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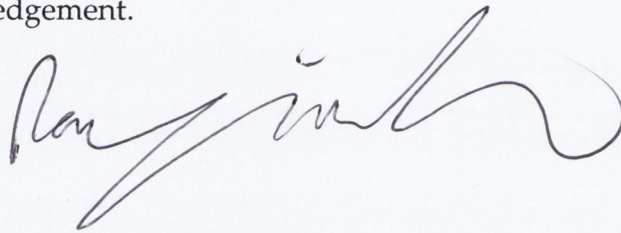
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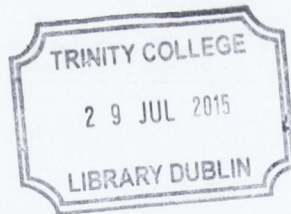
Ulster Loyalism, Ulster
Unionism and the Irish
State, 1970-85

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Summary

This thesis is the first specialised study into the relationship between Ulster Loyalists, Ulster Unionists and the Irish State during the Northern Ireland conflict. Ulster loyalists are defined as the representatives, political and paramilitary, of Ulster's Protestant working class who cultured a regionalist Ulster identity. Unionists are accepted as those who prioritised an attachment to Britain over the rites of Protestantism. The doctorate examines the location of unionism and loyalism within the Anglo-Irish policy of successive Irish governments. This extends to analysing the nuances in the Fianna Fáil and Fine Gael treatments of loyalism, the response of unionists to the Irish Constitution and Irish state policy on loyalists, which sought to countenance their involvement in civil war scenarios. This included, but was not exclusive to: Ulster independence, repartition, Irish army intervention, national reunification and Irish interpretations of the Ulster Workers Council (U.W.C.) strike.

Unionist objections to the Irish state came partially from the panorama imparted by the Irish Constitution that Ulster protestantism would be dismantled upon the creation of a thirty-two county republic. There grew a resounding fear of the perilous social station of Ulster protestants within a united Ireland, refined by issues such as extradition, divorce, mixed marriages and the adoption practices of the republic. Thus this thesis has also excavated the interior of Irish nationalism, as it has sought to locate the position of unionists within it. Files from the Department of the Taoiseach, Foreign Affairs and Justice constitute the main source material for the research undertaken. British government files from the Home Office, Foreign and Commonwealth Office and Northern Ireland Office were also examined. Conclusions were complemented by interviewing former Irish civil servants who had direct experience of the Irish government's relationship with Ulster unionists. The purpose of locating unionism within an all-Ireland context was to scrutinise whether it was or could be appraised as a type of Irishness and if unionist historical objections to power-sharing were sectarian, based on sectional catholicism, or national, built to resist the impetus of Irish nationalism. This thesis contends it was more the latter and that successive Irish governments misinterpreted loyalist violence on this distinction. The thesis also includes analysis of the loyalist/unionist relationship and how successive British governments interpreted both, especially within the context of assessing them against a British national identity.

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Considerable thanks must begin with my doctoral supervisor, Eunan O'Halpin. Not only did his creative thinking direct possible avenues of research, it was through him that I was able to contact interview subjects who would have been out of reach without him. The contents and any errors therein are mine alone. He was extremely useful and generous as an editor and I was always impressed with the interest he showed in my work and that of other doctoral students. I thank him for all the time and shrewd advice he gave me. The Irish Canadian University Fund very generously funded research to Canada through a Dobbin Scholarship in August 2014, which allowed me to complete valuable archival work in Ottawa. Their help is greatly appreciated.

Gratitude must also be expressed to the staff at the various archival repositories I visited, who treated my requests with enthusiasm. Audiences for the various research papers I gave allowed me to nuance the work so I thank them too. Thanks to Rachel and Joe for putting me up during my research trips to London. Thanks for the History Department at Trinity for funding research to London, Galway and Cambridge. Dr. Anne Dolan offered thoughtful and valuable advice, which was always kindly delivered. I am very grateful to the former members of the Irish civil service who so generously granted me an interview: John McColgan, Michael Lillis and Dáithí O'Ceallaigh. The heartiest thanks are owed to my parents, Kevin and Hazel, whose undimmed support, intellectual and otherwise, sustained me throughout the entire research, and who were the most intrinsic to its completion. Sophie, Richard, Liz and other family and friends have my gratitude as well.

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List of Abbreviations and Acronyms

A.I.A.	Anglo-Irish Agreement
B.I.C.O.	British and Irish Communist Association
CESA	Catholic Ex-Serviceman's Association
CULA	Canadian Ulster Loyalist Association
D.F.A.	Department of Foreign Affairs
D.U.P.	Democratic Unionist Party
E.E.C.	European Economic Community
F.C.O.	Foreign and Commonwealth Office
F.O.I.	Friends of Ireland
I.D.U.	Interdepartmental Unit
I.C.T.U.	Irish Congress of Trade Unions
I.P.C.I.I.U.	Inter-Party Committee on the Implications of Irish Unity
I.R.A.	Irish Republican Army
H.Q.N.I.	Headquarters Northern Ireland
LAW	Loyalist Association of Workers
L.S.E.	London School of Economics
M.O.D.	Ministry of Defence
M.P.	Member of Parliament
N.E.C.	National Executive Committee
N.I.C.	Northern Ireland Committee
N.I.O.	Northern Ireland Office
N.I.P.C.	Northern Ireland Political Collection
N.I.P.R.	Northern Ireland Political Report
NORAIID	Northern Aid Committee
N.U.I.G.A.	National University of Ireland, Galway Archives
O.U.P.	Official Unionist Party
P.I.R.A.	Provisional Irish Republican Army

PRONI	Public Records Office of Northern Ireland
P.U.P.	Progressive Unionist Party
R.C.M.P.	Royal Canadian Mounted Police
R.H.C.	Red Hand Commando
R.O.I.	Republic of Ireland
R.T.É.	Raidió Teilifís Éireann
R.U.C.	Royal Ulster Constabulary
S.D.L.P.	Social Democratic and Labour Party
S.O.S.	Secretary of State
T.C.D.	Trinity College Dublin
T.D.	Teachta Dála
T.N.A.	British National Archives
T.U.C.	Trade Unions Congress
U.A.C.	Unionist Army Council
U.C.D.	University College Dublin
U.D.A.	Ulster Defence Association
U.D.I.	Unilateral Declaration of Independence
U.D.R.	Ulster Defence Regiment
U.F.F.	Ulster Freedom Fighters
U.L.C.C.C.	United Loyalist Central Coordinating Committee
U.N.	United Nations
U.P.R.G.	Ulster Political Research Group
U.S.C.	Ulster Special Constabulary
U.U.A.C.	Ulster Unionist Action Council
U.U.P.	Ulster Unionist Party
U.U.U.C.	United Ulster Unionist Coalition
U.V.F.	Ulster Volunteer Force
U.W.C.	Ulster Workers' Council

Chronology of key events ¹

11 January 1970 The Provisional Irish Republican Army (P.I.R.A.) is born after a split in the republican movement.

1 April 1970 The Ulster Defence Regiment (U.D.R.) is inaugurated to replace the disbanded B-Specials and supplement the work of the British army units already active in Northern Ireland since August 1969.

September 1971 The Ulster Defence Association (U.D.A.), which would grow to become the largest loyalist paramilitary group, is formed from a myriad of vigilante bodies.

30 October 1971 Ian Paisley and Desmond Boal launch the Democratic Unionist Party (D.U.P.).

9 February 1972 William Craig launches Ulster Vanguard as an umbrella movement of right-wing unionism.

24 March 1972 Prime Minister Edward Heath announces the suspension of the Stormont parliament; Northern Ireland will be governed by direct rule from Westminster.

7 December 1972 A referendum in the republic is carried to remove Article 44 from the Irish constitution, which had recognised the special position of the Catholic Church.

1 March 1973 Labour and Fine Gael form a coalition government in the republic.

9 December 1973 The Sunningdale agreement is signed by the Irish and British governments. It agrees to the establishment of a cross-border Council of Ireland and a power-sharing executive in Northern Ireland.

28 February 1974 The United Ulster Unionist Council (U.U.U.C.), an assembly of anti-agreement unionists, contest the general elections and win 11 out of the 12 available Westminster seats for Northern Ireland.

15 May 1974 The Ulster Workers Council (U.W.C.), an amalgamation of loyalist paramilitaries and trade unionists, calls for a nationwide work stoppage in opposition to the Council of Ireland. The strike begins with power cuts and factory closures; the seizure of petrol stations and the erection of manned street blockades soon follow. Thirty-three people are killed by car bombs in Dublin and Monaghan on **17 May**. The loyalist paramilitary group the Ulster Volunteer Force (U.V.F.) are

¹ This chronology is not exhaustive for the period it covers. For a replete chronology see Paul Bew and Gordon Gillespie, *Northern Ireland: Chronology of the Troubles 1968-1993* (Dublin, 1993).

thought to be responsible. The Northern Ireland Executive collapses on **28 May** as a result of the strike and the strike is officially called off the following day. The Northern Ireland Assembly is prorogued on **30 May**.

8 May 1975 The first meeting of the Northern Ireland Constitutional Convention takes place. It was established by Secretary of State for Northern Ireland, Merlyn Rees, to engineer consent for a new model of governance in the North. Its last sitting is on **3 March 1976**.

3 May 1977 The United Unionist Action Council (U.U.A.C.), under the stewardship of Ian Paisley and Ernest Baird, launches a nationwide stoppage to replicate the success of May 1974. It is an abject failure and is called off on **13 May**.

30 March 1979 Airey Neave, Conservative Party Spokesman on Northern Ireland and close friend of Conservative Leader Margaret Thatcher, is killed by a car bomb planted by the Irish National Liberation Army (I.N.L.A.) at Westminster.

27 October 1980 Seven H-Block prisoners begin a hunger strike demanding the right to wear their own clothes.

23 November 1981 A loyalist 'Day of Action', to protest against the security situation, sees 15,000 men attend Ian Paisley's Third Force rally in county Down.

2 April 1982 Argentina invades the Falkland Islands and so begins a ten week war. Ireland's neutral position on the conflict sours Anglo-Irish relations.

7 December 1982 The Irish Supreme Court rejects the idea that charges associated with terrorist activity should be regarded as political offences. This permits the extradition of Dominic McGlinchey from the Irish Republic to Northern Ireland.

7 September 1983 A referendum on abortion in the Irish Republic is carried to add a 'pro-life' amendment to the Irish constitution.

2 May 1984 The New Ireland Forum Report is published. Its recommendations of confederation, a unitary state and joint authority are later publicly dismissed by Margaret Thatcher.

15 November 1985 The Anglo-Irish Agreement (A.I.A.) is signed by British Prime Minister Margaret Thatcher and Taoiseach Garret FitzGerald. The Agreement establishes an Inter-Governmental Conference to discuss mutually relevant political, security and legal matters. A secretariat is also formed in Belfast while unionist opinion is united in its outrage; it reads the agreement as British abandonment and the march towards Irish unity.

23 November 1985 Over 100,000 unionists attend a mass rally at Belfast City Hall to protest against the agreement.

1

Thematic diagram of Ulster Loyalism and Unionism

This thesis examines the relationship between Ulster Unionists, Ulster Loyalists and the Irish Government during the period 1970-85. The intention is, by locating unionism within alien contexts, to assess how successful it was in articulating itself as an intelligible and rational ideology. This resists an introspective or nationally claustrophobic interpretation of unionism but seeks to analyse how it travelled ideologically beyond Ulster. This introductory chapter explains the dramatis personae implicated in the concert of loyalists, unionists and various governments, political parties, trade union groups and paramilitary bodies. Its purpose is to relativize their occasional absence from the narrative, which is seldom linear. It is also to make sense of the motifs and assumed tenets of the thesis, elaborating on the context of their creation. The principal reason certain players feature less prominently during periods is because of the transient rhythm of loyalism, and how, at various instances, it struggled to attract attention from the Irish government. This is why the thesis has been written thematically, not chronologically.

The often concussive gaps in Irish governments' coverage of unionists and loyalists suggest that they only became prevailing subjects when they had to be, like during elections, nationwide strikes and other mass protests, political conventions and conferences. Operational means were navigated towards mastering republican and nationalist opinion. This infers a tacit assumption by the Irish and British authorities that these were the principals of stability, or would more keenly initiate events. Unionists and loyalists would have to be convinced of a certain policy's merits, not engineer the passage itself. Loyalists and unionists were not considered the architects of solutions or became the subjects of the troubles which did captivate successive Irish governments (internment and allegations of ill-treatment, extradition and Special Category Status for Prisoners). Unionists were often subordinated in the Anglo-Irish policy of Irish governments.

Without a constitutional crisis to avert, loyalists were also conspicuously erased from the headspace of certain Irish administrations, particularly those of Jack Lynch and Charles Haughey.¹ This thesis was originally to be concerned only with

¹ Jack Lynch (Fianna Fáil), born Cork 15 Aug. 1917, died Dublin 20 Oct. 1999.

Minister for Education, Mar. 1957-June 1959.

Minister for Industry and Commerce, June 1959-Apr. 1965.

Minister for Finance, Apr. 1965-Nov. 1966.

Taoiseach, Nov. 1966-Mar. 1973 and July 1977-Dec. 1979.

Charles Haughey (Fianna Fáil), born Mayo 16 Sep. 1925, died Dublin 13 June 2006.

Minister for Justice, Oct. 1971-Oct. 1964.

Minister for Agriculture and Fisheries, July 1965-Nov. 1966.

Minister for Finance, Nov. 1966-May 1970.

Minister for Health and Social Welfare (simultaneously), July 1977-Dec. 1979.

Minister for the Gaeltacht (while Taoiseach), March 1987-Feb. 1992.

Taoiseach, Dec. 1979-June 1981, March 1982-Dec. 1982, March 1987-Feb. 1992.

the domestic and international geopolitics of Ulster loyalism, 1970-82. This was extended to include the relationship between Ulster unionism and the Irish government once the expanses of this estrangement had been measured. It should be known that unionism was seen as a more complete and significant political force by the Irish government than the neophyte Ulster loyalism, which was often appraised as an index of violence. Delicate inspection is offered to how this body politic related to the British and Irish governments and individual political parties along the course of ideology. The function of this is to measure the extent to which unionists and loyalists influenced Irish government policy on Northern Ireland and their general station within the psyche of the Irish republic.² A cursory chapter on the Anglo-Irish Agreement (A.I.A.) is offered as an appendix, because it so succinctly forms an anagram of the main research themes.³

The British government form a supplementary element of the analysis, as does the Northern Irish one, under direct rule since 1972, though the short-lived Executive of 1974 finds expression in discussion of the Ulster Workers' Council (U.W.C.) strike.⁴ Papers of successive British secretaries of State for Northern Ireland compose most of the British government's contribution to the study, though extended sections are devoted to extradition, security force collusion and the British

² The main sources used are for this thesis are files of the Irish government's Departments of Taoiseach and Foreign Affairs.

³ The abbreviation A.I.A. will henceforth be used to denote reference to the Anglo-Irish agreement.

⁴ The abbreviation U.W.C. will henceforth be used to denote reference to the Ulster Workers' Council.

response to both. In addition, the personal papers of individual British statesmen are used to examine the relationship between loyalists and the Labour and Conservative parties. The imposition of direct rule in 1972 accounts for the meagre contribution of Northern Ireland government material to this study, and British governments play only an ancillary role because they never sought an accommodation with unionism, only a reaction to it. The grander narrative of the thesis concerns the Irish state, and the role loyalists, unionists and Northern protestants in general were expected to play in the projections of Irish governments. It is also beneficial though to use files of the British government to create a more complete understanding of how British governments interpreted both as political actors, how they should be managed and how they fitted in to a British national consciousness.

And of course here is another point of lexicon; what is understood by the term 'Irish state'? How perceptible an entity is it? Most of the sources used are from the Irish national archives, so it would be disingenuous to suggest that they represent a broad spectrum of public opinion from within the Irish nation. The reason 'Irish state' is used is rather than only 'Irish government' is because an effort has been made to explain how public opinion informed government action, as well as including other critical voices where possible. The term 'Irish state' is thus intended as an aggregate of these opinions, with an emphasis on official/government opinion. But it is useful to bear this point in mind: it is difficult for the researcher to locate a definitive 'Irish' position. Often reports and assorted errata are authored by

particular Irish servants or counsellors within certain government departments who took a special interest in matters concerning unionists and loyalists. John McColgan, as a counsellor in the Anglo-Irish division of the Department of Foreign Affairs (D.F.A.), is a prime example.⁵ Thus Irish material has to be appraised in this context, such is the absence of a complete manuscript of government or public thinking.

This leads one to an important point of methodology; the sources used to demonstrate and explain the attitudes of the British and Irish governments are mostly state records housed in their respective national archives. The main Irish departments examined are the departments of Taoiseach, Foreign (previously External) Affairs and Justice. The British files examined are mostly from the Northern Ireland Office, the Home Office, the Foreign and Commonwealth Office and the Ministry of Defence. The content of these files is complemented with personal papers from the collections of relevant British and Irish statesmen who were active during the period of interest and official reports of both governments. Interviews were also conducted with several former Irish civil servants of the Department of Foreign Affairs, to provide context for the papers of that department that are used so often.

⁵ John McColgan, one of the D.F.A.'s main contacts with loyalists, claimed that his reports of meetings with loyalists would rarely influence policy. Instead, they were merely seen as information gathering, with their florid language often the subject of derision by departmental colleagues. McColgan relayed this to me during an interview I conducted with him on 2 Feb. 2011.

A literature review is included to give the reader the context in which to understand the distinctions between my work and others and newspapers have been sampled to give a flavour of public opinion. But the point is to be emphasised: the main purpose of this thesis is to build a picture of how the Irish and British governments interpreted Ulster unionists and Ulster loyalists. This is why state papers have been mined so extensively. The Irish government's relationship with unionists and loyalists is examined in Chapters 2 and 3. Chapter 2 seeks to give a general overview of the Irish government's attitudes to unionists and loyalists, and especially how they interpreted the violence of the latter. Chapter 3 makes the argument that loyalists and unionists generated their image of the republic from the Irish Constitution of 1937 and the legislative history of Dáil Éireann.

A secondary function of the thesis is to define the type of relationship unionists and loyalists had with other parties which have also escaped scholarly attention: British trade unions, the Irish republican movement, overseas groups, the Canadian and American governments and individual British political parties. These parties have been arranged in chapters 4 and 5 under a 'right-wing'/'left-wing' dichotomy to maintain the thesis' thematic design. Chapter 6 examines the role of policing and policing reform in the *loyalist-unionist-Irish state-British government* interrelationship, as well as striving to interpret the different types of violence perpetrated by loyalists and how unionists interpreted republican violence. Chapter

7 looks at the role of 1985's A.I.A. in degrading the relationship between unionists and British political parties.

The national piety of loyalism and unionism

Before one can proceed to orient or arrange the patterns of research, certain definitions have to be made on the character of loyalism and unionism, and the political loyalties that energised both. Joseph Lee has observed that "Loyalists", a title cherished by Ulster Protestants, meant, in the last ironical resort, loyalty to themselves alone.⁶ Loyalists emphasised themselves as a people and place apart, with unique characteristics of nationhood and folklore, whose primary loyalty was to the populace of Ulster. Often this was a sectarian formation of protestant homogeneity, with the tribalism of the Orange Order the basis of ethnicity, along with the physical symbolism of songs, rituals and murals.⁷ ⁸ Loyalists seized certain folk elements of British identity, like the Union flag, and made them fanatically their own. They embroidered a regionalist identity specific to Ulster, with only a residue of the British historical experience; they would remain devout to the British

⁶ Joseph Lee, *Ireland 1912-1985: Politics and Society* (Cambridge, 1989), p.14.

⁷ Ronnie Moore and Andrew Sanders, 'Formations of Culture: Nationalism and Conspiracy ideology in Ulster Loyalism' in *Anthropology Today*, vol.18, no.6 (2002), p.13.

⁸ Neil Southern, 'Britishness, "Ulsterness" and Unionist identity in Northern Ireland' in *Nationalism and Ethnic Politics*, 13 (2007), p.98.

monarchy, so long as it remained protestant. As the Canadian High Commission in London observed as early as 1972, 'For the hardliners, the Union Jack is much more a badge of Ulster Protestantism and defiance to the South than a flag of the British peoples'.⁹

Desmond Bell observed that loyalists were loyal 'not to a British polity and nation, governed by certain political conventions, but to a sovereign who can guarantee their liberties and ascendancy'.¹⁰ So there was a tactical dimension to loyalists' devotion to the Union. They endorsed it only if it proved to be the most effective way of servicing and anchoring their vision of a utopian Ulster. The plans for Ulster independence by loyalist paramilitaries were both an attempt at political emancipation and an expression of their mythic, abstract, even spiritual conception of the nation of Ulster, a self-possessing land free of Dublin and London.¹¹ Ulster Independence was not as Arthur Aughey attested 'a claim for the people of Ulster to be treated as full and equal British citizens and not as serfs or chattels', but an attempt to create a constitutional scenario whereby equality would be an Ulsterman's currency alone to endow.¹²

⁹ Telex from the Canadian High Commission in London to the Department of External Affairs Ottawa dated 29 Mar. 1972, National Archives of Canada, 20- NIRE, Vol. 2876, File No. 8, Series RG 25.

¹⁰ Desmond Bell, 'Contemporary Cultural Studies in Ireland and the "Problem of Protestant ideology"' in *Crane Bag*, Vol.9, no.2, (1985), p.92.

¹¹ David Mason, 'Nationalism and the process of group mobilisation: the case of 'loyalism' in Northern Ireland reconsidered' in *Ethnic and Racial Studies*, 8 (1985), issue 3, pp.418-19.

¹² Arthur Aughey, 'Unionism and Self-Determination' in Roche and Barton (eds), *The Northern Ireland Question: Myth and Reality* (Aldershot, 1991), p.13.

Unionists clung to a surrogate identity, one which was indebted to the British political culture from which it desperately craved acceptance. It used the apparel of Britishness as an instrument of identity much more than protestantism, and saw its reflection entirely in the palette of the Union.¹³ Unionism celebrated its reign and the regal ancestry, imperial ethnic identity, and the liberal political culture this erected. Loyalists did not rely on the Union as a nexus of identity or historical ancestry as unionists did, without which they would have become materially irrelevant.

Loyalists could survive the union's extinction, for they had understood Britain's disinterest and cultivated a unique, self-regarding sensibility which could operate without her. To the British government, this dichotomy of land and loyalty could occasionally be confounding, and they struggled to define distinctions between loyalists and unionists. The Northern Ireland Office (N.I.O.) observed that 'the fears and aspirations of the Protestant majority were not clearly expressed but touched on both a sense of Britishness and an association with Northern Ireland territorially'.¹⁴

¹³ See Jennifer Todd, 'Two Traditions in Unionist Political Culture' in *Irish Political Studies*, 1987, Vol. 2.

¹⁴ Minutes of a meeting between N.I.O. Officials and Secretary of State for Northern Ireland James Prior dated 19 Oct. 1981, Public Records Office of Northern Ireland (Hereafter PRONI) CENT/1/10/86A.

