendations in the Kennedy Report".

⁶⁹ Interdepartmental Committee on Mentally Ill and Maladjusted Persons (1974, para.5.4.).

⁷⁰ Task Force on Childcare Services (1975).

⁷¹ Garda Commissioner (1973); Conway (2014, 98-151).

⁷² Ferriter (2012, 331-335).

In September 1977, a newly-appointed Fianna Fáil government under Taoiseach Jack Lynch established a project team to consider the recommendations of the Henchy and Task Force Reports.⁷³ During its fourth meeting on 12 October 1977, Risteard MacConchradha, a Principal Officer in the Department of Justice, was appointed to the project team at the behest of Minister for Justice Gerry Collins and Parliamentary Secretary to the Minister for Education James Tunney. MacConchradha told the team that Collins and Tunney wanted the matter addressed with the “utmost urgency” and a decision would have to be made within a fortnight.⁷⁴ During the sixth meeting on 2 November 1977, MacConchradha forwarded Loughan House as a temporary solution and the project team accepted his proposal. There was no explanation given as to why Loughan was chosen.⁷⁵

There was a degree of secrecy surrounding Loughan; for instance, Collins refused to disclose which persons or organisations he had consulted in relation to the institution, and it seems no government files in relation to the operation and management of the institution survive.⁷⁶ The Department of Justice had always been notoriously secretive and insular since the foundation of the state, and the Troubles cannot be blamed for the Department’s seeming independence and imperviousness to external criticism.⁷⁷ Yet one of the main indicators of how the Troubles shaped the attitudes of the Department of Justice was through their adoption of the term “do-gooders” to describe those who opposed Loughan. For instance, Collins was highly critical of the do-gooders who “pilloried” him because of his decision to open Loughan.⁷⁸ The term “do-gooders” became ingrained in political discourse in May 1977 when Taoiseach Liam Cosgrave at the Fine Gael Ard Fheis lambasted the “do-gooders” who were calling for civil liberties and “waging a malicious campaign of vilification” against the Gardaí and prison officers.⁷⁹ He criticised one newspaper in particular for waging this

⁷³ NAI, TSCH 2007/116/617, “Statement issued on behalf of Mr James Tunney, T.D., Parliamentary Secretary to the Minister for Education”, 8 September 1977.

⁷⁴ Commission to Inquire into Child Abuse [hereafter CICA] (2009, para.350).

⁷⁵ CICA (2009, paras.353-354).

⁷⁶ Dáil debate, Vol.306 No.1 (2 May 1978).

⁷⁷ O’Donnell (2008).

⁷⁸ Dáil debate, Vol. 320 No.1 (29 April 1980).

⁷⁹ *Irish Times*, 23 May 1977, 10.

campaign - this was a thinly veiled reference to the *Irish Times*,⁸⁰ which had broken the story of the so-called Heavy Gang three months earlier.⁸¹ The Heavy Gang constituted “a loose affiliation of Gardaí drawn from different sections of the Force and specialising in extracting information under interrogation” from suspected members of the Irish Republican Army.⁸² The transference of the term “do-gooders” from those who criticised Garda interrogation techniques of politically-motivated suspects to opponents of Loughan House suggests that the Troubles engendered a dismissive attitude towards anyone who criticised the state, regardless of the validity of their concerns.

The do-gooders

While the turbulent backdrop of the Troubles shaped the actions and attitudes of the law and order brigade, the do-gooders approached the issue of youth deviance from a different mindset. The do-gooders regarded young offenders as deprived rather than depraved, and their overall childcare ethos is perhaps best summed up by the preface to the Kennedy Report: “all children, need love, care and security if they are to develop into full and mature persons”.⁸³ To the fore of the do-gooders was the Campaign for the Care of the Deprived Child [CARE], founded in December 1970 in response to the Kennedy Report. Its four hundred members comprised “personnel in child services, social workers, lawyers, teachers and psychiatrists”.⁸⁴ In line with the Kennedy Report, CARE espoused non-custodial sanctions for young offenders, a focus on care and treatment rather than punishment, and investment in communities and families to enable them to support the social and personal development of children.⁸⁵

⁸⁰ *Sunday Independent*, 22 May 1977, 1.

⁸¹ *Irish Times*, 14 February 1977, 1.

⁸² Kilcommins *et al.* (2004, 209).

⁸³ Committee on Reformatory and Industrial Schools (1970).

⁸⁴ *Cork Examiner*, 11 March 1978, 24.

⁸⁵ CARE (1972, 3).