The republic of Ireland and northern protestants

The importance of this debate is in the relationship between unionists and property in Ulster, the ownership of which they believed was their immutable right, and which informed their appetite for majority government. This imperative extends to the relationship between Ulster loyalism and the Irish state, analysing the nuances in the Fianna Fáil and Fine Gael treatments of loyalism. The Fianna Fáil administration, with Jack Lynch as Taoiseach, held office from November 1966 to March 1973 and was the incumbent government when Northern Ireland became an issue of national urgency. It is in this capacity that Ulster unionists and loyalists first find expression within Irish government discussions, as they became concerned at the continued human rights abuses of the Stormont government but especially, following the disbandment of the Ulster Special Constabulary (U.S.C.), the casual and lawful armament of loyalist communities.

The focus of analysis is mostly on the relationship between loyalists, unionists and the Fine Gael/Labour Coalition government which held office between from March 1973 until July 1977. It, under the stewardship of Minister for Foreign Affairs Garret FitzGerald, began to see unionists as an essential component of any enduring northern settlement, and subsequently undertook a concerted effort to develop contacts with and an improved understanding of loyalist paramilitary and political

groups.¹⁵ This premise was consolidated by the U.W.C. strike which the Irish government interpreted in several ways. Firstly, that loyalists retained the ability to impede political progress and were willing to use physical force to substantiate this end. Further, that the security forces in Northern Ireland should be decisively regarded as a partisan force. This recognition prepared the Irish government for Irish military assistance to the nationalist community in Northern Ireland. Lastly, a belief came to form that loyalist intransigence had partially derived from their omission from the talks which led to the Sunningdale agreement and the need to articulate to unionism a reformed nationalism, which sought to broker all-Ireland unity by consent.

Counsellors in the Anglo-Irish division of the D.F.A. began meeting in secret with representatives of the Ulster Defence Association (U.D.A.) and other bodies in order to review opinion within the loyalist community. Other politicians, like FitzGerald and Paddy Harte, met with unionist representatives in order to generate a dialogue which would encourage unionism to assent to, not violently resist, a united Ireland.¹⁶ The pattern of these meetings was sporadic, with no established

¹⁵ Garret FitzGerald (Fine Gael), born Dublin 9 Feb. 1926, died Dublin 19 May 2011.

Minister for Foreign Affairs, March 1973-July 1977.

Taoiseach June 1981-Mar. 1982 and Dec. 1982-Mar. 1987.

FitzGerald took a more sympathetic view of unionism than most southerners, partly because of personal ties: his mother was from Belfast. He also believed that the south had added to unionist anxiety through the manner it had cultivated itself into a clerical, sectarian state. See his book, *Towards a New Ireland* (London, 1972).

¹⁶ Harte was Fine Gael T.D. for Donegal North-East from 1961-1997 and as such developed a nuanced understanding of the unionist and loyalist ideological positions. His autobiography is fulsome of this relationship. See Paddy Harte, *Young tigers and mongrel foxes* (Dublin, 2005).

routine for consultation. Loyalists and unionists were consulted at seminal moments, such as the aftermath of the U.W.C. strike, the 1975 Constitutional Convention and the controversy over extradition. They were also spoken about in a similar fashion, commanding attention when reform of the Irish constitution was considered, at the launch of the Joint-Studies mission and the failed 1977 Ulster Unionist Action Council (U.U.A.C.) strike. An explanation for this erratic selection is a perception Irish governments held on the transient or reactive nature of loyalism. Their main focus was on restraining the activity of the Provisional Irish Republican Army (P.I.R.A.), to which they believed loyalists and unionists were responsive. The thesis has been written in a way that demonstrates the uneven treatment and casual disappearance of loyalists and unionists in the mind of successive Irish governments; they stormed it at points of dramatic contact. This is why in the text it appears that loyalists and unionists simply disappear from view; for the Irish government, reflected in their papers of state, they often physically had.

Loyalists rarely occupied a stake in the formation of Irish government policy, only the stamina of emergency contingency planning. Irish governments believed loyalists were not the main catalysts of events in Ulster and were more suitably a constituency of the British government. And, that loyalists would only drive events after they had already been engineered in an opposite direction, like the Sunningdale agreement or in the event of British army withdrawal, for which the Irish government conceived operational contingencies. The fact that there was no

comparable demographic sector in the republic which ulster loyalists could incite or influence also excused Irish governments' disinterest; few in the south would campaign for the inclusion of ulster's protestants in the national conversations of Ireland. Instead, meetings were used as information conduits to measure diverging opinion within the unionist/loyalist communities. This helps explain why unionists and loyalists disappear or form a diminished part of Irish government inquiry into Northern Ireland. Loyalism mattered most in the views of the Irish government when it had assembled physically and posed a threat to law and order in Northern Ireland, such as the U.W.C. strike of 1974, the eruption of the Third Force in 1981 and the U.U.A.C. strike in May 1977.

The same basic premise, of the transience of loyalism, applies to most of the other groups this study examines. This includes the relationship of loyalists with security forces in Ulster, trade union bodies, the British Labour and Conservative Parties and the P.I.R.A. The Northern Ireland Committee (N.I.C.) of the Irish Congress of Trade Unions (I.C.T.U.) were most prevalent around the time of the two nationwide, loyalist-led strikes in Ulster, May 1974 and May 1977. Given the lack of importance with which Northern Ireland was credited as a policy issue by British political parties, loyalists and unionists also wane in visibility as parties cede from office and assume the responsibilities of opposition.

Traits of methodology

The example of the P.I.R.A. is an interesting one which exhibits the constraints on historical scholarship and designs of a 'total narrative'. Most of the subjects examined for this thesis have available, though at times redacted, records for the period studied. The P.I.R.A. has no public archival facility, and primary material on their relationship with loyalists only appears in the private papers of Ruairí Ó Brádaigh deposited at the archives of the National University of Ireland, Galway.¹⁷ Even within this collection, the coverage is very limited, with only the 1975 P.I.R.A. truce and Ulster Loyalist Central Co-ordinating Committee (U.L.C.C.C.)/P.I.R.A. initiative in 1977 providing expression of loyalists.

This absence not only encourages a concentration on the 'official' recorded version, or what was meant to be kept, but enables the researcher to make only qualified or partial conclusions. We may never know what was purposefully lost or left out. Neither of these two results were terminal to this project. Since the narrative of certain parties' relationship with loyalism has yet to be told, even a fractional one is useful. Further, it eludes the damage committed to scholarship from being too stridently conclusive, of presenting all matters as permanently decided.

¹⁷ Ó Brádaigh was president of Sinn Féin from 1970-83 and became an important intermediary between officials of the British Government and the Irish republican movement. His personal papers are most informative of his relationship with Ulster loyalists and the contact that was broached between loyalists and republicans.

Nevertheless, these gaps explain why this thesis had to be thematic, rather than chronological, in approach when analysing certain relationships, and the researcher's precarious existence of being able to comment only on what one has been allowed to consult, after information has been managed and elided. It is noticeable, for instance, that loyalists and unionists feature much less intensively in Jack Lynch's two terms in office (1966-1973 and 1977-1979) than they do in the Labour/Fine Gael Coalition government, 1973-1977, which falls between them. One is also able to draw glaring contrast between Charlie Haughey's first term as Taoiseach, December 1979-June 1981, and Garret FitzGerald's primary term from June 1981 to March 1982. Rather than this being an impediment to completing a total chronology, it enables the researcher to make distinctions based on party political lines, as it urges one to explain their absence.

Further, it emphasises the scholar's frail reliance on a certain type of political collection, with the papers of British back-bench politicians seldom offered to repositories for storage. Or indeed those statesmen who were prominent, like John Hume, but who failed to keep a record of papers as they progressed through political life.¹⁸ This affects and perhaps limits analysis of Hume's contribution to Anglo-Irish events, reasserting the principle that historical judgment is not total, but rather manufactured from what was retained and what was disposed of.¹⁹

¹⁸ John Hume was leader of the Social Democratic and Labour Party (S.D.L.P.) from 1979 to 2001 and was a prominent exponent of non-violent Irish nationalism.

¹⁹ See Michel-Rolph Trouillot, *Silencing the past: power and the production of history* (Boston, 1995).

To extend the point: the Liberal Party did not form part of a government during the period of study, so their relationship with unionists and loyalists has little presence within British state records. Neither does the most dramatic collision between loyalists and the Irish State: the Dublin/Monaghan bombings of May 1974. The decision of the Irish and British governments to withhold files on these incidents has undoubtedly determined the poverty of academic industry on them; they are mostly understood as the subplot of the U.W.C. strike. The publication of the Barron report in 2003 helped matters, but there remains a substantial uncertainty over how both governments understood the bombings at the time.

The absence of papers of the Irish government will also be starkly noticeable in Chapter 7 on the A.I.A. This is not to suggest that the Irish government did not play a crucial role in its architecture and conception, but that since files of the Irish government are released thirty years after their creation, the relevant files pertaining to the agreement had not yet been released when research was being undertaken.²⁰ This is also why the chronology seems to come to an abrupt halt at 1985, since available Irish state records ended in 1984 at the time of research. Thus the choices made selecting a chronology and investigating the involvement of certain actors at certain times were governed by the availability of state material.

²⁰ This also explains the absence of loyalists from Chapter 7, since their most vivid presence is to be found within the files of the Irish state, which were not open during the period of research,

Finally, it has not been practicable to consult all of the records which could conceivably be of use. The cataloguing of former Prime Minister Edward Heath's Private Papers at the Bodleian Library, Oxford, has been ongoing for the duration of my research and is as yet incomplete.²¹ Further, since resources for research trips are not limitless, priority was given to the consultation of British Cabinet and N.I.O. papers at the British National Archives (T.N.A.) over the Harold Wilson Papers at Oxford, which form no part of this study. In this regard, it is beneficial to judge soberly, since unseen material may nuance conclusions later.

I did manage to complete a research trip to Canada, the intention being to evaluate how a prominent commonwealth nation had interpreted the Northern Ireland conflict. This was made possible with a Dobbin Scholarship from the Irish Canadian University Foundation. One of the most striking elements of Canada's archival policy is that files created twenty years ago are made available to the researcher. Most archival institutions enforce a thirty-year rule. It should be noted though that this transparency in Canada is tempered with a strict regime of redacted and closed security material. I found that the material concerning Canadian/Irish relations from the 1990s was often non-political, containing the logistics of scheduled state visits, consular appointments, condolences on the death of public figures, plans for cultural exchange and details of scholarly awards.

²¹ Edward Heath was the Conservative Prime Minister from June 1970-Feb. 1974 and was Premier when direct rule was imposed on Northern Ireland in March 1972. He was born on 9 July 1916 and died on 17 July 2005.

During my research I also discovered that the security files of the Royal Canadian Mounted Police (R.C.M.P.) and Canadian Secret Intelligence Service (C.S.I.S.) were entirely closed. I had hoped that it would have been possible to submit an access to information request, but this was not so. It was for this reason I chose not to visit the Archives of Ontario, Toronto. The only open security material were the annual reports of C.S.I.S., which were general in scope and contained nothing on Ulster paramilitarism in Canada, which was my research objective. Thus there was a dislocation in the material I reviewed. Canadian External Affairs papers recorded that data on various topics like arms seizures existed, but the Royal R.C.M.P. files containing that data remained a hidden canvas, locked away under the veil of restricted access.

Of the files I did gain access to, a great many were enlightening and productive to the conclusion of my doctoral thesis. Many of the External Affairs papers examined spoke of the general reluctance of the Canadian Government to become involved in the conflict. Several files related interesting instances when members of the Irish Government urged Canadian politicians to lobby the British authorities along a certain policy direction. But papers of the Canadian High Commission in London and the Irish Embassy in Ottawa contained a much more comprehensive discussion of relevant topics, and the disclosure of Canadian attitudes. The scrutinised topics included gun-running between Canadian citizens and Irish paramilitary groups, extradition of fugitive offenders and anti-terrorist

legislation, civil unrest and communism in Ireland and the A.I.A. of 1985. Papers of the Foreign Intelligence Bureau of the Canadian Department of External Affairs were amongst the most significant because of their views of Ulster unionists. The view of that bureau was that unionist intransigence would actually make Irish unity more probable. The tenor of analysis encountered, especially on unionism, was very different from the conclusions of both the British and Irish governments.

Thus while it was disappointing to be subject to certain security restrictions, it was useful to ascertain the Canadian assessment of events in Ireland, and what comment that could make about how Commonwealth countries with an extant royalist tradition saw the unionist people of Ireland and the conflict of national identity in Ireland c. 1970-1990. This also suggests that there are and will be many more fruitful avenues of research into loyalism and unionism, if the researcher were only to be a little more creative as to his research's point of origin.

There are insights to be mined from countries other than Ireland and England. Some American files were also accessed, to complement a north American theme. A trip to Washington was not possible, but a complete series of telegrams from the American State Department for the period 1973-1976 has been made available online. These proved to be a useful indicator of how precisely the American administration

monitored the situation in Belfast, and how their analysis was often more sophisticated than the pared Irish responses.²²

Irish records are often marked with a tone of passivity: their tendency is to narrate the notable events but omit the telling implications. The emphasis is on the systematic retention and dispersal of knowledge, not personal reflection, with most commentary being confined to word of mouth, and thus largely elusive to the researcher. Most of the Irish response to unionism is permanently obscured amid the superfluity of irrelevant material, which is itself often repetitive, or was made invisible by the lack of candid reaction to political events, confined instead to newspaper cuttings, featureless statistics of violence and calculated government speeches and interviews.

British records are more replete, and the temptation is to accredit them with more authority. To compensate for the defects in the Irish coverage, and to ensure the British interpretation is not unduly trusted, it was necessary to undergo a series of interviews with former Irish diplomats and civil servants. This not only provided one with the type of anecdote which will find no expression in archival releases, but contrasting interpretations of the same events, which help avoid the assumption of a uniform Irish government attitude.²³

²² Visit www.nara.gov to access said telegrams.

²³ To this end I interviewed John McColgan, Michael Lillis and Dáithí ÓCeallaigh, all formerly of D.F.A.

An obvious problem is the disposition of interviewees themselves; how candid are they likely to be with a person they have just met, especially on delicate matters of Anglo-Irish relations pertaining to people still alive? They have orthodoxies to protect as well. The main task is to prevent those being questioned from reciting the unthinking, well-rehearsed lines they have told a dozen researchers. The way to remedy this is to ask questions which do not allow your subjects to speak in conceits or form automatic answers. Still, it should be noted that certain groups have a more marked reluctance to reminisce than others. It has been more difficult to charm unionists and loyalists into telling their story, suspicious as they are of the type of illustration they will receive.

When one acknowledges the grave restraints on the Unionist Archive at the Public Records Office of Northern Ireland (PRONI), and how the unionist voice is mostly captured indirectly and unevenly in Irish and British government papers, it becomes challenging to cast unionists satisfactorily.²⁴ One has to reconcile this from the beginning, and not let it prevent research. Instead, one must use it to make statements about the general marginalisation of unionists and their status as peripheral historical subjects.

The existence of state repositories tends to lead to research which is heavily concentrated on the activity of national governments. This can still be a virtue, providing one does not strive to shelter or canonise that government.

²⁴ The papers of the Ulster Unionist Council are only made available to readers 50 years after the date of their creation. It seems unionists do not wish to have their tracks followed, at least promptly.

Unquestionably though this affects the accents of research, and the levels of attention devoted to certain historical subjects. Records are much less prolific on the interaction with and consideration of unionists in Jack Lynch's second term in office, July 1977-December 1979, than the Fine Gael-Labour government it followed. Perhaps this is best explained by the natural hostility within Fianna Fáil to the body of unionism. It may be said that Lynch's ministers enjoyed a less genial rapport with unionists than the previous coalition, with Garret FitzGerald so keen to court unionist opinion. His successor as Minister for Foreign Affairs, Fianna Fáil's Michael O'Kennedy, remarked in a meeting with British Secretary of State for Northern Ireland Roy Mason that 'none of the Unionist politicians had ever sought to stimulate his imagination'.²⁵

But perhaps the most satisfactory way to reconcile unionist omission is to use pragmatism as an explanation. With the creation of the Sunningdale agreement, the contested formation of a power-sharing executive, its ruin by the U.W.C. strike and the subsequent Constitutional Convention, unionists could not be anything but conspicuous in the Anglo-Irish policy of the Labour/Fine Gael coalition. Yet without

²⁵ Roy Mason, born Barnsley 18 Apr. 1924.

Minister of Power, July 1968-Oct. 1969.

Secretary of State for Defence, Mar. 1974-Sep. 1976.

Secretary of State for Northern Ireland, Sep. 1976-May 1979.

Mason had a reputation, as former miner and Defence Secretary, as an abrasive man who had little time for constitutional negotiations. Instead he favoured practical security measures.

Michael O'Kennedy was born into a family with strong links to Sinn Féin and was the Irish Minister of Foreign Affairs from July 1977-Dec. 1979. He would later be appointed Irish European Commissioner (Jan. 1981-Mar. 1982). Reference from a meeting on 14 Feb. 1979, PRONI CENT/1/8/44.

a national crisis to avert, an escalation of P.I.R.A. activity, no new constitutional ventures, a British Secretary of State in Roy Mason whose priority was security co-operation and humanitarian concerns whose subjects were mostly nationalists (the removal of Special Category Status and allegations of ill-treatment in the Bennett Report), the disappearance of unionists within Irish records during this period should be anticipated. Unionism was considered transient and unstable: it would only be dealt with when circumstances demanded that it had to be. Only in scenarios in which their involvement was as actors, not commentators, were they a source of consideration.

Yet Fianna Fáil still professed generally to seek unionist approval, aware of the power of loyalist opinion. The question of greater significance was whether they understood it or not. O'Kennedy met with Mason and clarified that one of the central themes of his government's policy was to

Show an understanding of the Unionist position. He recognised that their good faith would not always be accepted. They had been reasonably encouraged by the private response from Unionists in the North. There had been appreciation for the Irish Government's recognition that the Unionists had got to be consulted and considered.²⁶

This does not necessarily mean that the Fianna Fáil government would cater to unionists' inclinations, but they were at least willing to admit that partition had

²⁶ Meeting between Roy Mason and Irish Ministers in Iveagh House, 5 May 1978, PRONI CENT/1/7/6.

created 'two sheltered societies: a monolithic Catholic society in the South and an in-built Unionist majority in the North'. One might also consider O'Kennedy's claim that the 'Irish Government was more ready to talk to the Protestants than the other way round'. Unionist self-exclusion helps to account for their absence during this period. This involves answering why unionists removed themselves more thoroughly from contact with a Fianna Fáil administration than with the previous coalition government, and if the ideological carriage of Fianna Fáil contributed to this.

General rhetoric that referenced unionists existed, but without an acceptance that a formidable effort would be required on the part of Fianna Fáil to develop good relations. Now there was merely the recognition that an Anglo-Irish policy which discounted unionists completely would likely be wrecked by them. O'Kennedy's successor as Minister for Foreign Affairs, Brian Lenihan, remarked at a meeting with British Ambassador to Ireland Leonard Figg and Secretary of State for Northern Ireland Humphrey Atkins that 'he was not convinced that the approach which the Dublin Government had in mind need be unacceptable to, or create great fears for, the Protestants in the North'.²⁷

²⁷ Meeting between Brian Lenihan, Humphrey Atkins and Leonard Figg. Minutes dated 20 Oct. 1980, PRONI CENT/1/8/44.

Brian Lenihan (Fianna Fáil), born Dundalk 17 Nov. 1930, died Dublin 1 Nov. 1995.

Lenihan had a prolific political life, being made Tánaiste in Mar. 1987 until Oct. 1990, when he unsuccessfully ran for the Irish presidency. He was Minister for Foreign Affairs three times: Jan. 1973-Mar. 1973, Dec. 1979-June 1981 and Mar. 1987-July 1989.

This was not the same as accepting that unionist representatives would need to be closely involved in that approach, but that their consent would make it easier to implement. Still, Humphrey Atkins, Mason's successor, had found it necessary to implore O'Kennedy and his government not to promiscuously mention power-sharing, which would only distress the Democratic Unionist Party (D.U.P.). O'Kennedy replied that he and his colleagues 'did not pronounce on unity for the sake of it...If asked, they would have to say that, once the North has been stabilised, they would like to see both parts of Ireland reconciled'.²⁸

Thus his Fianna Fáil government could use the defence that they had a sincere belief in unity. But most of their assurances which demonstrated the need for unionist consent were offered to a British audience. Less apparent is contact with unionists themselves. The most important question is why Fianna Fáil orbited around the satellite of unity. Was it from the desperate will that unionists and nationalists be joined in a single state, or so that Ireland could assert sovereignty over territory claimed from its oldest historical enemy?

Humphrey Atkins had served in the British Royal Navy (1940-48) until he became Conservative M.P. for Merton and Morden in 1955. He was the Chief Conservative Whip between 1973-79, when he was appointed Thatcher's first Secretary of State for Northern Ireland in May 1979. He held the post until Sep. 1981. It was however a post Atkins knew little about, since it had been assumed that Airey Neave, who was assassinated in March 1979, would be given the position in the event of a Conservative Party electoral victory.

²⁸ Minutes of a meeting dated 28 June 1979, PRONI CENT/1/8/44.

Loyalists and the politics of Ireland

A major reason for the ambivalence of the British and Irish governments and the Conservative and Labour parties towards loyalists was that they considered them to be the natural constituency of no one. Being excluded by both Britishness and Irishness, or at least easily accommodated by neither, made loyalists seem an oddity of ideological deviance. This meant loyalists could only turn to unionists for an authentic affinity. However, the political inarticulacy of many loyalists and their seemingly instinctive appetite for violence threatened to declare an inherent illogicality to unionism. Thus while unionists relied on loyalist votes to attain political office, they would often disassociate themselves from loyalists after harvesting the rewards of their support. A striking example of this was the U.W.C. strike of May 1974.

The contention made is that Irish governments, republicans and the British Labour Party have at times preferred to disown loyalism as a regressive, abrasive, ineloquent ideology. This served their interpretation of the Northern Irish conflict as a binary collision between the apparatus of the British state and the will of Irish nationalists.²⁹ In such a scenario, the only role afforded to Ulster loyalism is of an inconvenient barricade which sits outside the main theatre of events. This was

²⁹ In regards to Irish republicanism, this interpretation more specifically concerns the British army and the P.I.R.A.

because loyalists disfigured the alluring vista of a simple transfer of territory from one sovereign government to another. Publicly crediting loyalism or unionism as a rational ideology threatened to give northern protestants just cause for their resistance and provoke nationalists north and south, who preferred the clipped caricature of deranged loyalists.

Thus the inclusion of the Irish government in this thesis is accompanied by the interior of Irish nationalist thought, as one is urged to mediate on precisely what its vision for Ireland was, if various Irish governments saw collaboration with unionists as superfluous or intrinsic. The existence of, and the necessary alliance with, northern protestants, comprises the surest assessment of the sincerity of southern nationalism, as it can help answer if it promoted national chauvinism or a belief in unity as a healing agent. Unionists are captivating historical subjects because of their perpetual angst, which arises from their inability to be fully acceptable to either the British or the Irish nation. Thus they really belong nowhere, an existential torment which has hastened their retreat into themselves.

This symbiosis had more of an explicit effect on loyalism, whose adherents were more willing to admit, at least in private, their Irishness, or their intended membership of a future Irish nation, than unionists, for whom such an admission would have been heretical. Rather than being purely ideological in tone, such an attachment was also informed by pragmatism. Loyalists, especially the U.D.A. under

the leadership of Andy Tyrrie, came to appreciate the depth of British apathy.³⁰ Keen to responsibly disengage from Northern Ireland, events like the Constitutional Convention were less persevering attempts at solution, than ornamental gestures which furnished the illusion of British dedication towards Northern Ireland, whilst also brokering internal dialogue which would expedite their exit. In such a scenario, it was the Irish state which the U.D.A. believed they would be forced to petition for assistance in establishing an independent Northern Irish state, or, if minority rights for loyalists could be guaranteed, a united Ireland, which Tyrrie came to see as inevitable.

This not only supports the interpretation that loyalists were more devoted to the people and place of Ulster than the constitutional connection with Britain, but that their relationship to Ireland was different than unionists. This was not that they were enthusiastic about a possible union with Ireland, but that a cabal of loyalists within political and paramilitary groups came to see a future for Northern Ireland outside of the Union, and believed in the probability of unification. It also suggests loyalists were not limited by the same prescriptive heritage as unionists, which derived from 50 years of singular unionist rule, and were able to think more profoundly about the future of Northern Ireland's constitutional crisis.

³⁰ Andy Tyrrie was the Supreme Commander of the U.D.A. from 1973 until 1988. He was a key strategist of the U.W.C. strike and sought to direct the U.D.A. into constitutional politics, whilst also maintaining a murder campaign to limit the militancy of the P.I.R.A. He saw the Irish republic as being of intrinsic importance to the success of his plans for an independent Ulster, which he thought could unite both communities in Ulster by mutually disposing the old national loyalties.

If the primary relegation was that of loyalism, the secondary one was of the Irish government and their posture in the Anglo-Irish arena. This refers to their inability to engineer or demand reform for Northern Ireland: they could only urge it. Thus in the finer analysis of Irish-Loyalist relations, a larger Anglo-Irish theme is intoned which emphasises the changing role the Irish government came to play, with a recognition of their warranted involvement secured by the A.I.A. in November 1985.

The interior of unionism and loyalism

Rather than being a movement whose loyalty was constantly in flux, loyalism consistently opposed, and was coached by resistance to, any move by any party to assimilate Northern Ireland into an Irish republic. This meant that the 'enemies of Ulster' would change rather than the logic which identified them. This thesis argues that unionist and loyalist opposition to Catholics was mostly a campaign to resist their potentially damaging and ruinous nationalism, which either threatened Northern Ireland's membership of the Union or its survival in its recognised constitutional form. But it is also important to acknowledge that it is not a zero-sum equation, and that sectarianism was very much alive in their psyche.

Since loyalism was concerned with maintenance, constancy or expressed an aversion to change, it was often categorised as unthinking and primitive. This gave the lasting impression that loyalism was not a fully formed ideology, but a determined effort to impede catholic emancipation. Loyalists rationalised retaliatory attacks and sectarian murders by supposing that all catholics were nationalists and on that basis either supported the agenda of the I.R.A. or were themselves keen on the destruction of Northern Ireland. Thus even loyalist or unionist antipathy to the Council of Ireland and the general concept of power-sharing were incited by this logic, both rejected because they were construed as menacing predecessors to all-Ireland unity.

Whilst demonstrating the urge to explain or understand unionism and loyalism with greater clarity, one feels a wariness that this could be construed as earnest sympathy for both. This may not be that discomfiting or surprising. Academics are not apolitical or immune to persuasion, and are stirred by the same arguments as non-academics. Given the thin scrutiny devoted to unionist and loyalist thought, particularly within an all-Ireland context, it might be inevitable one would unconsciously adopt a mood of promotion during its discussion.

One would hope though that this study has not been written in that spirit, for reasons of academic credibility. An explicit or implicit lobby for unionism and loyalism could be countered by engaging with it on the basis of its desirability as a political ideology, rather than on the complexity or quality of the historical analysis

of which it has been the dominant subject. This is the case with Arthur Aughey, whose work has at times adopted a missionary purpose.³¹ It also seems probable that a fear of being too closely associated with unionism and loyalism, defamed ideologies as they are, and being denounced as a 'Unionist historian', has deterred academics from undertaking serious research on these problems, much of which remains outstanding.

Loyalism existed as a derivation of unionism, in the sense that both desired a maintained connection with the Union, but loyalists sought a more complex response to the social problems they endured. This explains why there was a natural affinity between the working classes in Ulster, and why the independence movement flourished as a consequence of the impulse to season self-education and political articulacy amongst the proletariat. It also explains the prominence of the concept of Northern Ireland as a shared territory, which became popular during the making of the ceasefires. The argument is made that loyalism as a political ideology was more supple and agile than unionism, not only because of the loyalty it professed to function for, but in the answers it gave to the diverse issues its adherents faced, not just the border question.

Loyalists exalted the people of Ulster above their hallowed British political ancestry; the Union would be desecrated to guarantee the health of the loyalist people. This would not only have been blasphemous to the bourgeois unionist, but

³¹ See especially Arthur Aughey, *Irish Kulturkampf* (Belfast, 1995).

would have dismantled the very cause of unionism. It could not survive the termination of the British attachment and as such was much less radical in its pursuit of alternatives. Unionism as an ideology was not lithe or versatile; to the question of whether it was capable of anticipating change the answer must be that it was not. Its political intelligence was impaired by a creative malnourishment which saw majority rule as the only natural way of governing Northern Ireland. In this regard unionism in the 1980s was not a 'smart' ideology, often exposed as not being fluid enough to adapt to the new burdens of the conflict, confined by a lack of vision which could only view Northern Ireland through the kaleidoscope of the Union. It was not an ideology of ideas, but of standing still, of repeating what had already been stated.

It is also apparent that any fibre of nationality unionists have conjured through this characteristic has not been insistent on or interested in what makes them distinctive, but rather how it could echo British imperialism and ensure participation in the British family of nations, not the singular Irish one. This surely speaks of its lack of imagination and its reliance on the Union for concepts of political definition. This surrogate, borrowed or planted identity stands in opposition to the supposedly self-conceived vision of Irish nationalism. The alternatives for unionism were either to endorse an exceptional, regional, Ulster identity, which loyalists had attempted but which emphasised their incongruity from Britain, or locate their ethnic identity within Ireland, which would involve

unionists making a confession about their Irishness.³² This would make an attachment to Britain seem less necessary.

Loyalists, unionists and Irish historiography: a literature review

What is long overdue is an account of the Protestant lower class's view of the last eight years (1968-1976), not because of some abstract allegiance to objectivity, but because the determining factor throughout Northern Ireland's latest political crisis has been the way the ordinary Protestant has thought and reacted /.../ it has been the developments within the Protestant community that have dictated events.³³

Geoffrey Bell

Loyalism has unquestionably been the key factor in the politics of 'Ulster', informing the attitudes and activities of the major Unionist parties, the state, and the 'security forces'.³⁴

Mark Hayes

³² Brian Graham, 'Ulster: A Representation of Place yet to be Imagined' in Shirlow and McGovern (eds), *Who are the People? Unionism, Protestantism and Loyalism in Northern Ireland* (London, 1997), p.38.

³³ Geoffrey Bell, *The Protestants of Ulster* (London, 1976), p.121.

³⁴ Mark Hayes, *Loyalism and the Protestant Working Class in Northern Ireland: Beyond Ethnicity?* Social Science Occasional Papers No.8 (Southampton, 1996), p.1.

The above scholars agree that not only have loyalists and unionists been the decisive factions in determining the directions of the Northern Ireland conflict, but that they have been remarkably understudied and unknown as historical subjects. It is striking that unionism and loyalism as political and historical phenomena, and not merely as social caste, are routinely excised from studies on Ireland in the twentieth century. This seems to have been shaped by loyalism's criminal exploits and the rise of the loyalist godfather figure, the shift of the D.U.P. to a mainstream unionist party, the proscription of the U.D.A. in 1992, the negative mission of unionism which tends to base itself on what it does not want rather than what it does, the relative stability of consociational governance since the Belfast Agreement and the death of political acuity which once thrived in the loyalist community. With the passing of David Ervine and the redundancy of the U.D.P., it seems to have no present champion and inertia has proceeded unhindered.

But this does not answer why historians eschewed analysis of unionism, and especially the more dramatic development of loyalism, during the first two decades of the crisis. Primarily they have avoided answering if unionist and loyalist history should be considered a type of Irish history. The first purpose of this review is to determine what type of role unionists and loyalists have been asked to play in Irish historiography and if they are invisible what gulf this has formed. Kristen E. Schulze wrote in the introduction to Gary McMichael's autobiography that

The loyalist story of the conflict in Northern Ireland is not one of domination, but one of poverty, disenfranchisement and marginalization /.../ And equally, many Loyalists supported paramilitary organisations, seeing violence as a way of empowering the community.³⁵

The omission of loyalists from established historical canons dangerously affords them a pariahdom and a position of marginal witness. It tends to posit the troubles as a binary clash between the military forces of the British government and the I.R.A. This not only fails to attribute any blame to loyalism for the conflict, but denies the loyalist majority any sense of legitimate cause or right to be included as part of the political conundrum. This in turn only seeks to reinforce the siege mentality of loyalists and that they are a force misunderstood. Alternatively, critics have leapt upon individual personalities of magnetism like David Ervine and Gusty Spence, but not the role of loyalists in general.³⁶

Loyalism essentially lacks determination, the drive to self-vocalise grievance: there are plenty of critics *of* loyalism but not enough *from* it. Michael Hall, seen in a later chapter as co-author of a U.D.A. theatrical piece, was another valuable communicator of Protestant loyalist identity. He wrote in August 1994 of the sense of victimhood and injustice which embittered the Shankill community in west Belfast at

³⁵ Gary McMichael, *An Ulster Voice: In search of common ground in Northern Ireland* (Colorado, 1999), p.1. Gary McMichael was the son of assassinated U.D.A. leader John McMichael and was a key loyalist advocate of the Belfast Agreement as leader of the Ulster Democratic Party.

³⁶ See Roy Garland, *Gusty Spence* (Belfast, 2001) and Henry Sinnerton, *David Ervine: uncharted waters* (Dingle, 2002).

the lack of recognition of their injuries, that their funerals were any less sorrowful than republican ones. Hall gave his definition of the Protestant mission, designating the difference of loyalism:

In substance the Ulster Protestant heritage is an amalgamation of certain diverse strands: religious affiliation, a 'British' consciousness, an almost 'ethnic' sense of group identification, a genuinely-held sense of 'belonging' to Ulster, and, for the working class, the reality of their social and economic circumstances.³⁷

As early as December 1977, Belinda Probert complained that the main component missing from studies on the Northern Ireland conflict was an examination, albeit within marxist terms, of the protestant working class.³⁸ She went on to suggest that this truancy persisted because commentators preferred to speak of loyalism as a homogenous machine, and ignored the acute class antagonism which accompanied the collapse of unionism.

Inclusion within Irish historiography is mostly limited to a false choice between the Stormont regime and its volatile ruin. Chronology makes events seem unsurprising and obvious, but there appears some ideological purpose behind the intention not to have unionism understood in its complexity and variety. Irish

³⁷ Michael Hall (writing as the Springfield Inter-Community Development Project), *Ulster's Protestant Working Class: a Community Exploration* (Belfast, 1994), p.8.

³⁸ Belinda Probert, *Beyond Orange and Green: the Political Economy of the Northern Ireland crisis* (London, 1978), foreword (not paginated).

scholars perhaps feel unionism either has nothing to say of Ireland, or that it has no right to say it, unionism being so reviled as to be unwanted in a volume of Irish history. Or indeed that unionists constitute a demographic which is so un-Irish as to be decidedly alien, and whose inclusion would thus be improper in a collection concerned with Irish experience; they come from the hinterlands of the Irish nation. In this sense unionism is only allowed to speak to itself, or in a language that it understands, and its impact on the development of Irish nationalism remains obscured. Edna Longley wrote of this habit that

It is sometimes hard to convince Southern intellectuals, affiliated to the institutions of their state, with a sense of owning even what they criticise, that northern Protestant writers and thinkers may have something to say about 'Ireland'. For instance, they are notably absent from Declan Kiberd's *Inventing Ireland*.³⁹

They are also omitted from general surveys like R.V. Comerford's *Inventing the Nation* but with greater alarm from Luke Gibbons' *Transformations on Irish Culture* and Lawrence W. McBride's *Reading Irish histories: texts, contexts and memory in modern Ireland*.⁴⁰ Surprisingly, McBride ignores protestant/unionist history and how it lives through choreographed myths, or notices its remission from the Irish historical memory and concepts of the Irish nation. Gibbons' text suggests that either

³⁹ Edna Longley, 'What do Protestants Want?' in *The Irish Review*, No.20, Winter-Spring 1997, p.107.

⁴⁰ See Luke Gibbons, *Transformations in Irish culture* (Cork, 1996) and McBride (ed.), *Reading Irish histories: texts, contexts and memory in modern Ireland* (Dublin, 2003).

northern protestants have had little impact on Irish culture, or that the culture they do contribute to is not Irish. The omission of loyalists from surveys of Irish history is even starker and more complete; few historians, like Alvin Jackson, have looked at the relationship between Dublin and northern protestants in the second half of the twentieth century. It is of course not because there was no relationship.

Jackson's work is especially interesting since it has shown an admirable willingness to consider the interior memory and historical consciousness of unionism, especially its evolution from the Home Rule crisis. He observed in 1990 that 'there has been a tendency among historians to treat mass Unionism as a freak of progress, demanding apologetic explanation rather than sustained illumination'.⁴¹ However, Jackson has shown a reluctance to analyse the reception of unionist developments from within the Irish state; instead, his work looks at it from inside itself.⁴²

Historians have preferred to examine how unionists used myths but not how these formations have been observed south of the border. It is perhaps more comfortable for them to avoid explaining the death of unionism in the Irish cultural mind and instead recall its prominence in institutions like Anglican Trinity College Dublin. A fixation with the home rule derivations of unionism within southern Ireland, and not later manifestations, relieves historians of the burden of

⁴¹ Alvin Jackson, 'Unionist politics and Protestant society in Edwardian Ireland' in *The Historical Journal*, 33, 4 (1990), p.839.

⁴² See for example Alvin Jackson, 'Unionist myths: 1912-1985' in *The Past and Present Society*, 36 (Aug. 1992).

concocting a solution for the protracted legacies of the conflict.⁴³ Of even greater alarm is the almost complete absence of Ulster loyalism from within the annals of Irish historiography.

Of course it might also be useful to understand Longley's comments inside the atmosphere of revisionism. Kiberd helped establish the *Ireland Institute* to challenge the writings of revisionists, of which Longley was considered a leading specimen. The tone of the revisionism quarrel illustrated the broader patterns of how academics interact with each other: in colours of hostility and competition. The treatment of Roy Foster especially had the hallmarks of professional jealousy, peripheral voices shouting down the podium from the stalls. The debate may have been surprisingly public, given academia's usual retreat into a private arena, but the neat analogy made between unionism and revisionism was even more telling.

Revisionists were commonly accused of being neo-unionist, with the argument over Ireland and her old gods summarised as anti-nationalism, which was apparently the same thing as pro-unionism. Whether one considers the phenomenon as an attempt to obscure or refine historical understanding in Ireland, it is revealing that unionism was used as a toxic smear, and that the only way it could captivate Irish intelligentsia was as a disfiguring force, which no true Irishman should be associated with. It threatened to put the natural ideological force of Ireland, Gaelic nationalism, into death throes. Thus to some revisionism had the tenor of

⁴³ Alvin Jackson, 'Unionist History' in *The Irish Review*, 7 (Autumn, 1989).

blasphemy, because it coolly suggested a more sympathetic interpretation of Ulster unionism.

This attitude could be explained by the position of protestants as a minority community within the entire population of Ireland. Unionism is seen as a relic of old, covenant Ireland, distinctly foreign to the realities and principles of the catholic, Gaelic nation intentionally forged and supported by Bunreacht na hÉireann. This is what made the Irish constitution and the nationalist mind that fed it counter-intuitive; it sought union with or claimed ownership of a country it had meant to be distinctive from. This obscured the key consideration; that if unionists were not Irish, how then could the territory they inhabited be.

And if the revisionism fracas is at least muted, if not resolved, what explains the contemporary disappearance of loyalists from Irish academia? The relative stability of Northern Ireland, and with this the reduced appearance of unity in public political discussions, must be contributing factors. Loyalists and unionists do not form a visible part of the discussion in the south because it appears nothing requires them to be. These questions are not the warning signs of the author conducting a tormented internal monologue, but to disrupt the comfort of the reader, before he relaxes back to the lifestyle section of the *Irish Times*.

Where is the curiosity in the minds of southern Irish scholars, of any discipline, into Ulster loyalists, even if the only intellectual impulse related to them is defamation? Look through your departmental seminar programme for the next term; how many of your speakers have concerned themselves with northern

protestants? How many convenors have encouraged them to? The reader seeks the neat conclusion, without any questions left for himself to answer.

John M. Regan suggests unionist neglect results from the deliberate and recurring choice made by the Irish state to consider itself as ending at the border, imagining a nation independent of the north and in a purely southern context. This has conceived of an Ireland 'wherein the partitioned northern counties and their peoples increasingly became irrelevant, unknown, and, perhaps, unknowable'.⁴⁴ This sought to simplify and make complacent the Irish character, leaving little room for marginal components of Irishness, like unionism.⁴⁵ Their inclusion would confound self-definition; nationalists could not denounce unionists as an anachronistic colonial malady, while simultaneously approving a claim to their membership of the Irish nation. The assumption formed that unionist experience recurs outside of Irish experience.

This dichotomy, as Eunan O'Halpin remarked, has caused a general paucity of scholarship from south of the border on Northern Ireland.⁴⁶ Partition has imparted a strenuous psychological division as well as a physical one. This voiced the recurring reticence of the 26 counties to assume responsibility for the north, instead denouncing it as a British historical problem. To claim it unequivocally as part of the

⁴⁴ John M. Regan, 'Southern Irish nationalism as a historical problem' in *The Historical Journal*, 50, 1 (2007), p.218.

⁴⁵ Of course this also led to the estrangement of northern nationalists, with whom the southern state had little contact before the assembly of the Northern Ireland Civil Rights movement.

⁴⁶ Eunan O'Halpin, 'Northern Ireland: the troubled peace process' in *Irish Studies in International Affairs*, 12 (2001), p. 247.

Irish nation would be an empathic indictment: it would either administer fault to the Irish state for Ulster's descent into disorder or occasion guilt at not having done more to assuage it.

Indeed, as Clare O'Halloran insists, serial allusion to the North's remoteness allowed nationalists to distance themselves from the legacies of unionism, sectarianism and protestant ascendancy, obscuring them from their portrait of Ireland and averting an association with them.⁴⁷ Thus there has been an attempt to sanitise and consolidate a singular Irish identity which also exonerated southern nationalists for only belatedly recognising the discrimination meted out to northern nationalists. This fashioned a protective kind of Irishness for Irish scholars, the type that excuses ignorance of the north. Loyalists, however, would claim that the most dominant British identity problem in Ireland was the Irish people's denial that they had one.⁴⁸

Unionism in this sense is deprived of utility: it can only speak of an Ireland that no longer exists. The key conviction for a scholar of loyalism and unionism to form is that knowing both is intrinsic to a better understanding of modern Ireland. The argument expressed in this study is that at the very least it educates one on the interior of Irish nationalism and why it operates for the repatriation of Northern Ireland. But there is no need to be so apologetic: unionism and loyalism are

⁴⁷ Clare O'Halloran, *Partition and the limits of Irish nationalism* (Dublin, 1987), p.12.

⁴⁸ See Billy Hutchinson in *The Springfield Inter-Community Development Project, Ulster's Protestant Working Class: a Community Exploration* (Belfast, 1994).

important systems of thought from the isle of Ireland, ask important questions of notions of 'Britishness' and deserve greater scholarly attention from both islands. This is why unionism is alien to Irishness and resists interpretation through its lens. Either unionists are not Irish, or they retain a different type of Irishness that asks uncomfortable questions of the dominant marque. This boldly challenges the basis of its pursuit for unity, and questions if it derives from the belief that unity could heal communal division and end sectarian violence, or that it would settle an aged historical score. Nationalists may prefer that unity, and the rationale for pursuing it, remain self-evident in a state of natural law; it should require no explanation.

One critic who has incurred the wrath of unionist scholars for pared representations is one of Ireland's most prominent historians, J.J. Lee. In *Ireland 1912-1985*, Lee speaks of the genetic racism of the anti-Home Rule unionists in the early part of the 20th century, ascribing them with a fanatic and exclusionist racialist superiority and a rabid sectarianism which thought catholics unfit for their conception of Ulster. Interestingly, Lee does corroborate earlier contentions that Ulster has always been an imagined place for Ulster Protestants, rather than a specific geographic entity;

'Ulster', like the German 'East', was less a place than a state of mind, however insistently this mentality expressed itself in the idiom of the territorial imperative. 'Ulsterman' was an

abstract Protestant ideal untainted by the contamination of a Catholic presence. To the Protestant mind 'Ulsterman and 'Catholic' were mutually exclusive identities.⁴⁹

Graham Walker observed that 'Lee is just the latest in a long line of historians who have attempted to pronounce on Ulster Unionist attitudes without reference to crucial factors which shaped them'.⁵⁰ It has been a common habit of southern writers and indeed southern governments to sever unionists from the provenance of their actions, making them appear illogical, prejudiced and irrational. By actually trying to understand unionism, and not castigate it, these writers urge a more involved analysis of protestant experience, not just a superficial one which recants the vista of loyalist dominance and reduces all power plays to an attempt at catholic bondage or exclusion.

Walker contends that the key issue is not one of supremacy but insecurity, with at the time of writing (1992) unionism having very little assurance that it would be allowed to prosper, and not be eroded or prevented, within a united Irish nation state. With that in mind one can emphasise the commonality of motivation that drive both unionism and nationalism, a primal urge for survival and legal validation. This might, as Fearghal Cochrane argues, be manifested in feelings of belonging, yet he

⁴⁹ Joseph Lee, *Ireland 1912-1985* (Cambridge, 1989), p.5.

⁵⁰ Graham Walker, 'Old History: Protestant Ulster in Lee's "Ireland"' in *The Irish Review*, 12 (Spring-Summer 1992), p.66.

stresses that 'many unionists are motivated by exactly the same symbolic forces which drive Irish nationalism'.⁵¹

The counter-argument is that the elision of unionism is explicable by an inherent stupor within it which only permits unionism to be understood by its own converts. Arthur Aughey observed that the notion of unionism as a convoluted ideology is a commonly accepted one. The argument goes that 'Unionist may speak happily unto unionist but the major difficulty for them is making sense to others...In other words the protestant identity, as an assertion of political right, lacks credibility in the modern age'.⁵² The doubts are raised over whether unionism could reasonably articulate itself to an Irish audience even if it was allowed to, or if it will always be too foreign and unfamiliar. Unionism does receive analysis, but this tends to be in collections of itself, like Susan McKay's *Northern Protestants*, Steve Bruce's *The Red Hand* and Peter Shirlow's *Who are the People?*⁵³ Rarely is unionism integrated into wider studies of the Irish nation and character. This serves to further emphasise the idea of unionist distinctiveness and un-Irishness.

The most obvious question to ask is if unionists think of themselves as Irish. What unionists feared more than being considered Irish was being overtaken by and

⁵¹ Fearghal Cochrane, *Unionist Politics and the politics of unionism since the anglo-irish agreement* (revised edition 2001, Cork), p. 78.