In February 1978, CARE officially launched its campaign against Loughan with the publication of its booklet *Who Wants a Children's Prison in Ireland?*⁸⁶ It was among eleven organisations which campaigned against Loughan during mid-1978: the other ten organisations included the Irish Association of Social Workers; the Royal College of Psychiatry (child section); the Psychological Society of Ireland; Children First; the Social Work Education Consultative Council; the Irish Council for Civil Liberties; the Irish Association of Democratic Lawyers; the Prisoners' Rights Organisation; the Labour Women's National Council and the Political Social Workers' Group.⁸⁷ On 7 March 1978, these eleven organisations sent a letter to Collins requesting a meeting to discuss Loughan.⁸⁸ The letter went unacknowledged for a month having inadvertently gone to the Office of the Taoiseach rather than to the Department of Justice. When Collins finally did respond to the letter in April, he deemed the protest groups “mischievous” and accused them of trying to “torpedo” the Loughan House project.⁸⁹ This significantly increased tensions between the law and order brigade and the do-gooders.

Collins eventually agreed to the do-gooders' request for a meeting,⁹⁰ but adopted a pick 'n' mix approach when he refused to meet with the final five of the eleven groups listed above.⁹¹ Collins clarified that:

I will meet those organisations who have a genuine professional interest in this problem but I am not prepared to meet the organisations who are for hire to create a lot of trouble for the sake of causing it.⁹²

An internal government memorandum on Loughan House demonstrates that it was the involvement of the PRO in the campaign that made the law and order brigade suspicious of the do-gooders as a

⁸⁶ CARE (1978); *Irish Press*, 1 March 1978, 7.

⁸⁷ *Irish Times*, 2 May 1978, 1.

⁸⁸ *Connacht Tribune*, 31 March 1978, 4.

⁸⁹ *Irish Independent*, 17 April 1978, 10.

⁹⁰ NAI, TSCH 2011/127/390 Detention Homes for Young Offenders, 1978.

⁹¹ Dáil debate, Vol.306 No.1 (2 May 1978).

⁹² *Ibid.*

whole. This memorandum, dated 11 April 1978, outlined that the PRO “appears to be composed basically of professional criminals, Official Sinn Féin, Saor Éire and Communists and anarchists”, and that one of its members was suspected of the murder of Garda Michael Reynolds.⁹³ Collins went so far as to claim that the entire campaign against Loughan was “spearheaded by the PRO, who don't want prisons for anybody”.⁹⁴ His interpretation of the motives of the do-gooders reiterates the extent to which the controversy was regarded by the law and order brigade through the prism of the Troubles.

Despite the determined efforts of the do-gooders, Loughan opened on 27 October 1978.⁹⁵ In spite of the fiery exchanges which took place between the do-gooders and the law and order brigade, there was actually a surprisingly strong degree of consensus between these two factions. Both sides agreed that juvenile offending was a complex problem requiring long-term solutions;⁹⁶ that there was need for a secure location where a small number of teenage offenders could be detained;⁹⁷ and that the Task Force recommendations should be adhered to.⁹⁸ The Task Force had advocated that a special school containing secure, intermediate and open units should be opened near Dublin for young offenders.⁹⁹ The law and order brigade maintained that Loughan did not violate the Task Force recommendations as the institution was simply acting as an interim measure until a special school at Lusk in North County Dublin was opened.¹⁰⁰ This promise was followed through as Loughan was closed following the opening of Trinity House in Lusk in March 1983.¹⁰¹

⁹³ NAI, TSCH 2011/127/390, “Memorandum for the Government on Loughan House”, 11 April 1978.

⁹⁴ *Irish Press*, 21 April 1978, 4.

⁹⁵ *Irish Times*, 28 October 1978, 8.

⁹⁶ Dáil debate, Vol.306 No.1 (2 May 1978).

⁹⁷ *Irish Independent*, 10 February 1978, 7; *Irish Independent*, 17 April 1978, 10; *Irish Press*, 24 April 1978, 8.

⁹⁸ Dáil debate, Vol.306 No.1 (2 May 1978); *Irish Independent*, 5 April 1978, 6.

⁹⁹ Task Force on Childcare Services (1975, para.6.5.8.).

¹⁰⁰ Dáil debate, Vol.306 No.1 (2 May 1978).

¹⁰¹ Seanad debate, Vol.108 No.4 (9 May 1985).