⁵² Arthur Aughey, *Under Siege- Ulster Unionism and the Anglo-Irish Agreement* (London, 1989), p.13.

⁵³ See Susan McKay, *Northern Protestants- An Unsettled People* (Belfast, 2000), Steve Bruce, *The red hand: Protestant paramilitaries in Northern Ireland* (Oxford, 1992) and Peter Shirlow and Mark McGovern (eds), *Who Are The People? Unionism, Protestantism and Loyalism in Northern Ireland* (London, 1997). See also David Miller, *Queen's Rebels: Ulster Loyalism in historical perspective* (Dublin, 1978).

deposited in an Irish state which would impeach the habits of protestantism and Britishness. This included the devastations from the *ne temere* papal decree, which insisted children from mixed unions be raised catholic, the abrasive application of censorship, the bans on divorce and contraception, the use of the Irish language and both the high observance of its citizens of catholicism and the role of the Catholic Church in forming legislation. Unionists feared that upon their absorption into a unified state, they would soon be cast as an imperilled minority, for whom there would be no succour.

Some have suggested that the anaemia of an Ulster protestant nationality is because its re-imagining would demand a closer relationship with the rest of Ireland, pulling unionists further away from Britain. Brian Graham wrote:

In constructing a popular consciousness, Unionists have always faced the quandary that any form of self-realisation that locates them in Ireland requires an acknowledgement of an Irish element to their identity, unless, that is, a particularly Ulster cultural nationalism can be simultaneously created which establishes that region's authentic separation from the remainder of Ireland while accommodating it under the protection of British allegiance.⁵⁴

⁵⁴ Brian Graham, 'Ulster: A Representation of Place yet to be Imagined', in Shirlow and McGovern (eds), *Who are the People? Unionism, Protestantism and Loyalty in Northern Ireland* (London, 1997), p.38.

Graham contends that the failure of unionism, which has it teetering on the brink of destruction, is its refusal to counterpose the cultural Gaelic hegemony of Ireland with an alternative indigenous response which is more complex and supple than the traditional dissenter voice of just saying 'no'. He added that 'no matter how impaired that rhetoric might be, the challenge in Ireland is to create landscapes in which pluralist myths might be embedded'.⁵⁵ So regardless of how inauthentic or synthetic the devised myth-making or communal consciousness actually are, their actual formation is the essential step. As Desmond Bell has discussed, their location within a fractious political scene has led some to classify loyalism as an embryonic and unrealised political ideology. Bell wrote:

Loyalism as a politico-cultural identity has displayed a particularly refractory character to the usual perspectives and concepts of political science. At the heart of this difficulty lies the complex relation of Ulster Protestants as a social group to the ideology of nationalism usually seen as central to understanding the political mobilization and ethnic identities of Catholics in Ireland.⁵⁶

He added that

⁵⁵ Graham, 'Ulster: A Representation', p.53.

⁵⁶ Desmond Bell, *Acts of Union- Youth culture and sectarianism in Northern Ireland* (London, 1990), p.15.

In reality the loyalist sense of identity achieves its positive valency (that is, being more than simply *not-Irish*) in being actively paraded. That identity *is* dependent on the rehearsed myths, ritualized practices, and confrontations of the marching season.⁵⁷

The omission of unionists from Irish historiography is also because of a preoccupation with the national question of which it is supposed unionists are not an essential fixture. This has concealed the failure of Irish nationalists to deftly convince unionists that they should wilfully, rather than through coercion, embrace the assorted merits of unification. Nationalists and republicans have preferred to teach in the currency of unionist intransience, rather than admit their failure to articulate their nationalism as an endearing or tempting ideology to unionists. In this scenario, unionists become the passive subjects to the will of Irish nationalism, but unionists would contend that it was the republic which seceded from the Union, not that Northern Ireland absented itself from Ireland.

Analyses of unionism and a constituent of Irish nationalism from the prospect of the corresponding party benefit both; they also disclose how self-aware or self-conscious Irish governments were. Thus the purpose of the thesis is to offer a new historical perspective of Ulster unionism from the horizons of the Irish state, which scrutinises the ideological and nationalist fabric of both. There are just as many factors which explain the natural estrangement between Ulster unionists and the

⁵⁷ Bell, 'Acts of Union', p.20.

‘mainland British’ as there are for the Irish nation. Unionists have been too feverish and antiquated in their expression of Britishness, in ritual parading and in protests against government policy like the A.I.A., to ease into the British national consciousness. English, Welsh and Scottish nationalism operate as more powerful and prolific systems of thought than any singular British identity, the last coherent congress of which was during the Falklands conflict. Unionists thus express a nationalism that does not exist anywhere else. Aside from the obvious geographical separation, Ulster began to be seen as a ‘place apart’ by members of the British government during the 1970s, hastened by the Constitutional Convention of 1975-76.

This meant that whilst the British government would act as mediators, it would be internal players within Northern Ireland who would secure a domestic and lasting solution. This imparted a natural division between Ireland and Britain, reinforced by the steady depletion of the British government’s patience for Ulster. One may also offer the diminished national reciprocity between Britain and unionists to this argument. That is, there was little belief within British society or academia that unionists were an audible or influential part of the British nation. They are noticeably absent from Linda Colley’s seminal work *Britons*.⁵⁸ Amid the scepticism of British politicians that Ulster loyalists were loyal subjects to the will of the British Parliament, one can understand that unionism did not fit succinctly into

⁵⁸ This despite Colley’s contention that protestantism is one of the founding principles of Britishness. See Linda Colley, *Britons: Forging the Nation, 1707-1837* (Yale, 1992).

either Irishness or Britishness, and that this has hastened its impulsive retreat into itself.

David Miller has observed that loyalism's academic distortion, usually by British and unionist intellectuals, results from the deliberate omission of the colonial aspect of the Ulster question. In Miller's view, this dynamic involves the necessary recognition of Northern Ireland as a colonial possession and the impact this has had on the reactions of the protestant community to the challenges of crisis. Whilst he agrees that settler colonialism is a widespread characterisation of the conflict's origins, he argues that for too long the emphasis by academics has been on crude imperialism, failing to see Northern Ireland as about the pursuit of interests, focussing instead on the backwardness, extremism, myths, religion, atavism, tribalism and irrationality of it.

Miller complained that 'much contemporary social and cultural theory has lost itself in arcane language games and theoreticist speculation'.⁵⁹ On the topic of imperialism he observed that

Left writers are criticised by non-Marxists for a crude and conspiratorial conception of the interests of British imperialism (Whyte, McGarry and O'Leary) and by revisionist Marxists for overestimating the homogeneity of the Protestant community and underestimating the progressive potential of the Protestant working class.⁶⁰

⁵⁹ David Miller (ed.) *Rethinking Northern Ireland* (Essex, 1998), p. 35

⁶⁰ David Miller 'Rethinking Northern Ireland', p.6.

In the latter category he included Bew and Patterson, two of the most prolific and esteemed writers on the conflict. He also drew on the perceptive insight of Flann Campbell, who acknowledged 'a curious aspect of Irish historiography has been the fact that so little has been published, at least until recently, about the dissenting aspects of Ulster Protestantism'.⁶¹ As Miller bemoans, it has now got to the stage where there is more theory than knowledge about the events to which it is applied; there is scarce substantive historical enquiry into loyalism yet the distractions of theory, which permit the indolence of intellectual indulgence, are greatly fertilised.

This is a complaint which can be levelled at traditional Marxist interpretations of Northern Ireland. These tend to emphasise the existence of skilled protestant workers as a 'labour aristocracy' which seek to abolish the economic competition of the nationalist working classes. The 'writing out' of the protestant working class from historical reflection is one that James McAuley and P.J. McCormack have taken issue with, considering it the result of a deficit of research; 'It is clear that labelling a whole section of the working class as "unreformable" is only possible if we omit much working-class experience'.⁶² They continued

⁶¹ David Miller 'Rethinking Northern Ireland', p.10. See Flann Campbell, *The Dissenting Voice: Protestant Democracy in Ulster from plantation to partition* (Belfast, 1991).

⁶² J.W. McAuley and P.J. McCormack, 'The Protestant working class and the state in Northern Ireland since 1930- A problematic relationship' in Hutton and Stewart (eds), *Ireland's histories: Aspects of State, Society and Ideology* (London, 1991), p.117.

The expression of politics from within PWC (Protestant working class) communities is not uniform. The overall picture then is one in which it is no longer possible to describe PWC culture as unidimensional /.../ Too often socialists have been content to look no further than the surface signs of loyalism and define the Protestant population in Northern Ireland as one undifferentiated reactionary mass, which has no part to play (except an antagonistic one) in working-class struggle /.../ As a class it is not necessarily passive to ruling-class ideas even if its perspectives are often constrained by immediate political concerns. It is this which forms much of the material base and rationality of working-class 'economism' in Northern Ireland.⁶³

McAuley and McCormack insist that our primal intellectual reflex in relation to Ulster's protestant working class has been to homogenise and standardise their experience. Scholarly work has imbued analyses of loyalism with uniformity, stripped of variety, assuming that loyalists are a unified strata of Northern Irish society. It is the imperative of grasping all forms of loyalist organisation and expression which is mostly fervently endorsed by these two scholars:

Activities by PWC organisations have created lines of resistance to the dominant capitalist hegemony, although they are somewhat constrained by the continual search for an alternative basis of legitimacy. The latter is crucial if one is fully to understand the importance of loyalist paramilitary groups in loyalist politics /.../ given the different range of

⁶³ McAuley and McCormack, 'The Protestant working class', pp.124-5.

experiences within the PWC, a serious analysis of its politics and ideology must incorporate all of these concerns.⁶⁴

McAuley and McCormack conclude with a final emphasis on the urgent necessity of substantive research:

An effective analysis of class formation must not make presuppositions about its form. In addition it must incorporate all those aspects of behaviour which sustain the social structure. To do otherwise is to dismiss a huge range of working-class experience.⁶⁵

Colin Coulter has issued similar complaints at each of the various schools of recent scholarship into unionism; the elision of much of the political reality of the unionist experience and the subsequent act of uniforming what endured experience is seldom permitted grounds for consideration. He argues that those writers, like J.J. Lee, who have ignored the variegation in unionism, too complacently dismiss it as homogenised and unitary. 'In doing so, these authors in effect seek to write out of existence an entire swath of unionist sentiment and experience that is significant for their analytical or polemical purposes'.⁶⁶ Fearghal Cochrane has commented in a

⁶⁴ McAuley and McCormack, 'The Protestant working class', p.125.

⁶⁵ McAuley and McCormack, 'The Protestant working class', p.126.

⁶⁶ Colin Coulter, 'The Character of Unionism' in *Irish Political Studies*, 9 (1994), p.15.

similar vein. 'It is clear that to simply define unionism as being a dichotomy between moderates and extremists, as Garret FitzGerald has done, is little more than a caricature of the ideology which does not address the nuances within it'.⁶⁷ He continued that 'it is clear that politico-cultural identity within unionism is diverse to the point that it defies categorisation'.⁶⁸

Religion versus nationality as barometers of loyalist and unionist thought

Perhaps the most significant recent scholarly debate within academia about loyalism and unionism has been over the formation of ethnic and national identity for Ulster protestants. In other words, whether one can locate the pursuit of a nation within the behaviour of Ulster protestants or if ethnic solidarity is formed by the observance of evangelical protestantism. These concepts are not mutually exclusive. Wallis *et. al* have argued:

⁶⁷ Fearghal Cochrane, *Unionist Politics and the politics of unionism since the anglo-irish agreement* (revised edition 2001, Cork), p. 57.

⁶⁸ Cochrane, 'Unionist Politics', p.83.

That the loyalist community does not constitute a nation has important consequences. Their attachment to the symbols of religion despite a relatively lower participation in religious institutions and activities than their Catholic counterpart is otherwise a considerable puzzle.⁶⁹

These scholars see the conflict as between a nationality and a dominant ethnic group. In the absence of a clear, alternative national consciousness, it has been to Paisley and his terms of evangelical protestantism that loyalists have turned. They argue this has not been for the fulfilment of a national mission, but to defend Protestants' social and cultural autonomy.

Other critics have taken issue with the denial of a nation to Ulster loyalists. Moore and Sanders wrote that 'To loyalists, Ulster is a country with its own nationhood, characteristics and identity, some of which it shares with Britain...but with much that is unique and distinctive'.⁷⁰ They continued that

Because of their loyalist beliefs, the nationalism they hoped to create was to be based on a six-county Ulster rather than on the island of Ireland, and this was one reason it was doomed to be attractive to Northern nationalists...Basic to these ideas is the conception of Ulster as 'a place apart' and the Ulsterman as a special kind of person. However, an examination of the manner in which the term 'ulsterman' is used by paramilitary theorists shows that in effort,

⁶⁹ Bruce, Taylor and Wallis, *"No Surrender!" Paisleyism and the Politics of ethnic identity in N.I.* (Belfast, 1986), p.5.

⁷⁰ Ronnie Moore and Andrew Sanders, 'Formations of Culture: Nationalism and Conspiracy ideology in Ulster Loyalty', in *Anthropology Today*, vol.18, no.6 (2002), p.10.

even if only by implication, the Ulsterman is a Protestant. The imagined community of the Ulster loyalist remains the Ulster Protestant people. The religious basis of loyalists' ideologies and perceptions opposes an interdenominational nationalism.⁷¹

In his influential book *Queen's rebels*, David Miller made the argument that 'the central peculiarity in Ulster's political culture is that no community- not Britain, not the United Kingdom, not 'Ulster' and certainly not Ireland- has attained for Ulster Protestants all the characteristics which a nation commonly possesses in the modern world'.⁷² Miller was responding to an argument, which grew out of the initial fires of the conflict, that was called 'the two nations theory'. First proposed by the Marxist group the Workers' Association, it was premised on the assumption that northern protestants constituted a 'distinct nation', one of two on the island of Ireland, or were least 'part of one' and that Ulster unionism was a species of 'nationalist ideology'.⁷³ John Whyte, in discussing the two nations theory, the idea that Ireland is really constituted by two anomalous countries, wrote that

Perhaps the deepest objection to the BICO thesis is that it treats the two nations as equals. It makes no allowance for the possibility that there may be degrees of nationhood. Yet in practice there is no simple distinction between nations and not-nations. Communities are

⁷¹ Moore and Saunders, 'Formations of Culture', p.13.

⁷² David Miller, *Queen's rebels: Ulster loyalism in historical perspective* (Dublin, 1978), p.4.

⁷³ See Workers' Associations, *One Island, Two Nations* (1973).

ranged on a scale, from those which show every conceivable characteristic of nation, through those which show some, to those which show none. On such a scale, the two Irish nations are not at the same point.⁷⁴

Miller's analysis was astute; it is much more useful to consider Ulster protestants an incomplete or temporary nation, rather than accredit them a status which simplifies their complex relationship with national identity. But as Whyte insisted, it is still valuable to consider the depth to which the nation has grown as an instrument of identity for the Ulster protestant rather than, as we shall see, discount it entirely. Jennifer Todd agreed with Moore and Sanders on the sectarian conception of Ulsterness and its self-received difference from the rest of the British tribes, but was reluctant to ascribe it the terminology of nationalism, stating that:

I think that Miller (David) is correct to insist that loyalist Britishness is neither a nationalist sentiment nor a sense of community with the peoples of Britain. At centre it is a loyalty to a Queen and constitution that guard the rights of the 'loyal Ulster people'.⁷⁵

By locating national loyalty rather than religious ethnicity as the central precept of the protestant loyalist identity Todd makes a useful point, but the

⁷⁴ John Whyte, 'Interpretations of the Northern Ireland Problem: An Appraisal', in *Economic and Social Review* Vol.9 No.4 (1978), p.263.

⁷⁵ Jennifer Todd, 'Two Traditions in Unionist Political Culture' in *Irish Political Studies* Vol. 2 1987, p. 6.

benefactor of that loyalty is the key issue. The budding separatism or antagonism within loyalism, which was directed against targets of the British government and state, is often neglected by scholars or relegated to the fringes of protestant action. This has included the revision of 'pro-state' allegiances within loyalism, the series of loyalist strikes, protests and their disputation of the British mandate, the entire independence movement which sought to reconfigure Ulster outside of the Union, the phenomena of Paisley and his emphasis on the self-seizure of Ulster's destiny, the piercing anti-Englishness within Ulster Vanguard, the historical revisionism of Ian Adamson which underlined the singular, non-British character of Ulster, the revolt to the Anglo-Irish Agreement and the attacks meted out by loyalists, albeit infrequently, against security force personnel.⁷⁶

I am arguing that loyalists' central loyalty was not to the constitutional devices of Crown, Parliament and Constitution, but to the actual people this legal apparatus might act to protect and serve. The connection to the former is strategic, the latter is ethnic, occasionally nationalistic and emotive. It would be going too far to postulate loyalism as an 'anti-state' force, but it is similarly inaccurate and too broadly sweeping to brand it 'pro-state'. My contention is that loyalism's loyalty was actually to the invisible state of Ulster, which really only existed in their imaginations. As Lee stated, "'Ulster", like the German "East", was less a place than

⁷⁶ See Ian Adamson, *Cruthin: the Ancient Kindred* (Conlig, 1974) and *The identity of Ulster: the land, the language and the people* (Belfast, 1982).

a state of mind, however insistently this mentality expressed itself in the idiom of the territorial imperative'.⁷⁷

David Mason has written in a similar fashion in relation to loyalism as a species of nationalism or at least exhibiting its recognisable traits. He wrote of Ulster after the Home Rule Crisis that

The history of the resulting state is notable for the willingness of its Loyalist inhabitants to defy both the spirit and even the letter of British authority in their concern to preserve the integrity of that state, and their dominance within it, in the face of apparent threats /.../ This strongly nationalistic element in Loyalist ideology is critical for any understanding of the apparent paradoxes of Loyalism such as the willingness to accept a 'home rule' Parliament, or the periodic emergence of advocates of independence for Northern Ireland.⁷⁸

He continued:

Thus in both symbolic and organisational terms, Unionism shared and shares many of the most important characteristics of nationalism. It is this fact which accounts not only for their acceptance of the new state set up in 1920, but also the periodic appearance of suggestions that separation from Britain might not be wholly unacceptable or undesirable. It also accounts

⁷⁷ Lee, 'Ireland', p.5.

⁷⁸ David Mason, 'Nationalism and the process of group mobilisation: the case of 'loyalism' in Northern Ireland reconsidered' in *Ethnic and Racial Studies*, 8 (1985), issue 3, pp.418-419.

for resistance to direct rule (since 1972) and the continued Unionist demand for democratically (i.e. Protestant) controlled devolved powers.⁷⁹

Mason then concluded by stating that seeing loyalism through the prism of nationalism, 'avoids the danger of seeing a movement like Ulster Unionism, as merely an anachronistic survival, wedded to outmoded and largely religious, "traditional" symbols of identity'.⁸⁰ Moore and Sanders argued:

In our view, regarding Ulster loyalism as nationalism (in fact as one of two unionist nationalisms in Northern Ireland), instead of treating it as marginal to British nationalism or as an anomaly when posited against Irish nationalism, puts it in its proper political perspective.⁸¹

Moore has discussed the psychological difficulties academic scholars have had with protestant ideology and its place within the Northern political arena:

Part of the problem is that discussions relating to Protestants have tended to be couched in relation to the Catholic 'other'. Because of this, Protestant ideology, hegemony, motivation and worldview have appeared nebulous and confused. These have therefore been

⁷⁹ Mason, 'Nationalism and the process of group mobilisation', p.422.

⁸⁰ Mason, 'Nationalism and the process of group mobilisation', p.423.

⁸¹ Moore and Sanders, 'Formations of Culture', p.15.

notoriously much more difficult to capture and articulate /.../ their identity has often been expressed in terms of their relationship with Britain, and consequently they have been interpreted as either a peripheral element of a British nationalism or as an anomalous population, that, in the age of nationalism, lacked a genuine national identity since it made no claim for an ethnically based state of its own.⁸²

Therefore, loyalism has been denied independence or originality, instead rigidly classified as a component of British nationalism, a comparison in which it is made to appear undeveloped, adolescent and immature.

An alternative to this nationhood dichotomy is, as we have seen, the argument that northern protestants used religion as a force of ethnic identity more than nationality. The leading advocate of the religious argument, Steve Bruce, has stated that evangelicalism accounts for the support of Ian Paisley and his party the D.U.P.⁸³ Further, that reformation protestantism exists as the primary component of ethnic identity for loyalists and is the foundation of loyalist opposition to the catholic population of Ulster. It must be said that some libertarian unionists, like Robert

⁸² Ronnie Moore, 'Protestants and Protestant habitus in Northern Ireland' in Sara O'Sullivan (ed.) *Contemporary Ireland: A Sociological Map* (Dublin, 2007), p.390.

⁸³ Ian Richard Kyle Paisley, born Armagh 6 Apr. 1926, died Belfast 12 Sep. 2014.

Paisley is the most significant loyalist and unionist figure of the second half of the Twentieth century. He became a protestant evangelical minister in 1946, founding the Free Presbyterian Church in 1951. He co-founded the D.U.P. in Sep. 1971 and became notorious for his public pronouncements against organised catholicism and the proponents of Irish nationalism. He became the leading voice of dissenting unionism, which sought to protect the station of Ulster protestants before any other loyalty. A more satisfactory biography might be obtained in Ed Moloney and Andy Pollak, *Paisley* (Dublin, 1986). For Bruce's work see Steve Bruce, *God Save Ulster- The Religion and Politics of Paisleyism* (Oxford, 1986) and Steve Bruce, 'Ulster Loyalism and Religiosity' in *Political Studies* (1987), XXXV, pp.643-8.

McCartney, did resist assimilation with the Irish republic on these grounds.⁸⁴ They feared the creeping influence of the Church of Rome and its ultra-montane inclinations, which prescribed conservative attitudes on social matters like contraception, censorship and divorce and threatened glaring intrusion into the lives of its observers.

It would be fallacious to suggest though, as Bruce does, that this was keenly felt by a majority of loyalists, or that it superseded the other motives both for supporting the D.U.P. and maintaining the divisions between protestants and Ulster's catholic population. Bruce extended this logic to attribute the prolific failure of loyalist candidates at elections to their non-evangelical nature, ignoring the more plausible explanations of their political inexperience, their diminished credibility, financial resources, eloquence, history of electoral participation and external class prejudices. This argument also limits and underestimates the capabilities of the main party of loyalist support, the D.U.P., which did manage to secure the largest proportion of the loyalist vote. It neglects the refinement of their social policy, electioneering technique and the non-evangelical backgrounds of some of its key players, such as then Deputy Leader Peter Robinson.⁸⁵

⁸⁴ McCartney was Queen's Counsel and would later become a prominent opponent of 1998's Belfast Agreement through his pro-union party the U.K. Unionist Party.

⁸⁵ Robinson is currently the leader of the D.U.P. and First Minister of Northern Ireland. He was M.P. for Belfast East from 1979 until 2010 and has garnered a reputation as an abrasive but talented negotiator.

Bruce also omits sectarianism, and unionists' ability to incite it, as reasons for the D.U.P.'s success and its influence in forming ethnic identity for loyalists. Further, he neglects nationality, which I assert as the key fund of division between the two communities in Ulster, and the competing national aspirations it sired. This is what inspired loyalists in conceptions of self-identity and in what they strove to resist: the avalanche of Irish nationalism. Bruce denies loyalists a nation, or the pursuit of one, which at times has oscillated between the British nation state, straining to continue the attachment of the Union, and devotion to the mythic nation of Ulster, which found vivid expression in the independence movement. The conflict in Northern Ireland was one of nationality: the quest to make Ulster Irish, keep Ulster British or have it belong to the people of Ulster themselves, without incursion from Dublin or London.