These three principles of consensus should have been sufficient to place both sides, if not on the same page, then in the same book regarding Loughan House. But from the perspective of the do-gooders, the controversy was not solely about best practice surrounding child welfare. An additional motive which underpinned the opposition of the do-gooders to Loughan concerned the status and position of professional social work in the Republic. The period 1970 to 1998 was characterised by the emergence of an assertive body of professional social workers who laid claim to the space of child care services in order to emphasise their professional authority.¹⁰² CARE played a core role during this transitional period, its lobbying efforts contributing to the establishment of the Task Force on Childcare Services in October 1974.¹⁰³ Indeed the chairman of CARE, Mr Séamus Ó Cinnéide, comprised one of the original ten members of this Task Force.¹⁰⁴ His appointment marked a milestone for the social work profession, verifying its important role in the area of child welfare.

The Loughan House controversy, however, represented the first major challenge to the profession's growing prominence. CARE was not consulted by the law and order brigade prior to the decision to open Loughan House,¹⁰⁵ and moreover, prison officers rather than professional social workers were appointed to staff the institution.¹⁰⁶ CARE complained that:

There will be as many prison officers guarding the imprisonment of children in Loughan House as there are social workers employed by the Eastern Health Board which serves an area with a population of more than a million.¹⁰⁷

It seemed there was a degree of ideological exploitation at play, with the do-gooders using Loughan as a springboard to assert their professional status.¹⁰⁸ This is reminiscent of Foucault's comment on the increasing intersection of psychiatry and criminal law in the nineteenth century: "what was

¹⁰² Skehill (2000, 609-701).

¹⁰³ *Irish Times*, 9 May 1978, 10.

¹⁰⁴ Task Force on Childcare Services (1975).

¹⁰⁵ *Irish Independent*, 5 April 1978, 6; Seanad debate, Vol.88 No.4 (15 February 1978).

¹⁰⁶ *Irish Press*, 24 April 1978, 8.

¹⁰⁷ CARE (1978, 9); Seanad debate, Vol.90 No.8 (13 December 1978).

¹⁰⁸ Hamilton (2005, 9).

involved was less a field of knowledge to be conquered than a modality of power to be secured and justified".¹⁰⁹ The Loughan House controversy was not simply a clash of interests surrounding the appropriate treatment of delinquency, but also involved an underlying struggle to secure and justify the professional status of social workers.

Weaknesses of MPT models

While the above models act as a useful framework, such an approach neglects that (1) it is difficult to disentangle the respective roles played by the public, elites and interest-groups as often the boundaries between these groups are permeable, (2) the proffered explanation of a moral panic is only as good as the surviving source material, and (3) a multiplicity of contested historical voices renders the application of this framework reductive if not redundant. These limitations will be outlined in turn.

First, the law and order brigade and the do-gooders should not be considered rigid entities. While many of those in the law and order brigade were career civil servants, and therefore not necessarily *au fait* with best practice surrounding childcare, there were some whose views aligned with those of the do-gooders. For instance, Risteard MacConchradha shared an affinity with the do-gooders in terms of favouring a more humane approach to child welfare, and had served as a member of the committee which produced the Kennedy Report.¹¹⁰ Such an overlap demonstrates the difficulty (and undesirability) of generating fixed categories of identity, and reasserts that the terms "law and order brigade" and "do-gooders" should be regarded as a mindset rather than as an identifiable cohort of actors.

¹⁰⁹ Foucault (1990, 133-134).

¹¹⁰ Keating (2014).

Moreover, this apparent clash of interests between the law and order brigade and the do-gooders masks the fact that such an explanation is only as good as the source material that survives. The historical archive is a site of “epistemic and political struggle” whereby select voices are preserved and other voices are dispossessed.¹¹¹ For instance, a grassroots effort to draw attention to the deficit in the juvenile justice system was made by four priests of Our Lady of Lourdes Church on Sean McDermott Street in Dublin’s north inner city, Morgan Costelloe, Gerard McGuire, Paul Lavelle, and Peter McVerry. On 17 May 1977, they wrote an open letter to Taoiseach Liam Cosgrave calling for “immediate emergency legislation introducing enlightened custodial care for young offenders under sixteen years”.¹¹² It is noteworthy that “enlightened custodial care” was called for; the priests appeared to be aligning themselves with the humane approach of the do-gooders, though the call for decisive “emergency legislation” corresponds with a law and order brigade mentality. This letter was taken seriously by Cosgrave, who promised Costelloe that “the Government are prepared to take whatever steps are necessary to safeguard members of the public”.¹¹³ Increased resources were allocated to Garda foot patrols in the Store Street area, and five hundred extra Gardaí were recruited.¹¹⁴ In its early stages, the grassroots initiative therefore successfully elicited a significant criminal justice response.

In June 1977, however, Cosgrave was replaced as Taoiseach by Jack Lynch, which altered the political situation considerably. Fr Morgan Costelloe sent a letter to Lynch on 26 August commenting that the problem of young offenders was “out of control again” and calling for the government to open some “closed units as a temporary measure in an existing establishment”,¹¹⁵ but there is no record of an official response to his letter. The historical trail on the impact of this grassroots effort runs cold at this stage, though this may simply reflect the absence of relevant archival material rather than the failure of this grassroots initiative to similarly influence Lynch to the same extent as his predecessor.

¹¹¹ Mawani (2012, 340).

¹¹² NAI, TSCH 2007/116/617 Detention Homes for Young Offenders.

¹¹³ NAI, TSCH 2007/116/617, “Letter from Liam Cosgrave to Father Costello”, 10 June 1977.

¹¹⁴ NAI, TSCH 2007/116/617, “Letter from D.Cole to F.Murray”, 14 June 1977.

¹¹⁵ NAI, TSCH 2007/116/617, “Letter from Morgan Costelloe to the Taoiseach”, 26 August 1977.

While the grassroots model may be relevant to the Loughan House controversy, the fragmentary nature of surviving source material means that this strand remains largely unexplored.

It is also worth noting that there were a multiplicity of voices involved in this controversy apart from the law and order brigade and the do-gooders. The Gardaí, for instance, welcomed Loughan on the basis that young offenders were “far better there than loose in a university of crime on the streets”.¹¹⁶ Likewise, commercial lobby groups such as the City Centre Business Association gave the Minister for Justice “full backing” in his Loughan House initiative.¹¹⁷ And yet these latter voices rarely feature in contemporary newspaper coverage or archival records surrounding the episode, resulting in exiguous attention paid to them throughout this paper. In this sense, statistical frequency is the measure used by historians to gauge the weighting and significance of contested voices, which imperfectly prioritises quantity over quality. From this perspective, a moral panic framework is, at best, reductive by prioritising certain voices over others, and at worst, redundant as the contemporary meaning of and reception to contested voices can never be fully unravelled by even the most discerning of historians.

Section III: The failure of political imagination

In addition to the characteristics and provenance of moral panics as considered by Sections I and II, there is a further criteria against which moral panics must be evaluated, namely punitiveness. This concept of punitiveness, usually measured by the introduction of harsh legislation and/or imposition of long custodial sentences, tends to be automatically (and unquestioningly) invoked in moral panic literature. Certain episodes such as the London Crime Wave of 1744,¹¹⁸ day care sexual abuse in

¹¹⁶ *Garda Review*, April 1978, Vol.6 No.4, 1.

¹¹⁷ *Irish Press*, 26 April 1978, 3; *Irish Times*, 2 May 1978, 1.

¹¹⁸ Ward (2012).

1980s America¹¹⁹ and hit and run traffic offences in Israel in the 2000s accord with this punitive pattern,¹²⁰ but this concept is worth interrogating further in relation to Loughan House.

On the one hand, Loughan was run directly by the Department of Justice and was staffed by ninety-five prison officers, which lends credence to the view that its teenage detainees were being subjected to a punitive regime.¹²¹ Moreover Loughan was situated in the remote area of Blacklion, which made it difficult for parents to visit their children,¹²² and so arguably increased the pains of imprisonment of the young people detained there. Brangan has coined the term ‘pastoral penalty’ to describe a progressive form of penal politics in 1970s Ireland, a pillar of which involved the facilitation of prisoners returning to their family and local community through temporary release schemes.¹²³ No such concern for the importance of maintaining family connections played a role in the opening of Loughan House, which challenges the extent to which pastoral penalty applied to the juvenile justice system. Minister of State at the Department of Education James Tunney admitted the institution was opened in response to “public concern about juvenile crime and its consequences”,¹²⁴ which implies a populist and punitive underpinning to Loughan.

On the other hand, it is too simplistic to deem Loughan a purely punitive measure. Collins described the function of the institution as to provide “secure and humane custody”¹²⁵ while simultaneously acting as “a good deterrent to young people”.¹²⁶ While seeking to “protect the community”, Collins also articulated that youths “are being trained to be channelled back into society again”.¹²⁷

¹¹⁹ Bandes (2007).

¹²⁰ Gur-Arye (2017).

¹²¹ Dáil debate, Vol.306 No.1 (2 May 1978).

¹²² *Irish Times*, 17 October 1978, 13.

¹²³ Brangan (2021).

¹²⁴ Dáil debate, Vol.309 No.1 (2 November 1978).