Religion can hardly claim possession of the classes *protestant* and *catholic*, despite these being born as religious terms. In Ulster, these are politically, nationally but not theologically informed.⁸⁶ As Pamela Clayton wrote, 'despite the unusually prominent role of religion in Northern Ireland, actual doctrinal differences are hardly ever seen as fundamental to the conflict'.⁸⁷ Bruce also denies the existence of

⁸⁷ Pamela Clayton, 'Religion, Ethnicity and Colonialism as Explanations of the Northern Ireland Conflict' in David Miller (ed.), *Rethinking Northern Ireland: Culture, Ideology and Colonialism* (Harlow, 1998), p.43.

the secular Protestant, which in fact constitute a majority, and debars the prevalence of political religion. Clayton went on to write that:

The use of religion for political purposes does not, however, make it a religious conflict in the sense of a conflict caused by religion or informed by purely religious values /.../ similarly in the case of Northern Ireland, religion is frequently viewed in academic writings as intrinsically political rather than spiritual.⁸⁸

The references made in this thesis to *protestant* and *catholic* are made with the intention of expressing communal membership. They are not an allusion to membership of a church or particular denomination. This nomenclature is a shorthand which is at times unsatisfactory, but it is used with implied meaning: not all unionists were protestants, but these terms at least distinguish them from catholics and nationalists. It is unsatisfactory because it is uneven: we speak of nationalist housing estates, but not unionist ones.

Bruce has stated that 'it is surely difficult to argue that motives for supporting the party (D.U.P.) can be entirely or even predominantly secular when such a large proportion of the activists are conspicuously evangelical.'⁸⁹ James Greer has disputed Bruce's reasoning:

⁸⁸ Clayton, 'Religion, Ethnicity and Colonialism', p.44.

⁸⁹ Steve Bruce, 'Ulster Loyalism and Religiosity' in *Political Studies* (1987), XXXV, pp.643-8.

At the beginning of the twenty-first century, the Free Presbyterian Church's total membership throughout Northern Ireland has stabilised around the 12,000 mark. These figures reveal that Paisleyism's success is not one of parallel and political growth. The majority of Paisley's political supporters have not joined his church, and indeed many reject or largely ignore his theology.⁹⁰

It is of course important to emphasise that for Ian Paisley, protestantism was intrinsic to unionism, demonstrated as well in the conditional loyalty that Ulster Vanguard offered for the British monarchy; only if it remained a protestant one. As David Miller observed, 'though the stipulation that the monarch must be a Protestant, which Orangemen make an explicit condition of their loyalty, is still a part of the British constitution, it is hardly, for most Englishmen, its essence.'⁹¹ Paisley equated catholicism with tyranny and a monopoly on human movement, whilst protestantism was expressed in diametrically opposed terms; it embodied liberty, freedom, self-education and personal control. Thus some unionists fought incorporation into a united Ireland on the grounds of their protestantism; they saw

⁹⁰ James Greer, 'Paisley and his heartland: A case study of political change' in Caoimhe nic dháibhéid and Colin Reid (eds), *From Parnell to Paisley- Constitutional and Revolutionary Politics in Modern Ireland* (Dublin, 2010), p.230.

⁹¹ David Miller, 'Queen's rebels', p.3.

the south as being subjugated by its powerful and encroaching church with its draconian laws against divorce, abortion and its supremacy in the education sector.⁹²

Other critics have contributed to the religion and nation debate. Colin Crawford has argued that 'The loyalist paramilitary ideology is deeply embedded within (if unconsciously) the Protestant religion'.⁹³ His evidence adduced for this claim is the Old Testament, whose views of natural justice and 'eye for an eye' he argues greatly influenced loyalist paramilitaries and that the emphasis on the individual within protestantism generally, unlike the collective imperative of catholicism, explains the frequency of unauthorised killings by U.D.A. members. In direct opposition to these views are those of Ian S. Wood. Of Paisley's preaching diatribes and proselytising, he wrote:

His religious fundamentalism was never compatible with the very secular Loyalism of the UDA, and his regular denunciations of drink in his sermons could easily have been meant for the organisation's social clubs with their late-night or sometimes non-existent licences.⁹⁴

Wood also emphasised the distrust which existed between Paisley and the U.D.A., certainly his jealousy of Craig's relationship with them and how after the failed

⁹² John Fulton, *The Tragedy of Belief* (Oxford, 1991), p.122.

⁹³ Colin Crawford, *Inside the UDA-Volunteers and Violence* (London, 2003), p.6.

⁹⁴ Ian S. Wood, *Crimes of Loyalty- A history of the UDA* (Edinburgh, 2006), p.66

U.U.A.C. stoppage of May 1977, Paisley could never automatically rely on the U.D.A.'s support again.

Arthur Aughey has passionately objected to unionism being interpreted as the pursuit of a nation or as a form of nationalism, and has insisted that at the heart of unionism lies a quest for citizenship.⁹⁵ For Aughey, the key concepts are of citizenship and civic authority, not creed, colour, nationhood or ethnicity as unifying forces for unionists. The question of loyalty for him is of Britain's dedication to the maintenance of the union, hence the outrage and wrath over the Anglo-Irish Agreement, which is cited as Britain's failing of this loyalty code. But is Aughey's argument about citizenship rights or protestant rights, about permanently securing a certain way of life to benefit the Ulster protestant? Are they interchangeable terms? John Doyle interrogated Aughey's thesis in similar terms:

The difficulty with Aughey's defence is that his 'idea' of the State can only provide an adequate defence of conditional loyalty from unionists if you define citizenship in such a way as to not require allegiance to centralised state sovereignty /.../ Ultimately, however Aughey frames it, conditional loyalty is fundamentally self-serving for mainstream unionism /.../ The

⁹⁵ See Arthur Aughey, 'Unionism and Self-Determination' in Roche and Barton (eds), *The Northern Ireland Question: Myth and Reality* (Aldershot, 1991) and Arthur Aughey, *Irish Kulturkampf* (Ulster Young Unionist Council, Feb. 1995).

view of citizenship being used here is a hierarchical one emphasising the right of loyal citizens over disloyal nationalists.⁹⁶

What Aughey's thesis also does is justify the discrimination meted out against nationalists, casting it as the penalty for their refusal to recognise the rubrics of the union. Therefore, political dissonance or dissension are not given credit as credible theoretical outlooks, but deviations of unionism, with an onus on their disloyalty. Further, as Liam O'Dowd stated, this involves the privatised selection and bequest of privileges, which again subordinates nationalists to unionist control.

The dichotomy between a politics of citizenship and a politics of identity conveniently ignores the fact that the former is also about *identifying* those who 'belong' and those who do not, i.e. those who are included or deemed to have rights, and those who are excluded who have lesser or no rights. The 'new unionists' ignore the ways in which citizenship is intimately bound up with state formation and sovereignty while following different trajectories in the national states of Europe.⁹⁷

⁹⁶ John Doyle, 'Ulster like Israel can only lose once': *Ulster unionism, Security and Citizenship, 1972-97* (Dublin City University Business School, Research papers 1997-1998, no.31), pp.10-11.

⁹⁷ Liam O'Dowd, 'New Unionism', *British Nationalism and the Prospects for a Negotiated Settlement in Northern Ireland* in David Miller (ed.) *Rethinking Northern Ireland: Culture, Ideology and Colonialism* (Harlow, 1998), p.79.

Doyle and O'Dowd are not the only writers who have taken issue with Aughey on this point. Neil Southern asked the question:

What appeal does the liberal unionist message (of Aughey) have for Irish nationalists who are likely to remain unappreciative of a citizenship which, when stripped to its bare detail, is linked to a range of British symbols with which unionists- and only unionists- find meaningful and emotionally uplifting? ⁹⁸

And yet one is urged to ask the apposite question: why would loyalists revere symbols of a country which strove to disown them? Perhaps to rival Irish nationalism, itself galvanised by the pursuit of change and the rectifying of an ancient historical injury. Inherent to this was a delusion that there thrived a sincere and requited affection between the states of Britain and Ulster, providing loyalists and unionists with a tangible and authentic identity which had them accepted into the British family of nations, whilst simultaneously maintaining a distinctive, Orange identity which nationalists could never possess or corrupt, because it depended on their violent exclusion. Thus this became an important component in loyalist self-definition; a firm contention of what it was not or what it must be perennially compelled to resist. But it also meant loyalists would struggle to justly

⁹⁸ Neil Southern, 'Britishness, "Ulsterness" and Unionist identity in Northern Ireland' in *Nationalism and Ethnic Politics*, 13 (2007) p.98.

claim British nationality, since there was diminished reciprocal affinity from the British state. Mutuality is a required characteristic for authentic national identity.

At the beginning of the Troubles the dialect of loyalism was militant, forged in the language of war: soldiers animated by the lure of reprisals, urged in the efforts of defence. The conflict induced loyalism, not the other way around. This may have operated as a guise for justifying depraved violence, but in loyalists, through the harsh ambivalence of the British government, there occupied the belief that no other party or method would save Ulster. The feeling grew that they were disconnected from the sources of assistance, an anxiety compounded by the imposition of direct rule. The Sunningdale agreement crushed the illusion for many loyalists that the British government had the same objectives for Ulster that they did.

Interpreting the civil rights campaign as an anti-partitionist plot, loyalists acutely felt a loss of power and control, and not that it was a judicious way to redress the balance of justice. Thus loyalism began as a defensive, reactive movement, characterised by both its physical protection of loyalist communities from republican incursions through street barricades, and its concerted effort to defeat the I.R.A.⁹⁹ This they attempted by assassinating its members and murdering its supposed adherents (catholic civilians). The intention was, either by loss of

⁹⁹ Padraig Ó Malley, *The Uncivil Wars- Ireland Today* (3rd ed., Boston, 1997), p.355.

personnel or through fear of random attack, to 'terrorise the terrorists'. Loyalist ceasefires would arrive only after the creation of republican ones.

As the U.V.F. and the U.D.A. entered the theatre of constitutional explication, loyalism evolved into a movement which aimed to actively drive or effect political change. Leaders of these respective groups came to realise that the protestant working class could and should have a more edifying and permanent contribution to Ulster than the defensive plan, or infatuation with violence, with which they had begun the conflict. This adjustment struck at the core of the schism between the 'hawks and the doves', the former being those who wished to limit loyalism to a purely militarised role, the doves preferring the development of loyalism into an agent of reconciliation and repair. Secretary of State for Northern Ireland Merlyn Rees observed in 1975 that the U.D.A. had been more successful in this transition than the U.V.F.

The UVF is now a flag of convenience for every psychopath on the loyalist side whose inadequacies are relieved by murdering 'Taigs' /.../ The UDA draws on a more deliberate element in the Protestant community, which feels distinctively that the problem of Northern Ireland will never be settled one way or the other until there is a major confrontation between the communities.¹⁰⁰

¹⁰⁰ Merlyn Rees (Labour Party), born Cilfynydd 1920, died London 2006.
Secretary of State for Northern Ireland, March 1974-Sep. 1976
British Home Secretary, Sep. 1976-May 1979.

The reason that the literature review ends on this point is to emphasise the nuanced and changing role that loyalists played in the Northern Ireland conflict and the severe accusations that can be levelled at Irish historiography for its failure to fully apprehend them. Further, so that loyalism and unionism are not appraised as the same organism, but that their distinctions are understood; this will aid future research and prevent the repetitive sin of reductionist analysis. The purpose of this brief review is to impart some guidance to the reader on the recent scholarly debates that have been conducted on loyalism and unionism, but also to act as a modest presage for the analysis that is to follow. This analysis, since it exists as the preliminary study between Ulster unionists, Ulster loyalists and the Irish state, will offer new avenues for scholarly inquiries and will hopefully act as some form of template from which to launch academic observations from within the Irish republic. The following passage, the final part of this introductory chapter, will draw further distinctions between loyalism and unionism, so that the two are not allowed to morph into the one entity as the analysis proceeds.

Rees' reputation faltered over his time in Belfast, often depicted as overawed by and under-qualified for the demands of mediation in Ulster. In particular, Rees seemed to have no sense that he was part of the security problem which he so often chastised.

Reference from Northern Ireland Political Review (Hereafter N.I.P.R.) for period ended 24 Aug. 1975, London School of Economics (L.S.E.), Merlyn Rees Papers, MERLYN-REES 5/5.

Loyalism and Ulster unionism

In 1979, the U.D.A. wrote that it understood catholics, who it described as 'fellow sufferers', could not 'really be our enemies, nor can we be theirs. We know that the men of wealth who kept us in our ghettos and put the wall of fear between us, must be, and is, our natural, true and only enemy'.¹⁰¹ A striking element in the genesis of the loyalist political imagination was the occasional identification of mainstream unionism as a degenerate enemy rather than a benign protector. This was compounded by a growing awareness that loyalist living conditions were as impoverished as those of nationalists. The American Embassy in London observed in February 1974 that the 'past few years have seen considerable Protestant working-class disillusionment with Unionist hierarchy, British government and even the Union with Great Britain'.¹⁰²

This was fostered by the civil rights movement, which sought reform in the state's treatments of catholics, and which encouraged the population of working-class protestant areas to examine what exalted glory they had got from being of the privileged class. 'Our Unionist politicians and church leaders never showed the slightest concern for the 'benefit rights' of ordinary Prods /.../ It's time we called our

¹⁰¹ U.D.A., *Ulster*, April 1979 issue.

¹⁰² Electronic Telegram dated 7 Feb. 1974 from American Embassy in London to State Department Washington D.C., 1974LONDON01731, accessed via www.nara.gov on 28 Feb. 2013.

¹⁰² *Ibid.*

politicians to account for failing to address our real needs.’¹⁰³ There was little political telepathy between Ulster loyalists and the leadership of unionism. At times this preserved an estrangement between loyalists and what they saw as their ambivalent unionist proprietors. There was a profound distrust between the U.D.A./Loyalist Association of Workers (LAW) and Vanguard, seen most explicitly at joint meetings, where loyalists, compelled by feelings of inarticulacy, would shout down Vanguard politicians.¹⁰⁴

But not alone was this insecurity intellectual; it was also financial. Unionists, and in particular William Craig, would casually issue accounts of constitutional proposals, particularly a Unilateral Declaration of Independence (U.D.I.), without detailed consideration of their economic consequence.¹⁰⁵ Craig did not think these to be crucial because it would be the working class who would suffer economically in the aftermath of a Vanguard controlled regime, and not the middle classes to whom he and his party delegates belonged. Belinda Probert intuited that ‘although UDI might protect local capital and the Protestant ascendancy, it would do so at the cost of greatly reduced working-class living standards’.¹⁰⁶ She also suggested that the

¹⁰³ Michael Hall (writing as the Springfield Inter-Community Development Project), *Ulster's Protestant Working Class: a Community Exploration* (Belfast, 1994), p.14

¹⁰⁴ Sarah Nelson, *Ulster's uncertain defenders: Protestant political, paramilitary, and community groups, and the Northern Ireland conflict* (Belfast, 1984), p.132.

¹⁰⁵ William Craig, born County Tyrone 2 Dec. 1924, died County Down 25 Apr. 2011.

Craig was Minister of Home Affairs for Northern Ireland in Terence O'Neill's cabinet and famously banned a civil rights march in Oct. 1968. He formed the Ulster Vanguard movement in Feb. 1972 as an umbrella of right-wing unionism and began to promote the idea of an independent Ulster. He was M.P. for Belfast East until he lost his seat to Peter Robinson in 1979.

¹⁰⁶ Belinda Probert, *Beyond Orange and Green: the Political Economy of the Northern Ireland crisis* (London, 1978), p.121.

experience of the early sixties heightened loyalists' awareness of the need for a welfare state and external investment.¹⁰⁷

This made some loyalist support for Craig permanently conditional.

Vanguard tried to distance itself from the workers, ostracising them by selecting right-wing candidates for elections and failing to defend them publicly after paramilitaries committed the acts of violence they were encouraged to by unionist politicians. This made it difficult for either a coherent independence movement or a combined unionist/loyalist party political apparatus to develop. The development of the trade union body LAW, the Volunteer Political Party, which was the U.V.F.'s political wing, and the Ulster Political Research Group (U.P.R.G.), appeared more to be an attempt by loyalists to assert intellectual independence from unionism than to win political office.

The conceit of a mutual loyalist and nationalist betrayal by unionism was a key tenet of the loyalist thinking behind independence, based around shared experience and the disposal of the traditional, competing loyalties. The ire and despair of loyalists, and especially those of the U.D.A., were expressed deftly in the loyalist play *This is It!* written in 1984. It was penned by Andy Tyrie, Sammy Duddy and Michael Hall. The class-consciousness of the loyalist movement was broached by the inclusion of an older, embittered loyalist who has witnessed the oft-repeated disabuse of the proletariat by unionist politicians. He claimed that 'not only that, but

¹⁰⁷ Probert, 'Beyond Orange and Green', p.118.

working-class people allow themselves to be belittled too much. Them ones at the top- with all their power and fire talk- are just riding on our backs! But **our** lives, our efforts, are just dismissed'.¹⁰⁸ Tyrie himself was keenly aware that the sectarian division, which his organisation helped preserve with their murder campaign, was the basis for Paisley and Craig's support and who gained the most from its maintenance. Later on the same character asked, 'And what did we get for being so loyal, eh? Worst bloody living conditions in Europe'.¹⁰⁹

Against the setting of Paisley's day of action with the Third Force, a protesting body he set up in 1981 and which marched through Newtownards in County Down, comes the reflection "'For God and Ulster". Well, that's a slogan's been evoked many's the time. Doesn't seem to have gotten us anywhere- we're still like lost sheep'.¹¹⁰ It, like the Union flag, was a souvenir of an ideology which no longer serviced its own communities. A repudiation of the most fundamentalist and populist of unionist mottos is perhaps the least likely thing one would expect to find in a work drafted by members of a loyalist paramilitary organisation. But this is only if one is unaware, or underestimates, the levels of anger, guilt, betrayal and desertion many loyalists felt.

¹⁰⁸ Sammy Duddy, Michael Hall and Andy Tyrie, 'This is It!' in *Theatre Ireland*, No.7, Autumn 1984, p.25. Emphasis from the original text.

¹⁰⁹ Duddy, Hall and Tyrie, 'This is It!', p.30.

¹¹⁰ Duddy, Hall and Tyrie, 'This is It!', p.26.

Independence was also an effort to lead the common Ulster loyalist away from his tendency to repeat the choices unionists created. Instead, they would invent new ones. Colin Crawford observed that the political representatives 'of the loyalist paramilitary organisations are more willing to seek accommodation with Republicans than Unionists, who seem to harbour thoughts of racial superiority, and who wish to maintain a sectarian caste system in which even Loyalists have their inferior place'.¹¹¹ The U.V.F were also of the opinion that it was the leadership of unionism which had diverted their members into criminality, inducing a jingoistic belligerence which was condemned as soon as it was animated.

Loyalists became a discomfiting appendage or ornament of unionism, not a cherished relative. In an appeal for special political status for loyalist prisoners inside the Maze Prison, the authors attested that but for the present political unrest, over 90% of U.V.F. and Red Hand Commando (R.H.C.) prisoners would never have found themselves in prison. The purpose of this was to moderate the dominant image of loyalists as a criminal breed, but also to inquire who was culpable for their incarceration. According to these loyalists it was the leadership of unionism; responsible not only through the failures of their political manoeuvres, but their stoking of a militant appetite.

¹¹¹ Colin Crawford, *Inside the UDA- Volunteers and Violence* (London, 2003), p.50.

If we are loyal and patriotic then it is you who have taught us that Loyalty and patriotism. If we have taken up arms in defence of those principles of loyalty then it is as a result of your exhortations and incitement. If we have been misguided in the employment of those aims then it is because you have failed to identify yourselves with us and give us your leadership.¹¹²

It is necessary to emphasise though that such thoughts were generated from only the most contrary minds within the loyalist community, and reverence for the hierarchy of the unionist establishment remained dominant. Some loyalists in the U.D.A. were keen to become more favourable to unionists, thus preventing their inevitable disposal by them. This entailed curing the Association of the corruption and delinquency which blighted its image. A directive urging the reform of the U.D.A. read that

Reform groups must use every means at their disposal to educate the rank and file membership on the true principles of our Protestant faith and Unionist traditions; they must expose the the [sic.] corruption of certain Inner Council and Brigade Officers and halt the present policies of naked sectarianism, gangsterism and political intrigue.¹¹³

¹¹² R.H.C./U.V.F. document titled *An Argument for Special Category Status* (no date), Papers of Enoch Powell, Churchill Archives Centre, University of Cambridge, POLL 9/2/1.

¹¹³ U.D.A. reform group publication titled *A call to all loyal Protestants within the U.D.A.* (no date), POLL 9/2/1.

Specifically, the paper cited the armed robbery of Protestant businessmen, drinking dens and other forms of racketeering, and the misappropriation of Association funds as particular menaces to the U.D.A. Additionally, it was important that the reform groups to be established made 'every effort to secure firearms and ammunition from the charge of corrupt units and to ensure that, in future, they are used only for the defence of Protestant areas in times of attack'. The group was concerned that the Association had developed into an arrangement for vice and was no longer mobilised by its founding principles, which included its position as a defence body and not as an assassination outfit as the Ulster Freedom Fighters (U.F.F.), the U.D.A.'s nom de guerre, had become. A section of the U.D.A was dismayed at the culture of wanton violence which had enthralled the organisation. 'How many of our young "militants" are being forced to partake in sectarian murders, indiscriminate no-warning bombings and armed robberies for fear of being "hooded" and shot?'¹¹⁴

In the October 1972 issue of the Orange Volunteers organ *Orange Cross*, one author advocated a reflexive submission to Vanguard:

From them [Vanguard] all true Loyalists must take their lead, to them we must pay our allegiance /.../ Bill Craig and Vanguard will dictate all our future policies, so at this time it would be foolish to anticipate what it is to be /.../ there is no need for any individual

¹¹⁴ Ibid.

signature to this article as it speaks for all loyalists who have formed themselves into a body, directly and under the auspices of Vanguard.¹¹⁵

A writer for LAW noted with similar bombast that 'LAW supports the stand which William Craig has taken. It is the kind of leadership which Loyalists have been yearning for. It is the kind of leadership which will save Ulster'.¹¹⁶

Under threat from either some real or imagined force, loyalists tended to revert to the type of loyalties they had been taught to accept. There is a comment to be made about the political confidence of majority communities. Most loyalists had a diminished capacity for innovation and self-reliance because of how used they were to being on the right side of control in Northern Ireland. This explains their perpetual preference for a common unionist voice, which demanded little introspection from them. All it did ask for was consent and deference. This was a cue that most of the electorate restated, with loyalist candidates eschewed for the more conventional of unionist parties at election time. It appears that when it came to paramilitaries, the public sought their protection, not their constitutional leadership.

It is perhaps an irony that working-class protestants ignored candidates who were their natural representatives for those who often displayed indifference towards them. This left loyalists who sought detachment from and electoral

¹¹⁵ *The Orange Cross*, Oct. 1972 issue, National Library of Ireland (N.L.I.) Political Collection, 1K 1372.

¹¹⁶ *LAW* edition 28, N.L.I., IR 363 L12.

competition with unionists marooned in a political wilderness. Secretary of State for Northern Ireland Merlyn Rees identified this as an issue as early as October 1974 when he wrote that 'It is not yet possible to say whether those members of the community whose natural leaders are in the UDA/UVF/UWC will in the end allow the "professional" politicians of the UUUC to speak for them'.¹¹⁷

The propensity of loyalists was to sporadically conjure protests to announce personal grievance, but to defer to unionist politicians for enduring political stewardship. This was a silent recognition that loyalists themselves would never be in a position of power, but would be limited to lobby, and at times of severe duress, support the unionist mainstream to help all protestants resist a common evil. After the creation of the Anglo-Irish Council, the U.D.A. volubly opposed it, but its leader, Andy Tyrie, confided to an N.I.O. official that he 'doubted whether anything loyalists could do could bring it down...the days of marching were over'. Indeed, to make the Anglo-Irish talks irrelevant, Tyrie advocated the 'establishment of a joint unionist position to confront and perhaps circumvent the Anglo-Irish Council'. The subordination of loyalism, and the concession of its separation from unionism, were tolerable injuries for the strength of the collective unionist position.

Political reflection in the loyalist community, which is itself not a homogenous bloc, tended to flourish at times when progress towards political assent had stalled, and alternatives grew in their appeal. At these moments of stagnation

¹¹⁷ N.I.P.R. for period ended 20 Oct. 1974, L.S.E., Merlyn Rees Papers, MERLYN-REES/5/4.

and desperation loyalty was expressed, not towards the Union or its salvation, but towards the Ulster people, who were apparently being discarded. The natural affinity, some loyalists realised, was not with bourgeois unionism, who were often indifferent to their economic privations, or the British population, who were often bemused by loyalists entirely, but their fellow Ulstermen of the nationalist community. Ultimately, they would be the remnants of a British withdrawal and the most important faction with whom loyalists would have to negotiate in order to avoid the disaster of civil war.

However, it was not merely pragmatism which drove this recognition. Rather, it was the realisation that loyalists shared more with working-class Catholics of Northern Ireland than any other group, both in their analogous experience of penury and the neglect they encountered from the established political elites of Ireland and Great Britain. Both were awkwardly represented by their 'natural' ideologies, whether it was southern Irish nationalism or Ulster unionism. It was this impulse which informed the constitutional renovation of the loyalist plans for independence, and the collaboration between the U.L.C.C.C. and Sinn Féin in 1977. The reason such an insight did not extend to the wider relations between the loyalist and nationalist communities in the north deserves an explanation which cannot be endeavoured here, but it is worth observing that for politicised loyalists, the most formidable sanctuary was provided for the loyalist people, not the union which delivered them.

2

Irish government policy and the character of loyalist violence

Irish state interest in constitutional reform in Ulster, that is, in the legal ownership of the six counties, was revived after the first civil rights clashes, when the dormant issue of partition re-entered the Irish political landscape. Hitherto, the constitutional question had been kept unanswered, deferred, perhaps even rhetorical, until certain members of Jack Lynch's government reconciled the violence as having only one tangible solution. A memorandum from D.F.A. in September 1970 made explicit their in relation to Stormont and its loyalist rulers. 'It has been our policy to discourage the minority from bringing down Stormont themselves. We have no similar reluctance, however, to seeing Stormont destroyed by the Unionist right-wing... It would seem in our interests to allow this to happen.'¹

The point should be made though that Jack Lynch was under irresistible pressure from his own cabinet to promote the elegant qualities of unification, a concept built firmly on an interpretation that the turbulences were a symptom of

¹ Memo dated 7 Sep. 1970, National Archives of Ireland, D.F.A. 2002/19/528.

British colonialism.² Patrick Hillery, Minister for External Affairs in Lynch's government when the conflict broke, was damning of his colleagues' automatic and contrived jingoism.³ 'The whole lot smothered in lashings of creamy patriotic ballad singing type of thing...It would appear to me that their hearts are not in it. It would appear they want to take the right posture but get no scratches'.⁴ This rationale persisted after the imposition of Direct Rule in March 1972, which in effect emphasised Britain's total sovereignty over Northern Ireland.⁵ It was also an indicator of the legacy of the Arms trial within Fianna Fáil: now Lynch was under pressure to endorse unity so that the Irish public could be certain of Fianna Fáil's stance on it.⁶

Such stridency also acted as compensation for the Irish government's inability to engineer change; rather they urged or endorsed it. It may also be that the Irish state felt solemn or mournful for the lack of assistance they had given to the nationalist community in the north before 1968. Irish government calls for unity were thus a response to this awareness and an appeal to correct it. Nationalist thinking had also nurtured certain assumptions about the nature of loyalists into a

² See the recent memoirs of Desmond O'Malley, *Conduct unbecoming: a memoir* (Dublin, 2014).

³ Patrick Hillery, born County Clare 2 May 1923, died County Dublin 12 Apr. 2008.

Hillery served as Minister for External Affairs between July 1969 and Jan. 1973. He became the sixth president of Ireland in Dec. 1979 and served two terms in office, leaving in Dec. 1990.

⁴ Note by Patrick Hillery dated Autumn 1969, Patrick Hillery Papers, University College Dublin (U.C.D. Archives), P205/35.

⁵ Alvin Jackson, *Home Rule: An Irish History, 1800-2000* (London, 2003), p.254.

⁶ The 'Arms Trial', as it came to be known, entailed the dismissal of two senior figures from the Fianna Fáil government cabinet. Neil Blaney and Charles Haughey were sacked from Jack Lynch's cabinet amid allegations they used funds to import arms for use by the I.R.A. Both defendants were cleared of the charges on 23 Oct. 1970. The incident encouraged some party members to urge Lynch to offer a stronger commit to unifying Ireland.

fixed orthodoxy, one which was replayed during the next major constitutional crisis, the U.W.C. strike.

The U.W.C. Strike

These abstract designs became more germane and profound in the wake of the U.W.C. strike of May 1974. The populist opinion, expressed by writers like Michael Farrell and Conor Cruise O'Brien and accepted by both the Irish and British governments, was that the strike was a sectarian coup, overthrowing an executive which had built power-sharing with catholics into the northern political system.⁷ They alleged that Ulster protestants were insistent on the enduring servitude of catholics and steered their own state towards collision to ensure their emancipation remained in delay. The U.W.C. strike lasted from 13th to 28th May 1974 and entailed the seizure of the state apparatus controlling transport, electricity, the supply of food, free access to roads and other public amenities like water, healthcare, gas and electric supplies. The U.D.A. requisitioned neighbourhoods by way of roadblocks and manned barricades, imposing for a time a type of martial law. Obedience to the strike was initially upheld by paramilitary violence and intimidation, but public support for it grew when it appeared to be winning.

⁷ O'Brien was an important Irish public intellectual, politician, newspaper editor and poet, who enjoyed a dramatic and varied career. He was a Labour Minister for Posts and Telegraphs between 1973 and 1977, while his book *States of Ireland* (Dublin, 1972) is considered a seminal work in the revision of traditional Irish nationalism. He later joined the U.K. Unionist Party and was editor-in-chief of the *Observer* between 1978 and 1981. He died in Dublin on 18 Dec. 2008.

The opposition was not directed against power sharing, but to the institutionalising of the Irish dimension, which had little popular support. The most seismic consequence of the Sunningdale agreement for loyalists was the imagined adjustment in power centre for Northern Ireland from London to Dublin. To loyalists, the Council of Ireland, the creation of the agreement which permitted the south a consultative role in the governance of Northern Ireland, was the traumatic premonition and genesis of all-Ireland unity. Presciently, Brian Faulkner had admitted this to Liam Cosgrave in a meeting shortly after the signing of the Sunningdale agreement: 'Unionists saw a Council of Ireland as a half-way house to unity, or a form of all-Ireland Parliament'.⁸

Indeed, Ken Bloomfield, Permanent Secretary to the Office of the Executive, had forewarned that 'even amongst the pro-Executive element of Unionist opinion – that is those who are committed to the principle of power-sharing-there are deep suspicions about Sunningdale and the Council of Ireland'.⁹ Faulkner initially hoped

⁸ Minutes of a meeting dated 16 Jan. 1974, PRONI OE/1/29.

Brian Faulkner, born County Down 18 Feb. 1921, died County Down 3 Mar. 1977.

Faulkner holds the distinction of being the last Prime Minister of Northern Ireland. He held the position from 23 Mar. 1971 to 31 Mar. 1972. He was Leader of the U.U.P. from 31 Mar. 1971-22 Jan. 1974 and Chief Executive of Northern Ireland from 1 Jan. 1974-28 May 1974.

Liam Cosgrave (Fine Gael), born Dublin 13 Apr. 1920.

Minister for Foreign Affairs, June 1954-Mar. 1957.

Taoiseach, Mar. 1973-July 1977.

Liam Cosgrave was the son of W.T. Cosgrave, one of the founders of the Irish Free State and was famous for voting against his own government's attempts to liberalise contraception policy in the republic in 1974. He was Taoiseach of the Fine Gael/Labour coalition government during the U.W.C. strike and the Constitutional Convention.

⁹ Ken Bloomfield brief for Brian Faulkner dated 30 Jan. 1974, PRONI OE/1/28.

a Council of Ireland could act as an instrument for the minority community to relate to the institutions of government in Northern Ireland, and that this procedure would subdue unionist concern. The decisive victory for anti-agreement unionists at the general election of February 1974 announced to Faulkner that now most unionists thought a Council of Ireland, with its ministerial tier, gave the unyielding impression of an all-Ireland government and parliament in embryo.

Faulkner had anticipated this level of revulsion months before the Darlington Conference, at which the agreement was signed, had even been formed. He told Séan Donlon of D.F.A and Dermot Nally of the Department of an Taoiseach of the emotional response unionists would have to certain features of the proposed deal.¹⁰ “Reconciliation” was seen simply as another word for “reunification” and “Council of Ireland” was inevitably linked with the concept of a Council contained in the Government of Ireland Act 1920.¹¹ They did not expect the howl of rage to be as loud as it was, but it was agreed that Faulkner had a difficult task to perform in selling these aspects to the protestant population of Ulster. The Council of Ireland, rather than power-sharing, would be the hardest to make acceptable.

Bloomfield was a key figure in the administration of Stormont. He became head of the Northern Ireland Civil Service in Dec. 1984 and was employed as Northern Ireland Victims Commissioner in 1997. See his account of the fallen Executive in *A tragedy of errors: the government and misgovernment of Northern Ireland* (Liverpool, 2007).

¹⁰ Donlon had an extremely successful career, rising to the position of Secretary General of D.F.A. and Irish Ambassador to the United States. He was later appointed Chancellor of the University of Limerick. Nally too was prominent, becoming Secretary of the Department of the Taoiseach. He led Irish officials in their negotiation of the A.I.A. in 1985 and the Downing Street Declaration in 1993. He died on New Year's Eve, 2009.

¹¹ Meeting on 26 Oct. 1973, D.F.A. 2013/27/1474.

Faulkner would later try and negotiate his way out of ratifying the agreement, which, since he knew unionist approval would never come, he saw as viciously doomed. He petitioned Liam Cosgrave in April 1974 to abandon the agreement in its present form, but to remain committed to creating a similar structure by accepting 'that progress can only be by stages, and phased in such a way as to win public confidence and support'.¹² According to Faulkner, the unionist people needed greater inclusion in a consultative formula if their compliance was then to be expected. It could not be conjured retroactively, after an agreement or dossier had already been formed.

Unionist angst had been intensified by the response the agreement drew from elements of the political classes in the republic, who vilified it for not being republican enough, and demanded the Irish government reiterate its commitment to reunifying Ireland. Kevin Boland, a former Fianna Fáil Minister, brought a case to the High Court in Ireland in January 1974. It alleged that the Sunningdale agreement was unconstitutional because it surrendered and was adversarial to the sovereignty claim of Articles 2 and 3 of the Irish constitution over the territory of Northern Ireland. This he attributed to article 5 of the British government's declaration on the agreement, which recognised Northern Ireland's continued position as a constituent member of the United Kingdom and the Irish government's refusal to rebut this. Instead, they asserted that 'there could be no change in the status of Northern

¹² Letter dated 3 Apr. 1974, D.F.A. 2013/27/1474.

Ireland until a majority of the people of Northern Ireland desired a change in that status'.¹³

The Irish government did not specify the reality of this status, that Northern Ireland was a member of the United Kingdom, only that it would not change without the expressed will of its majority. Brian Faulkner implored the Irish government to make a public declaration on this point, given that 'unionists would have to be sure that the Irish government accepted that NI would remain part of the UK until a majority of people wished otherwise'.¹⁴ Faulkner's contention was that a failure to do so would make a Council of Ireland untenable, because it would be too challenging to convince the unionist populace that the Irish government's intentions were simply to refine cross-border co-operation. Instead, they would assume that unification was being primed.

Despite the Irish High Court ruling in the government's favour, it confirmed to loyalists and unionists what they had only dreaded: all players were now working in concert for the national reunion of Ireland. The Irish government themselves interpreted the Council of Ireland as allowing for the creation of new structures whose evolution could result in an all-Ireland administration.¹⁵ Abstractly, they could claim this to be a central benefit of the Council for northern protestants, since

¹³ Memorandum on the Sunningdale Communique, 18 Jan. 1974, PRONI OE/2/4.

¹⁴ Meeting between Ministers of the Irish government and Northern Ireland Executive on 1 Feb. 1974, D.F.A. 2013/27/1474.

¹⁵ These included a Police Authority, an All-Ireland Supreme Court, a High Court of Appeal and matters of commerce like fisheries.

its embedded capacity for unification would undermine the P.I.R.A.'s reason for existing.

The calling of a general election in Britain in February 1974 was significant. It heralded a one-issue campaign in Northern Ireland, a zero-sum answer to the question of Sunningdale. The anti-agreement loyalists and unionists had organised themselves into the United Ulster Unionist Coalition (U.U.U.C.), a body which subsequently won 11 out of the 12 Westminster seats for Northern Ireland. This meant that of the Executive formed from the conditions of the agreement, only Gerry Fitt was an M.P., with Brian Faulkner also having suffered the ignominy of surrendering the Ulster Unionist Party (U.U.P.) leadership several months earlier after losing a vote of confidence within his party.¹⁶ There may also have been an element of combative revenge, as some unionists, especially Ian Paisley's D.U.P., were aggravated at having been excluded from the Darlington Conference in December 1973 at which the agreement was formulated. In a meeting with Secretary of State for Northern Ireland, Francis Pym, in December 1973, Paisley cautioned that 'he and his colleagues wished to put their views to the conference...If an invitation were not issued, the opposition would be driven into obstructing and destroying the Assembly'.¹⁷

¹⁶ Please note that throughout the thesis, the titles U.U.P. and Official Unionist Party (O.U.P.) are used interchangeably to designate the Official Ulster Unionists.

¹⁷ Minutes of a meeting dated Dec. 1973, PRONI CENT/1/3/40.

Pym was the second ever Secretary of State for Northern Ireland and held the post from 2 Dec. 1973-4 Mar. 1974.

The Irish government were also concerned at the damage wrought by the exclusion of all but the Official Unionists at Sunningdale. They feared it could well 'be the basis for future violence...no action which we might take should deliberately seek to deny them the opportunity to play their part'.¹⁸ The logic was that if certain unionists were removed from talks, they would be removed from the Executive that was subsequently formed, ostracised and despondent. Ken Bloomfield remarked on the importance of this point a month before the strike began, warning Irish officials that 'these people had the feeling they had been abandoned by Westminster'.¹⁹ Loyalists were astounded that the British government would actively allow their marginalisation to happen; were Her Majesty's Government now no longer pro-unionist enthusiasts but neutral arbiters?

The U.W.C. was a proletariat body comprised of paramilitary members and trade unionists from another group, LAW, who mobilised the strike, after which mainstream unionists pledged their support. In their manifesto, LAW did not stipulate a refusal to countenance power-sharing, but rather 'all attempts to assimilate or merge Ulster with the Irish Republic'.²⁰ The U.W.C. issued a broadsheet during the strike stating that 'the truth is that everyone is determined to force us into a united Ireland'.²¹ This sentiment was restated by the Workers Association, a North-

¹⁸ Brief by Séan Donlon dated September 1973, D.F.A. 2013/27/1482.

¹⁹ Meeting between Bloomfield and Irish officials on 9 Apr. 1974, D.F.A. 2013/27/1474.

²⁰ LAW manifesto, U.W.C. Box, Northern Ireland Political Collection (N.I.P.C.), Linen Hall Library Belfast.

²¹ U.W.C. Broadsheet, dated May 1974, accessed via <http://cain.ulst.ac.uk/events/uwc/soc.htm> on 10 Apr. 2013.

South body associated with British and Irish Communist Organisation (B.I.C.O.) on Athol Street. During the strike they issued bulletins and in their seventh, dated 26th May 1974, they claimed 'The purpose of the Strike is to end the Council of Ireland, not to kill Power sharing ... Its purpose is NOT to establish the UWC as a provisional government from which Catholics are excluded'.²² In their ninth bulletin, the group repeated this idea, that rather than power sharing, the U.W.C. 'is opposed to the people of Northern Ireland being railroaded into a Council of Ireland against their will'.²³ In a press statement on day 15 of the strike, the U.W.C. stressed their appetite to design solutions for Northern Ireland 'without interference from Dublin and London'.²⁴

In February 1974 the U.V.F. had advanced a Council of Ulster as their alternative to the Sunningdale agreement. It received a favourable assessment from the P.I.R.A., as it advocated a rehabilitated view of Catholics, which sought to further emphasise the cause of their opposition: the Council of Ireland and the supposed departure of sovereignty to the Irish government. The American Embassy in London recounted that the Provisionals 'would give "serious consideration" to UVF's "council of Ulster" proposals. Vice president Mrs. Maire Drumm said in Belfast that article represented breakthrough in effort to get NI communities to unite and work

²² Strike bulletin no.7 of the Workers Association, U.W.C box, N.I.P.C., Linen Hall Library Belfast.

²³ Strike bulletin no.9 of the Workers Association, accessed via <http://cain.ulst.ac.uk/events/uwc/uwc-pdfs/nine.pdf> on 10 Apr. 2013.

²⁴ U.W.C. Press Statement day 15, PRONI OE/1/16.

together in interests of their own country'.²⁵ It added that a willingness had been growing to 'accept Northern Catholics as Ulstermen if Catholics put Ulster ahead of their traditional Irish Republican aspirations'.²⁶

The U.W.C.'s conviction was to challenge what they perceived as the elitist power of British and Irish political hierarchies which had sought to disregard the Ulster protestant working class and its right to self-determination. The U.W.C. did this by reclaiming, with violence, the civic authority of Ulster for itself, meaning to assert that it would repel any compulsion to either detach from the Union or be integrated into the territory of the Republic of Ireland. The violence and prejudice inherent to these convictions and to the physical operation of the strike should not be discounted or downplayed. The argument advanced here is that perhaps we can also propose a more nuanced interpretation of the strike, which allows room for other concepts like fear, national identity and powerlessness, which are detectable alongside the sectarian violence.

Another useful concept for understanding the strike is *disloyalty*; loyalists wondered if nationalist members of a power-sharing executive would be loyal to the state of Northern Ireland or forensically work towards its destruction. This distinction still explains why a loyalist would be sectarian to begin with: to suppress and reject the snare of Irish nationalism. That the strike was terminated as soon as

²⁵ Ironically, Máire Drumm was shot dead by the U.V.F. in her hospital bed on 28 Oct. 1976. Reference from an Electronic Telegram dated 7 Feb. 1974 from American Embassy in London to State Department Washington D.C., 1974LONDON01731, accessed via www.nara.gov on 28 Feb. 2013

²⁶ *Ibid.*

the Executive fell is significant. Loyalists did not pursue a military dictatorship but a reassurance on their coveted membership of the Union. The incidence of mass assembly in unionist history, and its importance as a mechanism of dissent, suggests a problem with individual articulacy and an awareness of the need to habitually restate the position and image of unionists as a majority community.²⁷ They also represent unionist efforts to recoup power after being exposed as powerless: unable to prevent the Sunningdale agreement from being created, all they could do was to arrest or reverse its application. In a state in which they remained a majority, this was a grave insult to unionists.

These imperatives escaped the author, unknown, of a memorandum to members of the British Parliament taking part in the debate on Northern Ireland days after the strike finished. Most bewildering to British politicians was perhaps the unionist rejection of the will of a Parliament to which they were supposedly loyal. John Taylor, the Ulster Unionist politician, had maintained that 'the average Loyalist today would state without hesitation that his first loyalty was to Ulster rather than to the United Kingdom parliament'.²⁸ Now it seemed that this precept was to be misunderstood and that Ulster protestants themselves might be the least resistant to hysterical caricature. The memorandum observed that 'Catholics had been expelled

²⁷ In addition to the U.W.C. strike, see May 1977's U.U.A.C. aborted stoppage, Ian Paisley's Day of Action in November 1981, the A.I.A. protests, the formation of Ulster Resistance, the consecutive Drumcree standoffs in the 1990s, the Holy Cross dispute in Ardoyne during 2001 and 2002 and the loyalist flag protests which began in December 2012.

²⁸ Taylor quoted in David Miller, 'Queen's rebels', p.3.

from Government and Protestant supremacy restored at least on the streets and hopefully before long in government as in the halcyon days of Stormont Mark I'.²⁹

The British government agreed, with the Cabinet Office dismissing the idea that the strike was a politically informed protest: 'it is basically an attempt by extremists to establish an unacceptable form of neo-Fascist government'.³⁰ Members of the Northern Ireland Executive viewed the strike and its disgraced followers in similar terms while it was in operation, as Austin Currie M.P., Minister for Housing, 'feared the present movement was towards a fascist take-over and reassertion of Protestant ascendancy which would never be accepted by the Catholic population who would be driven into the arms of the IRA. Civil war would be inevitable.'³¹

Referring to the strike as a 'take-over' was rather fatuous; it acknowledged the volatile impulses of the movement but neglected the political rationale which navigated the action. David Butler wrote that this was also the response of the media to the strike, as broadcast journalism could not 'make sense of it. Network reporting was fairly descriptive, but overlooked the political dimension...at worst the journalists were guilt of an overly literal interpretation of events as they unfolded'.³² The popular inclination was to de-politicise the strike, avoiding analysis of it as an

²⁹ 'Memo for a debate on the Repression of the Catholic Minority in Northern Ireland May 1974', dated June 3 1974, Linen Hall Library Belfast, N.I.P.C., U.W.C. box.

³⁰ British National Archives (T.N.A.) CAB 129/177, British Cabinet memoranda C (74) 56, dated 24 May. 1974 and authored by John Hunt, accessed via www.nationalarchives.gov.uk on 21 Oct. 2013.

³¹ Minutes of a Meeting of the Executive, 28 May 1974, PRONI OE/2/32.

³² David Butler, 'Ulster Unionism and British Broadcasting Journalism, 1924-89' in Bill Rolston (ed.), *The Media and Northern Ireland- Covering the Troubles* (Basingstoke, 1991), p.112.

expression of the loyalist ideology, but rather their awesome flair for violence and civil disobedience.