¹²⁵ Dáil debate, Vol.311 No.7 (14 February 1979).

¹²⁶ Dáil debate, Vol.306 No.1 (2 May 1978).

¹²⁷ Dáil debate, Vol.320 No.1 (29 April 1980).

Rehabilitation, incapacitation and deterrence were therefore all philosophies that underpinned the institution, which suggests that Loughan was not purely constructed on punitive foundations.

Punitive political rhetoric was also notably absent from discussions surrounding Loughan. Collins, for instance, described the institution as:

...scenically situated on over 40 acres of landscaped grounds. It has 46 furnished and centrally heated and spacious study-bedrooms...The grounds provide football pitches, a volley-ball court, a full scale pitch and putt course, and there are facilities for swimming, boating and fishing on the lake.¹²⁸

Senator Mary Robinson criticised Collins for his “tourist brochure description” of Loughan House,¹²⁹ and indeed, the below image of Loughan belies a rather imposing building situated in a bleak and inhospitable landscape:

Figure 2: Image of Loughan House



Source: Reproduced from Annual Report on Prisons 1976, 38.

¹²⁸ Dáil debate, Vol.306 No.1 (2 May 1978).

¹²⁹ Seanad debate, Vol.88 No.4 (15 February 1978).

While language can often mask the “underlying realities of the system”¹³⁰, and although Collins’ description of Loughan was somewhat embellished, nevertheless the welfarist rhetoric in which Loughan was ensconced challenges the extent to which it can be construed as a punitive response. Detainees in the institution received substantial educational and recreational opportunities. Eight teachers from the Cavan Vocational Education Committee tutored the boys in remedial education, general subjects, and practical subjects such as arts and crafts.¹³¹ A wholesome food menu was provided – dinner on Wednesday afternoons, for instance, comprised “mushroom soup; steak and kidney pie or lamb chop; Brussels sprouts or carrots; creamed or boiled potatoes; lemon meringue or fruit flan”.¹³² While precise sentencing data on all Loughan detainees is unavailable, by December 1979, twenty-three youths had been released or transferred from Loughan having spent an average of five months detained there.¹³³ “Lock ‘em up and throw away the key” was therefore not the approach taken by the law and order brigade in relation to Loughan.

The Loughan House controversy causes us to question conventional proxies such as sentence length in defining punitiveness, and moral panic research thus far has been slow to embrace an expanded understanding of this admittedly nebulous concept. O’Sullivan and O’Donnell’s work on coercive confinement has highlighted that an institution which, on paper, is premised on a welfare-based ethos can be experienced as punitive by the individual who is involuntarily confined there.¹³⁴ There are scant first-hand accounts of life in Loughan by inmates which makes the lived experience of the institution difficult to assess and therefore its degree of punitiveness difficult to measure. It is worth noting, however, that the direct alternative to Loughan, reformatory schools (which were established in Ireland in the mid-nineteenth century, run by religious orders and ostensibly based on welfarist principles),¹³⁵ proved to be notorious sites of physical, psychological, emotional and sexual abuse.¹³⁶

¹³⁰ O’Sullivan (1979, 225).

¹³¹ Dáil debate, Vol.309 No.1 (2 November 1978); Dáil debate, Vol.308 No.8 (26 October 1978).

¹³² Dáil debate, Vol.308 No.8 (26 October 1978).

¹³³ Dáil debate, Vol.317 No.6 (6 December 1979).

¹³⁴ O’Sullivan and O’Donnell (2012).

¹³⁵ Fahy (1942, 57).

¹³⁶ CICA (2009); Raftery and O’Sullivan (1999).

Though ostensibly the Department of Education was responsible for monitoring reformatory schools, in reality religious orders enjoyed significant freedom from accountability and oversight.¹³⁷ Ironically, the fact Loughan was run directly by the Department of Justice (perceived by the do-gooders as a punitive measure) may have increased its mechanisms for accountability and limited the possibility of such abuse emerging.¹³⁸

While Loughan did not necessarily cause members of the Bugsys much harm beyond the deprivation of liberty, it did not serve them much good either. In 1985, a journalist with *Magill* magazine, Mark Brennock, examined what had happened to the Bugsys. He found that:

All of the first twenty inmates of Loughan House served further prison sentences. Several are addicted to heroin. One was shot dead by a detective during an attempted armed raid on the B&I terminal on North Wall. One was killed crashing a stolen car. The two passengers in the car were injured. Both had been in Loughan House.¹³⁹

Brennock's article reveals that in practice, Loughan only served as a temporary form of incapacitation for these marginalised youths, because neither the rehabilitative nor deterrent philosophies underlying the institution translated into reality. Loughan House, it seems, was an exercise in futility rather than punitiveness.