These may have seemed like rational assumptions to form, given how the strike appeared a reaction to the inclusion of Catholics in government, but these illusions were at least partially dominant because they protected politicians from admitting that they had grievously miscalculated the prudence of the Sunningdale agreement and especially the Council of Ireland. It was much more profitable to trade off and teach of the absolutes of loyalist savagery. During the strike, a distressed and irate Liam Cosgrave wrote in a personal letter to Harold Wilson on 23rd May 1974 that

we are greatly disturbed by the fact that the necessary action has not yet been taken to deal effectively with the situation which has arisen /.../ The action taken by your Government /.../ had the effect of confirming the public impression that the ultimate control rests with the UWC.³³

Merlyn Rees later countered with criticism of Cosgrave's government in Dublin, which he claimed had undermined Faulkner's authority, and dismissed the alleged disloyalty of the Army. Rees said that

³³ Letter dated 23 May 1974, National Archives of Ireland, Department of Taoiseach (TAOIS) 2005/7/631.

Harold Wilson (Labour Party), born Huddersfield 11 Mar. 1916, died London 24 May 1995.

Prime Minister twice: Oct. 1964-June 1970 and Mar. 1974-Apr. 1976.

Wilson was known to be in favour of unification for Ireland and formulated a 15 year programme for unity while out of office in 1971. He also flirted with the idea of British withdrawal in 1975.

The loyalist victory had been absolute and that once the strike tactic had been embarked on, there was no possibility of defeating it militarily. The Loyalty of the Army to the British Government was never in doubt and reports to the contrary were mischievous /.../ The situation was particularly demoralising for Faulkner who saw /.../ SDLP Ministers “running down to Dublin” at a time when he needed all the support he could get.³⁴

Liam Cosgrave’s anxiety lay in the potential collapse of the Sunningdale agreement and its adopted offspring the Council of Ireland, and the lack of willingness, as he saw it, of the British security forces to take decisive action against the bands of strikers. If the U.W.C. were perceived to be in control, the institutions of the agreement would stall and stifle support for Faulkner’s Executive. Wilson sent a personal reply to Cosgrave which explained in vague terms the thinking behind the passive and ponderous confrontation. He urged that the strike ‘must be brought to an end: but a direct and violent confrontation between the Army and the Strikers would have profound political effects too’.³⁵ Séan Donlon paraphrased unionist objectives: ‘Their sights were set on a UDI and they seemed prepared to go ahead with it whatever the financial consequences’.³⁶ For the Irish government, the strike

³⁴ Note of a meeting between FitzGerald and Rees dated 14 June 1974, TAOIS 2005/7/631.

³⁵ Letter dated 25 May 1974, TAOIS 2005/7/631.

³⁶ Note dated 27 May 1974, TAOIS 2005/7/631.

was the spectacle of an incorrigibly intolerant majority who would resist all attempts to share legislative power with catholics.³⁷

The strike itself was a violent response to the tranquillity and complacency inured by over fifty years of single party rule. Used to a monopoly of the agenda, unionists and loyalists were unprepared for a situation in which they would be forced to share power. Thus power-sharing to many unionists was an emasculating indignity. In 1975 the strike was being discerned by the Irish government as a template for annihilation and mass catholic expulsion from east Ulster. A Department of Taoiseach memo interpreted the build-up of armed protestants as antagonistic war activism, for which the only rationale considered was an inborn protestant bloodlust.³⁸

This neglected the primitive explanation of fear: either at the rampaging violence of the P.I.R.A. or the dereliction from the British government's departure. Harold Wilson saw the strike as a fascistic coup which was consequently an abrupt challenge to British sovereignty. At a meeting with Liam Cosgrave, he dismissed the strike as an illogical tactic on the supposition that a state could not function on the basis of industrial action, ignoring the political agitation that had compelled it: 'UDI

³⁷ This was stated in an interview with former diplomatic advisor to the Taoiseach Michael Lillis on 24 Apr. 2013.

³⁸ Irish government Interdepartmental Unit paper from July 1975, TAOIS 2005/151/705. The Interdepartmental unit (I.D.U.) was an Irish departmental task force which convened on specified topics with members mostly comprised from the departments of Finance, Taoiseach and Foreign Affairs.

was as inconceivable to them for Northern Ireland as it would be in Yorkshire or Cornwall. The North could not live for a day without Britain'.³⁹

Rather than being a seizure of power, the strike was an example of mass public protest, orchestrated by a group of dissenting protestants who were urging the British government to reconsider Northern Ireland's statutory future. The question is, to preserve what? Would unionists have accepted power sharing, but without Dublin involvement? Perhaps the absence of a replacement executive installed by loyalists after Faulkner's one was made to fall should orient analysis away from notions of a coup d'état, which is how the British Prime Minister appraised the strike. He saw loyalist petitions for fresh elections and the destruction of the Sunningdale agreement as the camouflage for a protestant junta, yet it was the persistence of these calls after the strike's termination which urged the British government to establish the Constitutional Convention in 1975.

Wilson told his Cabinet that 'they were intent on destroying the Constitution and its provisions for power-sharing, and on establishing a government of Protestant extremists'.⁴⁰ In June 1974 Merlyn Rees disputed this view, insisting that 'on the Protestant side there was a demand for new elections'. These he took seriously, and accepted the sincerity of their proposal, stating that 'elections should be held in the autumn for a Consultative Convention which would have the task of recommending

³⁹ Meeting on 11 Oct. 1974, TAOIS 2005/7/634.

⁴⁰ Conclusions of a British Cabinet meeting on 25 May 1974, CC (74) 18th Conclusions, accessed via www.nationalarchives.gov.uk on 6 Nov. 2013.

future constitutional arrangements'.⁴¹ It could be contended that loyalists were acting on the will of the people, resisting an agreement which lacked a public mandate. At the Westminster election three months before the strike, 11 of the 12 seats available to Northern Ireland had been won by candidates from the U.U.U.C., an association of anti-agreement unionists.

It is obvious that the British and Irish governments had seen loyalists as a passive appendage of mainstream unionism, with a borrowed political imagination, and were grossly unprepared for a situation which would make them reconsider this assumption. Thus the strike was bound to be seen as deviant or a discrete oddity contrived through a formula of tyranny, since the idea of a politically alert and conscientious protestant working class was even more peculiar. But more than bizarre it was damaging, particularly for the Irish government, because it challenged their preferred interpretation of Ulster loyalists as an intellectually mute monolith, fascinated with violence. Making loyalism appear too coherent or marvelling at its dissenting character would give northern protestants just cause for their resistance and threaten to provoke the nationalist community north and south, who preferred a clipped or formulaic interpretation of loyalists. Instead, it was their instinct to recite the sectarian pathology of unionism and embroider a cartoon of loyalist violence, without striving to explain what animated it. Thus there was an ideological purpose

⁴¹ Conclusions of a British Cabinet meeting on 13 June 1974, CC (74) 19th Conclusions, accessed via www.nationalarchives.gov.uk on 6 Nov. 2013.

to the Irish government interpreting the character of loyalist violence as proactive, rather than reactive. It is important to recognise the acute sectarian element of loyalist violence, but as well the intrusion of other, more complex contributing factors. Anxiety and violence both played a part.

James McAuley and P.J. McCormack wrote of the hazards of substituting the loyalist experience with the decadence of the unionist one: 'In the Northern Irish context it is necessary to avoid the danger of conflating the position of the aristocracy of labour (who remain, after all, manual labourers) with political elites'.⁴² Merlyn Rees identified this as a problem as early as October 1974, of reducing the strike to the 'the Protestant backlash' and the necessity of granting the loyalists a platform for independent expression, distinct from unionists. He wrote that the strike had 'also confirmed my feeling that we ought to try to bring the loyalist working class into the political arena, especially when I saw how quickly the UWC and the UDA were dropped by the politicians once the strike was over'.⁴³

Rees illustrated some insight in ensuing not only loyalist inclusion in the political process, but in making distinctions between the different types of loyalist and the vested interests that drove them. Paddy Devlin echoed Rees' logic a year after the Executive's collapse. He noted the apathy of Craig, Paisley and Harry West, who 'displayed no interest in the social and economic issues that passed through the

⁴² J.W. McAuley and P.J. McCormack, 'The Protestant working class and the state in Northern Ireland since 1930- A problematic relationship' in Hutton and Stewart (eds), *Ireland's histories: Aspects of State, Society and Ideology* (London, 1991), p.117.

⁴³ Merlyn Rees, *Northern Ireland: a personal perspective* (London, 1985), p.92.

Northern legislative processes over the years. They cannot be trusted to represent the interest of the working class people who make up the bulk of U.W.C. membership'.⁴⁴

The Constitutional Convention

The central consequence of the strike's triumph was to put unionists in a much more commanding position. There was now no demand on them to be pacifying since they had witnessed how fatally effective their resistance could be. The apparition of a united Ireland still loitered in the minds of unionists and at the resultant Constitutional Convention, which was formed from the wreckage of the Executive in May 1975, their political representatives adopted an approach of muscular and resolute intransigence. The U.U.U.C. now refused participation for the S.D.L.P. at cabinet level and the Council of Ireland was now prohibited indefinitely. The strike had also radicalised the nationalist community from a position of casual nationalism, which constrained the S.D.L.P.; nothing else except power-sharing was now acceptable to their supporters.

At a meeting with the convention Chairman, Sir Robert Lowry, U.U.U.C. representatives indicated their now reinforced objections to power-sharing, which included the concern over whether all participants of the government would be

⁴⁴ Paddy Devlin, *The Fall of the N.I. Executive* (Belfast, 1975), p.83.

supporters of the institutions of the state and if power-sharing made a provision for effective opposition.⁴⁵ According to unionist interpretation, Sunningdale had amplified nationalist interest in unity, and publicised the British and Irish governments' commitment to it, so additional vigilance was now needed. Unionists would now commit themselves to relentless surveillance of both administrations to anticipate their intentions. Thus unionists were fearful of what would happen to the Northern Ireland state if those seemingly committed to its extinction, or at least its extensive alteration, were admitted to office.

This was of course a convenient trajectory for them to take, since it afforded them latitude to pursue an unchanging political strategy. It also avoided an awkward question; that even if power-sharing could now be firmly associated with movement towards the Irish republic, and an antipathy towards it had a steep legacy within unionism, was its rejection after the strike a sectarian scheme, based on nationalists' catholicism, or a political one, based on catholics' nationalism? The more compelling argument is the latter: Stormont had always been anti power-sharing, the difference in 1974 was enshrining the Irish dimension by right. In fact, the Convention was to become a key moment for many loyalists, as they grew disillusioned with the resoundingly narrow and often lethargic political vision of unionism.

⁴⁵ Minutes of a meeting dated 21 Aug. 1975, PRONI CONV/1/1.

At the Conference, William Craig, as part of the U.U.U.C., made the startling proposition of voluntary coalition, a form of power-sharing. This emergency arrangement would consist of a majority government with a unionist Prime Minister, but with nationalists forming a smaller coalition partner. His plans were modelled around Winston Churchill's all-party war cabinet, and were intended only application for a maximum of three years, after which conventional politics would resume. Still, it suggested that co-operation with catholics was less of an issue than 'any imposed institutionalized association or other constitutional relationship with the Irish Republic', which was how unionist aversion to the Irish dimension was expressed in a policy document written several months before the Convention report.⁴⁶

Unionist fears congregated around the potential 'imposition' of the Irish dimension, from which they would be incapable of extricating themselves and which would expose the lie that unionists held the balance of power in Ulster. The Irish government's right to participation was understood by the U.U.U.C. strictly in a security capacity, which had also recognised that any future government for Northern Ireland 'should seek in every practical way to safeguard minority interests and that such interests should be meaningfully represented and be capable of calling into account any action that might be deemed unfair or unjust to them'.⁴⁷

⁴⁶ U.U.U.C. Policy document dated 18 Sep. 1975, POLL 9/1/8, File 2 of 2.

⁴⁷ Ibid.

The U.U.U.C. and S.D.L.P. held talks over the possibility of a power-sharing initiative but Ian Paisley avoided the negotiations, fearing it would be seen as an approval of the republican mission. It might be noted that the S.D.L.P. saw it as a genuine effort at conciliation. Gerry Fitt remarked that 'Craig's developments surprised everyone: a dramatic development which was treated at first by the SDLP with suspicion. Now the SDLP is convinced that Craig is sincere in seeking compromise'.⁴⁸ Craig persisted, beginning to speak publicly in conciliatory tones and became a forceful proponent of coalition government.⁴⁹ Westminster hoped Craig's actions might be a catalyst for change and Merlyn Rees told him they would consider offering a referendum on the idea to undercut the U.U.U.C., who had won 47 out of 78 seats at the Convention. The Irish government themselves felt the escalation of sectarian assassinations during the Convention had made Craig's proposal of voluntary coalition even more unacceptable to loyalist backbenchers.

In its Convention Report, the U.U.U.C. dismissed voluntary coalition for three reasons. They claimed it would defile the essential principle of collective responsibility in government, that it would institutionalise party-political divisions, frustrating any movements towards development and change, and, most notably, that it was uneasy about forming government which contained persons whose

⁴⁸ Minutes of a meeting between the Conservative Party's Northern Ireland Committee and the S.D.L.P. dated 11 Nov. 1975, Papers of Julian Amery, Churchill Archives Centre, University of Cambridge, AMEJ 1/10/3, File 3 of 3.

⁴⁹ Ian McAllister, *The Northern Ireland S.D.L.P. - Political Opposition in a divided society* (London, 1977), p.156.

eventual aim was the dissolution of the Union.⁵⁰ Some commentators, like Sarah Nelson, probed Craig's motives for his unexpected volte face. She claimed voluntary coalition allowed for the renaissance of an Ulster Parliament, which many of Craig's supporters attached a great deal of import to. 'Instead of sacrificing that parliament (perhaps permanently) they might win agreement for one from the British, at the price of some co-operation with their catholic constitutional opponents'.⁵¹ Craig would later claim to the Irish government that 'Paisley promised him to support his coalition idea. He changed his mind over the week-end not because of (Enoch) Powell's influence but because members of his Church came to him on Sunday evening objecting to it.'⁵²

Craig was isolated from the U.U.U.C and his proposals would divide the Vanguard Party. What it did demonstrate was that unionist objections to power-sharing remained founded on the fatal inclusion of nationalists, as well as catholics, to the governance of Northern Ireland. Craig's proposals would ensure Northern Ireland remained unionist, whilst satisfying those of the minority who strove for power-sharing. The grounds on which they were rejected by the U.U.U.C. verified this logic; the recurring fear that power-sharing with nationalists would mobilise the concert of Irish unity. Episodes like the signing of the Sunningdale agreement illuminated not only that unionists were no longer the dominant political force in

⁵⁰ U.U.U.C., *A guide to the Convention Report* (November 1975). Accessed via <http://cain.ulst.ac.uk/>.

⁵¹ Sarah Nelson, 'Ulster's Uncertain Defenders', p. 160.

⁵² Minutes of a meeting between Liam Cosgrave, Dermot Nally, John McColgan and William Craig dated 26 Mar. 1976, D.F.A. 2013/27/1474.

Northern Ireland, but that the British government did not retain Ulster because of a sincere affection for it, had little reciprocal affinity with unionists and could seemingly be convinced of the merits of Irish unity.

An enduring legacy of the strike for the Irish state, wary of affording them too much room for influence, was how to manage militant protestant groups, who were legal, well-supported and communally representative. Some clearly felt uneasy about liaising with paramilitaries, or were at least determined that those communications should remain concealed from the public. A D.F.A. briefing disclosed the range of some of these relations: since July 1974 contact had been established with leading members of loyalist paramilitary groups such as the U.D.A. and the R.H.C. It was considered even more needful that 'the Taoiseach should not indicate that there have been contacts with para-militaries on the Protestant side in Northern Ireland as if this were to become public it could be extremely damaging'.⁵³ This report came after a meeting between Cosgrave, Wilson and Rees at which the three of them expressed their opinions on the matter:

The Taoiseach said it was important not to talk to the para-military organisations while discussions with elected representatives were cut off /.../ [He] said that discussions with para-military groups weaken the authority of elected representatives and strengthen that of

⁵³ Briefing dated 15 June 1976, TAOIS 2006/133/691.

the groups. The Secretary of State said he understood this problem but the contacts were too valuable for them to be broken off like that.⁵⁴

Cosgrave was wary of a peculiar portrait forming, one that depicted his government as seeking or needing the counsel of paramilitary groups who themselves had ominous reputations in the south, associated, at least in the public's minds, to incidents like the Miami Showband killings and the Dublin/Monaghan bombings. Brian Faulkner condemned Merlyn Rees' habit of meeting with protestant paramilitaries. He told Séan Donlon that 'We, in the South, should hit the British hard on this subject. If the British wanted politics to survive in Northern Ireland they would have to stop these meetings with para-military groups- whether they were IRA, UDA, or anything else'.⁵⁵

Such a view undoubtedly came from the assured antipathy of constitutionalists to men of violence, but it was also prompted by Faulkner's resentment that the same men who helped terminate his Executive were now being met by the Secretary of State for Northern Ireland. In an internal review of their interaction with loyalists during the years 1975-77, the D.F.A. acknowledged that prior to July 1974 contacts were limited to covert talks conducted with Faulkner before the Sunningdale agreement and in public following the formation of the

⁵⁴ Notes dated 5 Mar. 1976, TAOIS 2006/133/691.

⁵⁵ Notes dated 8 Jan. 1976, TAOIS 2006/133/691.

Northern Ireland Executive. The dialogue was extended after July 1974 to all unionist groups except the D.U.P. and to loyalist paramilitaries.

The Irish government used these contacts to explain policy to loyalists in the hope that this would contain their belligerence, rather than negotiate policy with them. It also meant they were kept informed on the developments in the loyalist paramilitary universe. John McColgan of D.F.A. recorded in September 1976 that 'the leader of the Red Hand Commandos (John McKeague) recently indicated on the telephone to an officer in the Department that "everybody is talking to everybody up here at present"'.⁵⁶ Cosgrave and FitzGerald met a U.D.A. delegation in October 1974, who asked Irish officials for 'help in dealing with community problems caused by violence'.⁵⁷

The report continued to insist upon the necessity of keeping the parameters of such exchanges confidential, adding that 'it has never been the practice to identify individually any of the people with whom contact has been established'.⁵⁸ There appears very little discussion of events like the Miami Showband killings or the Dublin/Monaghan bombings within Irish government records for this period. This may be for security purposes, that the relevant files have been kept hidden from view, but it also says something about the gravity with which loyalism was appraised by the Irish government. Loyalists were evaluated as being capable of

⁵⁶ Report by McColgan on 9 Sep. 1976, TAOIS 2006/133/692.

⁵⁷ N.I.O. report on recent events, 3-10 Oct. 1974, T.N.A. PREM 16/151.

⁵⁸ Report titled 'Contacts with the Loyalist Community', undated and no author, D.F.A. 2007/11/1952.

launching singular attacks against the republic, not a sustained military campaign. The most important effect of the Miami Showband attack and the Dublin/Monaghan bombings was not to make Irish officials more fearful of loyalist assault on the republic.⁵⁹ Contingency planning, as will be discussed, was created for any large scale attacks that could theoretically be attempted. Their main result instead was to urge the Irish government to de-politicise loyalism, casting it as a primitive creed of violence, not an emerging political ideology distinctive from Ulster unionism . It meant that any discussions between representatives of the Irish government and loyalist paramilitary groups after these events were kept hidden, away from public awareness, since the image of loyalists as vicious bigots was an established one.

Perhaps most illuminating in the report was the rationale accepted for keeping this activity concealed and thriving. For explanation of why such contacts occurred at all, the report emphasised expediency and the edifying effects of ideological tuition:

unionists now accept that it is useful to talk to Dublin so that statements made from there do not have an inflammatory or prejudicial effect on events in Northern Ireland. We on our part have found the contacts valuable because they have enabled us to indicate to the unionists what the reality of Government policy is down here and when this policy has been explained

⁵⁹ On 17 May 1973 the U.V.F. killed 33 people, the largest amount of casualties on a single day during the conflict, by planting car bombs inside the republic in Dublin and Monaghan. On 31 July 1975, the U.V.F. carried out another bombing operation when it detonated a device inside the van that was carrying members of the Miami Showband, one of Ireland's most popular cabaret bands.

it has been widely accepted in unionist circles. We would hope that such contacts will continue.⁶⁰

Cosgrave's coalition government acknowledged that the south could ill afford to endorse its genus of 26 county nationalism, hitherto the policy of the Irish state, which excluded the entire body of unionism from ideals of a national utopia.

It should be noted that despite the Irish government's tentativeness with loyalists, there was greater surety with unionists, who they saw a distinction between, and with whom they were insistent on keeping contact prolific. The D.F.A. wrote a policy document in 1974 which outlined its intention to 'embark on closer contacts with the unionists generally on the lines of the contacts which have been established with the SDLP, Assembly Unionists and Alliance'.⁶¹ The U.W.C. strike can thus be regarded as the zenith of loyalism's significance and political salience in the eyes of the Irish government, as that cohort was briefly the dominant political force in Ulster.

After the strike the U.W.C. was relegated by the unionist mainstream and discouraged further participation in the political process. The Irish government shifted towards pursuing better relations with unionists, whom they believed were more intrinsic to the determination of Northern Ireland's future. The coalition's softer line than Fianna Fáil on reversing partition comforted some unionists into

⁶⁰ Ibid.

⁶¹ TAOIS 2005/7/631.

closer contact with the Irish government. Loyalists were considered superficially influential, able to engineer one off stoppages but not an entire programme of governance. The Irish government sought contact with them, but only to monitor loyalist opinion, thus preparing for any impending unrest, and in an atmosphere in which the total withdrawal of the British government appeared a plausible development. For example, shortly after the strike 'Officials of the Department of Foreign Affairs had been asking loyalist groups what their attitude would be to statement by the Irish Government of support for a UDI'.⁶² The position of the U.D.A. was calculated in a similarly speculative tone by the D.F.A. in April 1976. It was concluded that

The UDA is a force to be reckoned with in any future crisis. UDA muscle proved decisive in the UWC strike, and the organisation's para-military capabilities appear at present to be at least at the same level as they were in May 1974. The only question is: under what circumstances would it use this muscle?⁶³

John McColgan, one of the D.F.A.'s main contacts with loyalists, claimed that his reports of meetings with loyalists would rarely influence policy.⁶⁴ Instead, they were merely seen as information gathering, with their florid language often the

⁶² Minutes of an S.D.L.P. meeting with representatives of the Irish government on 20 Aug. 1974, TAOIS 2005/7/633.

⁶³ Report by David Donoghue of D.F.A. on 24 Mar. 1976, D.F.A. 2007/111/1833.

⁶⁴ McColgan relayed this to me in our interview on 2 Feb. 2011.

subject of derision by departmental colleagues. Thus loyalists were seen as a fleeting or distant security concern that the Irish government always remained aware of; indeed the Departments of Taoiseach and Foreign Affairs developed plans to counter potential civil war situations with emergency action. These were based on the proviso that Ulster loyalists had the means or the disposition to induce a slaughter in Ulster, imperilling the catholic minority.⁶⁵

British withdrawal

Fianna Fáil noted shortly after coming into power in June 1977 that by way of calling for a responsible process of withdrawal 'the Government are reasserting the national aim of reunification through peace, goodwill, cooperation and understanding...But of paramount importance is that the withdrawal sought, without any strict timetable attached must be well thought out planned and prepared'.⁶⁶ The party seemed to have tempered their nationalist rhetoric, evolving a more qualified, compromising and less demanding approach for securing unity. With Fianna Fáil and a withdrawal, the emphasis was on aspiration. With Fine Gael, it was firmly on implication, imagining how to circumvent and relieve the insurgency of a situation brought about by a sudden British desertion.