Moreover, although Loughan was not necessarily a punitive measure, it was a heuristic one, which reveals a failure of political imagination. The Irish state traditionally relied on institutional solutions to social problems, and Loughan was simply another manifestation of this tendency. While institutions such as industrial and reformatory schools, mother and baby homes, psychiatric hospitals

¹³⁷ CICA (2009, Vol.IV).

¹³⁸ Though there is a caveat to note here. In October 1981, two prison officers appeared before Dowra District Court charged with the physical assault of a sixteen-year old detainee of Loughan. These charges, however, were dismissed by District Justice J.H. Barry as "ridiculous" and "unwarranted"; *Irish Times*, 2 October 1981, 11.

¹³⁹ *Magill*, 21 March 1985, Vol.8 No.9, 36.

and Magdalen Laundries had existed prior to the creation of the Irish Free State in 1922, political independence marked an intensified reliance on these institutions which served as repositories for the “difficult, the disturbed, the deviant and the disengaged”.¹⁴⁰ By the 1950s, Ireland’s level of coercive confinement exceeded 1000 per 100,000 population - in other words, 1% of the Irish population was incarcerated throughout the 1950s. Though the rate of coercive confinement declined thereafter, Loughan reveals that this legacy of an institutional response to perceived social crises persisted.¹⁴¹ There was a profound failure to imagine alternative policy responses. Those who opposed Loughan suggested that day attendance centres, neighbourhood youth projects, hostels, specialised fosterage for difficult offenders and education projects be used as alternative measures,¹⁴² but the Department of Justice was not receptive to such suggestions. Even today, with regard to the expanded usage of direct provision centres for asylum seekers, it could be argued that Ireland has not yet managed to shake its heuristic strategy of adopting institutional solutions (regardless of how ineffective such solutions proved in the past).¹⁴³

Section IV: The allure of moral panics

Can it be definitively said that Loughan House constituted a moral panic in 1970s Ireland? Quite simply, no, though this may simply reflect the lack of precision of the moral panic concept rather than the nature of the episode itself. Despite these challenges in pinning down its key characteristics and explaining the foundations of moral panic episodes, MPT remains an alluring blueprint. This section outlines two key reasons for its continued allure based on conceptual and affective values.

In terms of its conceptual value, MPT makes important theoretical, historical and policy contributions. On a theoretical level, MPT does not necessarily provide the researcher with answers to questions, but

¹⁴⁰ O’Sullivan and O’Donnell (2012, 5).

¹⁴¹ *Ibid.* (9).

¹⁴² CARE (1978, 32).

¹⁴³ O’Donnell and O’Sullivan (2020, 12-14).

it certainly allows the right questions to be asked. For instance, throughout this paper, a moral panic lens has shed valuable insight into the manner in which the contemporary press engaged in a dual romanticisation and demonisation of the Buggy Malones; the motivations and mentalities of key groups involved in the Loughan House controversy; and the necessity of reconceptualising punitiveness within moral panic studies. Its usefulness lies in this exploratory rather than explanatory power. Howard Becker's assertion that "labelling theory" (which serves as one of the core intellectual bases of MPT) is less a theory and more of an orientation, similarly applies here.¹⁴⁴ MPT is a misnomer, as it is best regarded as a loose framework rather than a robust and all-encompassing theoretical approach; moral panic orientation [MPO] is therefore a more appropriate term.

An additional theoretical contribution offered by a MPO is its partner in crime, the folk devil. As David Garland has noted, most academics spend their careers trying to generate at least one influential concept. Stanley Cohen, in his book *Folk Devils and Moral Panics*, generated two,¹⁴⁵ but the attention paid to the latter has led to the superficial treatment of the former. It is assumed the folk devil is the outcome of the moral panic process rather than being a separate entity in its own right. This article, however, highlights that folk devils such as the Buggy Malones can exist even in the absence of a moral panic. These concepts therefore need to be "theoretically divorced" in order to gain a more nuanced understanding of how ordinary deviants are transformed into folk devils, and the implications of this transformation for individual identity, societal reaction and criminal justice responses.¹⁴⁶

Though the moral panic lens adopted throughout this paper reveals very little about the actual folk devils during the Loughan House controversy, it sheds extensive light into the zeitgeist of 1970s Ireland. It captures the impact of the Troubles upon everyday criminal justice policymaking, the struggles faced by a burgeoning social work profession, and the influence of an increasingly

¹⁴⁴ Petrunik (1980, 214).

¹⁴⁵ Garland (2008, 9-10).

¹⁴⁶ Hayle (2013, 1135).

competitive newspaper market on the nature of journalistic output. Historical context is an integral part of understanding moral panics,¹⁴⁷ and a MPO helps to identify why a particular episode results in a particular criminal justice response at a particular point in time. It therefore makes an important contribution to an understanding of criminal justice history.

Alongside these theoretical and historical contributions, a MPO also has significant practical policy implications. As Section III has outlined, the heuristic reliance on institutional responses to social problems continues to bear relevance in Ireland of 2021 regarding direct provision centres.

Furthermore, though Susan Bandes has argued that the moral panic lens is purely retrospective and cannot help to prevent future injustices from occurring, this underestimates the extent to which a historical lens can help to prevent undesirable policy outcomes.¹⁴⁸

For instance, the memory of the Bugsy Malones was mobilised to powerful effect in the 1990s in what has been described as a “textbook case of moral panic”.¹⁴⁹ The murders of Detective Garda Jerry McCabe and journalist Veronica Guerin in June 1996 sparked moral outrage in Irish society and led to a determined punitive response by the government characterised by the swift enactment of new legislation. One of the pieces of legislation introduced, the Criminal Justice (Drug Trafficking) Act, extended the powers available to the Gardaí in the case of suspected drug traffickers.¹⁵⁰ In an Oireachtas debate on the Bill, Senator Willie Farrell made the following argument in its favour:

How many of today's godfathers were the Bugsy Malones of the 1970s? When Fianna Fáil was in power it decided to try to get the Bugsy Malones under control. However, the liberal agenda was popular at that time, so it did not get too far...Bear in mind too that, despite the

¹⁴⁷ Klocke and Muschert (2010, 302).

¹⁴⁸ Bandes (2007).

¹⁴⁹ O'Donnell (2005, 106).

¹⁵⁰ No.29 of 1996.

current anger in society, there will be many protests against the new laws from representatives of the liberal agenda. However, we must be brave and pass the laws.¹⁵¹

Contrary to Senator Farrell's questionable interpretation of the Loughan House controversy, the "liberal agenda" did not win in the 1970s. The law and order brigade actually prevailed over the do-gooders, which raises the spectre of the undesirable consequences that emerge when history is inadvertently or deliberately ignored.

Robert Merton wrote of five conditions that can generate such undesirable policy outcomes.¹⁵² As Windle *et al.* have argued, by studying processes that led to good or bad policy outcomes, adopting a long-term context to frame the present problem, and highlighting the continuity of the problem to help avoid knee-jerk policies, historical approaches to crime can help to prevent these unanticipated consequences from emerging.¹⁵³ Lessons can be learned from history, but care needs to be taken to ensure the narrative being taught is accurate. Otherwise history can be distorted, manipulated, and, as this Seanad debate shows, completely re-imagined to justify equally ill-informed and counterproductive policy measures. The value of a MPO is therefore not purely retrospective, but rather it continues to bear relevance within the current policy arena.

The moral panic concept therefore possesses conceptual value from theoretical, historical and policy perspectives, and this article posits that the allure of this concept also lies in its affective value. It not only acts as a lens to constructively analyse the past (in a way that benefits the present), but also fulfils the emotional needs of the present (thereby guaranteeing its continued academic usage). There are a range of emotional responses that a MPO elicits among researchers and readers, and the following paragraphs will briefly outline three such possible responses.

¹⁵¹ Seanad debate, Vol.148 No.8 (3 July 1996).

¹⁵² Merton (1936).

¹⁵³ Windle *et al.* (2018, 9).

The first affective response often triggered by a moral panic study is a sense of indignation. The moral panic concept has been accurately criticised for its normative implications, in that it dismissively implies a hysterical over-reaction by society to a group of deviants who, in reality, are mostly harmless. In placing the blame for the episode on societal over-reaction, indignation at the unfair treatment of deviants is evoked. This romanticised view of deviants as misunderstood rather than monstrous speaks to a left-wing bias inherent within the criminological discipline, which prefers to side with marginalised folk devils over the powers that be.¹⁵⁴ This sense of indignation allows us to place ourselves righteously on the side of the angels by defending the reputations of folk devils.

A second affective response to a MPO is one of satisfaction. In a moral panic situation, there is always a puzzle to be solved about who generated the moral panic and for what purpose. The elite-engineered model is a particularly attractive approach in this regard, as it allows a seemingly impenetrable situation to be intellectually solved by reference to core human motivations such as financial profit, self-preservation or self-interest. A moral panic narrative makes for an exciting story, full of intrigue and mystery, and authors and readers of such a narrative are essentially acting as armchair detectives in unravelling the puzzle it presents – a satisfying and intellectually stimulating past-time.

A third affective response which can be sparked by moral panic studies is desire. An intrinsic allure can sometimes accompany the act of transgression,¹⁵⁵ and moving “beyond the edges of acceptability” can prove a liberating experience.¹⁵⁶ Although the breaking of certain boundaries can often lead to negative repercussions, immersion in the trials and tribulations of folk devils from a distance enables the partaking of deviance without the negative implications of being labelled as such. The publication

¹⁵⁴ Jenkins (2009, 36).

¹⁵⁵ Young (2011); Young (2009).

¹⁵⁶ O’Neill and Seal (2012, 3).

of Jack Katz's *Seductions of Crime* in 1988 marked a ground-breaking exploration of the offender's experience of committing crime and the attractive, "spiritual beauty" of emotions such as rage and violence.¹⁵⁷ A moral panic episode, and the array of emotional responses it evokes, strongly aligns with Katz's argument surrounding the seductive power of crime.

A moral panic perspective therefore serves the emotional needs of both researchers and readers, and there are two further affective reasons, specific to an Irish context, which explain why a moral panic narrative of the Loughan House controversy has proven so attractive in folk memory. The first relates to the politics of personality. Minister for Justice Gerry Collins was not the type of figure to attract sympathy in the sense that he was a talented, highly adept and "politically ruthless" politician.¹⁵⁸ He was an archetypal law and order figure who embraced a 'tough on crime' approach and was perceived as staunch and unyielding over the Loughan House issue,¹⁵⁹ which lends itself to an anti-establishment mindset in viewing the law and order brigade as the 'bad guys' of the episode. It was therefore easier to criticise Collins than to empathise with the innumerable challenges he faced as Minister for Justice, which supports a folk narrative of Loughan as a punitive over-reaction.

As a second point, this anti-establishment mindset has been further heightened in wake of the publication of the Ferns, Ryan, Murphy and Cloyne Reports, which documented horrific instances of the abuse and exploitation of tens of thousands of children in residential institutions throughout Ireland. These institutions were run mainly by religious orders on behalf of the state,¹⁶⁰ and given these human rights violations, it is understandable why any mention of state involvement in the care of delinquent children would be greeted with suspicion and mistrust. Such emotions support a critical interpretation of the role of the law and order brigade, thereby bolstering a moral panic narrative in

¹⁵⁷ Katz (1988, 31).

¹⁵⁸ *Hibernia*, 15-28 May 1970, Vol.34 No.10, 6. See also *Sunday Independent*, 27 March 1983, 5.

¹⁵⁹ Seanad debate, Vol.88 No.4 (15 February 1978); *Irish Independent*, 17 April 1978, 10.

¹⁶⁰ Holohan (2011).

popular memory. Overall, the conceptual value of a MPO, combined with the affective (and effective) allure it holds for both researchers and readers, highlights why a moral panic perspective enjoys an enduring relevance despite its various limitations.

Conclusion

Conclusively, this paper has captured the origins, nature and consequences of a controversy which until now has been largely forgotten in Irish criminal justice history. Through use of a moral panic lens, it has been argued that while this controversy meets the majority of moral panic characteristics, Loughan cannot be deemed a disproportionate response to youth deviance. While moral panic models serve as a useful blueprint when analysing perceived social crises, they overlook the fluid boundaries which exist between groups involved in the episode, the implications of fragmentary source material in constructing these models, and the challenge of evaluating contested historical voices. The failure of moral panic studies to embrace an expanded understanding of what punitiveness entails has also been outlined. Nevertheless, despite these limitations, this article has posited that the moral panic concept remains useful on both conceptual and affective levels.

It is appropriate to conclude this paper with a brief reflection on the folk devils of the Loughan House controversy, the Buggy Malones. Sadly, the Buggys acted as the canvas on which competing political, interest-group and media agendas played out, but they never had the opportunity to paint a self-portrait. Their invisibility endures as, even today, the story of the Buggys continues to be told through the voices of others. That, indeed, is the Achilles' heel of this paper; it has told their story from the perspective of all relevant actors bar the Buggys themselves. They have not even featured in the title of this paper, their absence a testament to their perpetual disenfranchisement. Few original members of the Buggys still survive today, and unless their stories are captured, the history of the Loughan House controversy remains incomplete.

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