⁶⁵ See Chapter 3 on the Irish Constitution for the proposed repartition of Ireland.

⁶⁶ Report on British withdrawal, TAOIS 2007/116/756.

Cosgrave's Ulster policy was based firmly on the philosophy of securing a resolution around power-sharing which had the support of a majority, politically at least, within the Constitutional Convention. The essential consideration was a formal recognition of the Irish dimension, that they had a right and duty to be actively involved in the mechanics of settlement. Loyalists were thus at times categorised by the Cosgrave's government as a perilous catalyst, as it was thought that their actions could provoke an abrupt British exit, prejudicing the south's security integrity or its subsequent relationship with this newly arranged state.

The Cosgrave government thought the British government only persisted with Northern Ireland for fear of the consequences if they withdrew, and any analysis of policy contingencies should be aware of this secondary commentary which pervades them. Harold Wilson considered withdrawal a viable option in 1975 and there was scope for the gradual decrease in troop numbers from 1976 onwards, reflecting the recently established primacy of the Royal Ulster Constabulary (R.U.C.), to be assessed as a moderated form of withdrawal.⁶⁷

British withdrawal caused acute anxiety for D.F.A. under Cosgrave. A crucial consideration was the inevitable involvement of Irish troops to police the north and its necessary expansion to meet the demands for such a task. The methods devised for this increase included compulsory military service by way of conscription, the call-up of the First Line Reserve and the volunteering for extended periods of full-

⁶⁷ See Chapter Six for a more complete analysis of the British government's view of withdrawal.

time service members of the Garda Auxiliary, An Forsa Áitiúil. Proceeding concerns arose about training: how long would it take to make these men effective soldiers and how could an Irish government undertake gestures of intervention without making their intentions for the north clear to the public? Privately though, Garret FitzGerald and his colleagues were pessimistic about their ability to protect the northern minority.

FitzGerald feared that the Irish government 'would be altogether unable to protect the minority in the largest part of Northern Ireland from these consequences, and that we would be faced with a very large refugee problem, which would include a high proportion of lawless young people'.⁶⁸ He sought to discredit the notion that his government was in a position to ordain a united Ireland in the event of British withdrawal. He was urged to admit that

The formidable organisation and success of the loyalist strike did something to dissipate these illusions but they remain around /.../ In practice that minority is on its own. We feel sympathetic towards it, but in practice we could not save it and it would be a poor proof of our sympathy to encourage it in illusions about the second guarantor.⁶⁹

There developed a set of considerations by which constitutional viability was evaluated: the continuance or not of British subvention, implications of European

⁶⁸ Report into implications of a British withdrawal, TAOIS 2005/7/659.

⁶⁹ Ibid.

Economic Community (E.E.C.) membership and formal recognition, guarantees for the minority and whether the settlement following withdrawal would be negotiated or imposed.

In respect of this calculation other choices were measured, which included the possible flying in of supplies by way of helicopter due to loyalist blockaded roads, the Irish army attempting to take over the running of power stations, distribution centres and petrol stations and the maintenance of buffer zones offering 'protection to the minority in flashpoint areas both in the present Northern Ireland situation and in any re-partition that might develop following withdrawal'.⁷⁰ The procedures of succour were duly considered by the Irish government as a designated response to a degenerating civil war situation. This itself was a result of the pervasive dread that the U.W.C. strike had conjured. It prompted Irish officials to survey the likelihood of civil war and what the probable contours of the loyalist offensive would be. Garret FitzGerald contended that 'militarily, the loyalists could not hold West Ulster while it would be militarily impossible for us to get near Belfast'.⁷¹

The Irish government also provisionally nominated Sligo, Dundalk, Letterkenny and Monaghan as border hospitals to treat the casualties of a potential civil war and to offer up Leopardstown Race Course, the Royal Dublin Society and various University buildings nationwide to accommodate displaced refugees. 'There will be a problem in providing sanitary facilities, bedding and cooking equipment.

⁷⁰ Discussion paper on withdrawal, June 1974, TAOIS 2005/7/631.

⁷¹ TAOIS 2005/7/633.

No premises would be occupied unless adequate facilities were already available. Bedding in the shape of foam mattresses can be supplied very quickly'.⁷² Their remit, as they saw it, was to assuage the situation, not determine it: 'It was taken as a basic premise that the first priority of policy is to preserve peace in this part of the country and as far as possible to restore it, with equity, in Northern Ireland'.⁷³ The S.D.L.P. also began thinking in these terms after the U.W.C. strike. Paddy O'Hanlon urged that the Irish army take an aggressive position in the suppression of loyalist uprising. He commented at their conference in August 1974 that

If the British Army will not take on the loyalists, it follows that they will not take on the Irish Army /.../ If the Irish Government is positive enough, the loyalist community can become the expendable object.⁷⁴

Later, the failure of the Constitutional Convention in 1976 left loyalists without political representation, or rather, an official censure on their activity, barring their politicians at Westminster. This was when they were considered the most volatile, and the Irish government feared their unrest could fester into civil disobedience, action which would precipitate a hasty British exit. The Irish government drew up a doomsday plan, based on the demographic pattern of residency in Northern Ireland. This located key areas of vulnerability for Catholics

⁷² Ibid.

⁷³ Ibid.

⁷⁴ D.F.A. report on the S.D.L.P. conference dated 27 Aug. 1974, TAOIS 2005/7/633.

from the 1971 census which provided information on District Electoral Divisions and rural district population figures. After establishing the areas most in peril, the contours of the loyalist attack following British withdrawal were calculated:

From the Belfast experience it is likely that in urban areas it would take the form of sniping, road-blocks and bombing street by street to force people to flee from certain areas. In the rural areas attacks are more likely to be isolated incidents, assassinations and attacks on farmhouses /.../ As long as the British Army is present and attempts to enforce law and order, the scale of any attacks are likely to be reduced. However, it is to be expected that in any withdrawal situation the UDR and RUC Reserve would undoubtedly fight for the Loyalist cause and the equipment available to the UDR (armoured cars, heavy machine guns) would allow them to wage war on a large and decisive scale.⁷⁵

One might note that the report assumed the integrity of the R.U.C., though not its less qualified reserve. In the above situation, it was concluded that the area west of the River Bann, including north Armagh and Newry, was relatively safe for the minority, with the superfluity of escape routes available. East and south Down were also judged, cautiously, safe. For the rest of Northern Ireland though, the outlook was thought to be bleak. The only areas of relief appeared to be west Belfast and the Glens of Antrim. Otherwise northern catholics were 'isolated with no avenues of escape and little chance of survival in a doomsday situation'.⁷⁶

⁷⁵ Domsday report dated 12 Jan. 1976, D.F.A. 2008/79/3190.

⁷⁶ Ibid.

Such a venomous apparition of Northern Ireland's future was dependent on the assumption that the only factor preventing a genocide of its catholic population was the presence of British troops. Only when this guarantor had lapsed would protestants begin their grand scheme of catholic pogroms. If nothing else, contingency planning like this depicted southern attitudes about the loyalist population of the north, that they were intent on the annihilation of Ulster's catholic population. It is revealing that a reverse slaughter of protestants was not contemplated in the event of a united Ireland.

This perhaps derives from the sectional differences apparent in the selection of paramilitary murder victims. The obligation for republicans, to satisfy their mission of presenting the struggle as an anti-colonial one and Ulster as an occupied territory, was to locate a functionary of the British state, whether a politician, diplomat, British Army Officer, Ulster Defence Regiment (U.D.R.) or R.U.C. member. Even food suppliers to British Army barracks were targeted, like caterers or vending machine merchants. For loyalists, localising members of the I.R.A. was much more challenging and created the need for intelligence gathering, at which loyalists were not initially proficient or enthusiastic for. Instead, retaliatory attacks would mostly presume the form of the arbitrary selection of catholics from what were adjudged to be catholic areas or businesses. Ethically this did not trouble loyalists as they conflated the I.R.A. with the general community from which it originated, emphasising its symbiotic design. Since it could not survive without that community's support, every catholic was culpable: there were no innocents.

Whereas the assassination of a U.D.R. captain could be promoted an anti-state, political act, granting it to some a degree of legitimacy but also intelligible design, the same was not applicable to the loyalist canon of victims, of which the only qualifying feature was often a shared catholicism. This enabled some loyalists to justify monstrous murder habits under the veil of a self-approving logic and transformed some loyalist violence from being reactive to proactive. Loyalist violence was first born from the belligerence of republican violence, but it began to offend without direct provocation.

This meant that some would interpret loyalist violence as the seemingly random slaughter of catholics by loyalist paramilitaries. The notorious fables of romper rooms and butcher squads did not allay the image of a sadistic cabal of savages, compounded by the fact that most loyalist murder victims were civilians.⁷⁷ This is not to suggest that republicans did not murder many civilians too, but that they were able to submit a more coherent logic for their murder, even if that logic was untruthful.⁷⁸ A report by the N.I.O. believed in this distinction between loyalist and republican types of violence in July 1975: 'Protestant violence has more

⁷⁷ Liz Curtis, *Ireland and the Propaganda War- The British media and the 'battle for hearts and minds'* (London, 1984), p.89.

⁷⁸ During the period July 1969-Dec. 1993, the P.I.R.A. killed 1039 members of the security forces (R.U.C., U.D.R., British army, Prison Officers and civilians working for the security forces). This works out as a share of 59% of the total 1755 people they killed during this period. They killed 376 civilians during this time, a share of 21% of their total. The Official I.R.A. killed 11 civilians of their total of 49 (22%) and the I.N.L.A. 19 civilians of their total 122 dead (16%). In the same period, loyalist paramilitaries combined killed 911 people, of which 713 were civilians, including protestant civilians killed by accident. This amounts to 78% of the total people they killed, a much higher proportion than republican paramilitary groups. Of course this does not include those murders for which responsibility was never claimed. See Malcolm Sutton, *An index of deaths from the conflict in Ireland, 1969-1993* (Belfast, 1994), pp.195-207.

commonly taken the form of sectarian violence whereas IRA violence has been directed against the British economic system and the security forces.⁷⁹ Inferred in this summary was the idea that loyalism was less in the cause of something than republicanism; more sectarian, atavistic and unthinking. This also made the violence it committed appear more brutal and part of an endemic loyalist character.

This paradox perhaps goes some way in explaining Irish government predictions of loyalist violence, with civil war scenarios envisioned through a kaleidoscope of massacres. This in turn suggests that the Irish state did not review loyalist paramilitaries in the same way the security forces, the British government and loyalists themselves did which was as a reactive force contingent on the actions of P.I.R.A. Loyalists believed that if the republican threat to Ulster vanished, so would they. In the hypotheses of Cosgrave's government the view is opposite: loyalists, without the restraint of the British army, keenly *orchestrate* a civil war scenario, rather than arbitrarily *react* to one. It might be qualified that the Irish military analysis did understand the limits of loyalist belligerence. The Irish government did not, for example, believe loyalists were able to take over Northern Ireland, or that they would be an unstoppable force in the event of mass confrontations.

A discussion paper from July 1974 substantiated this edict. It estimated that the number of loyalists who would partake in a mass military operation to be

⁷⁹ N.I.O. paper on Sectarian Assassinations, July 1975, T.N.A. CJ4/2649.

between ten and fifteen thousand, but that 'they would be vulnerable to timely and effective intervention by a disciplined military force'.⁸⁰ It was supposed though that these operations would be directed against the catholic civilian population of Northern Ireland and not the Irish state or republican paramilitary organisations. This is the critical fault of Irish security analysis of loyalist violence. It sees loyalists as a potentially marauding, homicidal, offensive force which sought the demolition of the catholic population of Ulster as a 'final solution'. The report remarked that the 'Irish Army authorities consider that the main capability of these groups would be in the terrorist bombing type of activity and in waging a protracted war of attrition while wiping out the minority population living in isolated areas'.⁸¹ According to Irish calculations, this would occur after another U.W.C. type industrial stoppage: loyalists would then seek to capitalise on any advantages this had secured.⁸² Again, this interpreted the strike as a violent heist, not an expression of political dissatisfaction or anxiety.

The Irish government thus saw loyalists in potentially cataclysmic terms. These were that loyalists were intent on the destruction of the catholic population of Ulster, rather than just resist its nationalism. The Irish government failed to understand why loyalists committed acts of violence and that they were the technique of a developing ideology, not an instinctive and wild fury. Contingency

⁸⁰ Discussion Paper dated July 1974, TAOIS 2005/7/633.

⁸¹ *Ibid.*

⁸² Extract of a report contained in a letter from Séan Donlon to Garret FitzGerald dated 21 Nov. 1975, D.F.A. 2008/79/3106.

planning undoubtedly calmed members of the Irish government, as they could convince themselves that all options had been measured and prepared for. However, it had a secondary function: it overwhelmed and downplayed the political thinking within loyalism, especially by the U.V.F. and U.D.A., which extended beyond numbing violence and into considerations of constitutional solution. This was the legacy of loyalist violence on the southern state. It urged the creation of contingency planning which would operate to repel loyalist advances into the Irish republic. It also meant the Irish government tended only to court loyalist opinion at times when it was thought to be militarily volatile. This attitude of selection diminished the capacity for loyalism to be seen as a political phenomenon.

Independence/U.D.I.

Clear distinction should be made between a U.D.I. and the case for an independent Ulster, with an emphasis on the latter's negotiated nature. A U.D.I. was the emergency measure of what later became the independence movement, to be made most likely after a British withdrawal. It would have been an unlawful, extra-constitutional act of secession assisted by physical force. The Irish government linked the term U.D.I. to the precedent of Rhodesia in 1965 and its connotation of the rejection of British rule. Independence was a nascent form of Ulster nationalism,

with its origins in paramilitary factions and revisionist historians.⁸³ It pursued the redefinition of Ulster's relationship with Britain by promoting the singularity of Ulster's historical experience and the peculiarity of its location within Irish and British terms of reference. It was an attempt to foster belief in the notion of a regional Ulster identity, a shared territory in which both communities could invest loyalty.

The prospect of a U.D.I. first troubled the Irish government in late 1970, after the disbandment of the Ulster Special Constabulary in May 1970, as recommended by the Hunt Report. They became aware of ex B-Specials forming rifle clubs across Northern Ireland, with licences issued by the Stormont government. A military brief to Jack Lynch stated that 'He [General Officer Commanding General Ian Freeland] is extremely concerned as he foresees that British troops may have to contend with, in effect, trained bodies of men either in a UDI situation or in a situation of the introduction of direct rule'.⁸⁴

It was also an acute concern for the members of the Council of Europe's sub-committee set up to consider the Northern Irish problem. In a draft report on the situation in the north they commented on 'various loyalist para-military groups [UDA, UVF...] and splinter groups that stage violence for a variety of purposes, with motives ranging from sheer revenge [the Protestant backlash] to the independence of Ulster from Great Britain.'⁸⁵ The committee's anxiety was more pronounced in its

⁸³ See Ian Adamson, *Cruthin: the Ancient Kindred* (Conlig, 1974) and *The identity of Ulster: the land, the language and the people* (Belfast, 1982).

⁸⁴ Military brief to Jack Lynch, Papers of Jack Lynch, TAOIS 2001/8/12.

⁸⁵ Draft Report of the Council of Europe's sub-committee set up to consider the problem of Northern Ireland, 1971-76, D.F.A. 2002/19/533.

conclusions, when it considered 'that Protestant extremists of para-military organisations would radicalise their activities and orient them towards the establishment of an independent Northern Ireland state, whether negotiated with Britain or following a unilateral declaration of independence. Both solutions would be disastrous'.⁸⁶

Fear over the arming of protestants is the most prevalent theme in early Irish foreign policy documents relating to Ulster loyalists. In a letter dated March 6th 1970, Donal O'Sullivan, Irish Ambassador to Great Britain, expressed his concern over the matter following a meeting with James Callaghan, British Home Secretary, to H.J. McCann, Secretary of the Department of External Affairs.⁸⁷ The Irish government believed that loyalists held a greater abundance of weapons weapons than republicans did. O'Sullivan had mentioned 'the deep concern on our side at the build-up of arms in private hands' and had relayed to Callaghan their impression 'that the quantities of arms now held by the other side are vastly greater'.⁸⁸ The Irish government was concerned that only one tenth of the total number of weapons held by the B-Specials had been successfully confiscated by British authorities and that many were kept hidden in the republic.⁸⁹ Allied to this was the increase of 2,000

⁸⁶ Ibid.

⁸⁷ James Callaghan (Labour) was British Home Secretary when the decision was made to send British troops on to the streets of Northern Ireland. He was later Prime Minister from Apr. 1976-May 1979.

⁸⁸ Letter from O'Sullivan to McCann, D.F.A. 2001/43/1407.

⁸⁹ Report by Kevin Rush dated 5 May 1970, Patrick Hillery Papers, P25/36, U.C.D. Archives.

firearms licences issued in 1970 and that the Northern Ireland authorities seemed to have 'no power to prevent, in effect, the rearming of the B Specials legally'.⁹⁰

The Irish government interpreted this as protestants preparing or agitating for civil war, from which a U.D.I. situation was likely to emerge. This failed to account for the psychological toll the Stormont regime had imparted on northern protestants. They were not yet conditioned to acknowledge the depth of nationalist injury or themselves evolve, through the agony of all Ireland unity, into an imperilled minority like the one over which they had asserted such absolute dominance. Loyalists militarised to resist civil war, not to choreograph one. Protestant violence was initially reactive in character; loyalist paramilitaries were themselves created to limit the insurgency of republican ones and as a tonic for British government ambivalence. It was not the design for atrocity or a graph of genocide.

British authorities chastised their Irish counterparts for their inclination to misinterpret the might of protestant paramilitarism: it was about fearful defence, not confident attack. George Thomson M.P., Chancellor of the Duchy of Lancaster, told Donal O'Sullivan that 'our [British] Intelligence has been better than yours. For example at Easter you expected a massacre by Protestants of Catholics. Dr. Hillery said so when we last met. Your Intelligence comes from minority sources who are perhaps too apprehensive'.⁹¹

⁹⁰ Brief for Patrick Hillery's meeting with British Foreign Secretary Sir Alec Douglas-Home dated 24 Feb. 1971, Patrick Hillery Papers, P25/37, U.C.D. Archives.

⁹¹ Meeting on 6 May 1970, Patrick Hillery Papers, P205/36, U.C.D. Archives.

The Irish government was at least self-conscious enough to recognise that their remoteness from the north prior to 1968 had not only left them ignorant of the minority community there, but of the majority one as well. It meant their analysis of northern protestants was formulaic and pared, their conclusions inevitable and obvious. Eamon Gallagher of D.F.A. noted that he was moved by 'how little we know about the mentality of the Northern Protestant. Much of our knowledge is intuitive and therefore incomplete and possibly inaccurate.'⁹² This made his government's automatic endorsement of unity even more reckless, as they did not understand or fully know unionist objections to it.

There is also little indication that they realised how unhelpful their preoccupation with unity and an insistence on using polarising terminology like 'North of Ireland' and 'The Six Counties' were to the project of reconciliation. It might be noted that the British Embassy in Dublin felt equally bewildered when it came to Ulster protestants. David Blatherwick admitted that none 'of us in Dublin is competent to assess the Protestant backlash...It seems to us that HMG have taken great care to learn all about the Nationalists (simply because they are the immediate cause of trouble) but nothing about the Unionists.'⁹³

Independence itself was incarnated by the Vanguard movement in the weeks preceding the imposition of Direct Rule in March 1972. It was launched as a

⁹² Note dated 24 June 1970, Patrick Hillery Papers, P205/36, U.C.D. Archives.

⁹³ Letter from David Blatherwick of the British Embassy Dublin to R. B. Bone of the Western European Department, Foreign and Commonwealth Office (Hereafter F.C.O.) dated 24 Nov. 1971, T.N.A. FCO 87/114.

defensive effort, intended to prolong the Stormont regime, and was not viewed as a constitutional solution in which both nationalists and unionists could rejoice. In the months following the collapse of the Northern Ireland Executive in May 1974 it was the prospect of U.D.I. which troubled the Irish government. Just over a week after the strike's conclusion Minister for Foreign Affairs Garret FitzGerald met with Frank Cooper, Permanent Secretary of the N.I.O.⁹⁴ Cooper said that the protestant working class seemed 'to want the union to remain and while the para-military groups and some of the politicians might favour UDI, they were all fearful of the consequences of jumping onto a UDI line...UDI was unlikely to develop as a real option'.⁹⁵ A year later at an I.D.U. meeting which deliberated the prospective repartitioning of Ireland, Séan Donlon, Assistant Secretary of D.F.A., remarked how loyalists now favoured

independence as an option, before adding that the British might not work too hard to prevent it, if it seemed likely to get them out of the Northern Ireland morass /.../ doubts were expressed as to how far any guarantees could be enforced and as to the influence on any repressive loyalist regime of international sanctions.⁹⁶

In an advancement and departure from the logic of Vanguard, Merlyn Rees thought that independence was the most rational solution to the protracted conflict

⁹⁴ Cooper was later the Ministry of Defence's Permanent Under-Secretary during the Falklands conflict. He was born on 2 Dec. 1922 and died on 26 Jan. 2002.

⁹⁵ Meeting on 5 June 1974, TAOIS 2005/7/631.

⁹⁶ I.D.U. meeting, 28 May 1975, TAOIS 2005/7/631.

in Ulster, writing in his diary in 1975 that 'in the Irish context, it is something like an independent government of NI, working with the government of the South that in the end I see the way through'.⁹⁷ He felt it could only be secured through British financial support, with Northern Ireland the recipient of its own budget: 'that while they should get a block grant, as it were, from us they should then have to allocate their priorities themselves'.

The F.C.O. saw the idea as a positive development, provided the 'negotiated' caveat was secured: 'we, on our part, wd [would] regard a negotiated independence for Ulster/with, I assume, due safeguards on the defence and security side, and on terms which wd preserve our good relations with the Republic, as a not unwelcome development'.⁹⁸ The Canadian Embassy in Ireland observed that members of the southern government thought independence had merit because it sought to bring the protestant and catholic communities of the north together, a task that they might not be trusted to attempt. Some members of the Fine Gael/Labour coalition were recorded as accepting that the only prospect 'for effective power sharing between different elements in the North lies in some form of independence'.⁹⁹

Thus with the passage of time the idea of independence was referenced less in terms of economic abomination and more as an emerging credo which was either championed by or acceptable to certain players within the political scene.

⁹⁷ Merlyn Rees transcripts, sides 14-15, p.8, L.S.E. MERLYN-REES/1/7.

⁹⁸ Note from L. Branney of the F.C.O. to Harding of the N.I.O., 28 Aug.1975, T.N.A CJ4/1145.

⁹⁹ Report by the Canadian Embassy of Ireland dated 25 Nov. 1976, National Archives of Canada, 20-IRE-1-4, Vol. 11443, File No. 4, Series RG 25.

Strengthening this logic was the failure of the Convention of 1975-6 to reach consensus on a constitutional arrangement which enjoyed agreement from a majority of the parties and the British government's exasperation from this. The S.D.L.P. were also attracted to the idea, seeing certain benefits to the north having a similar constitutional status to that of the Isle of Man or the Channel Islands, but were reluctant to back the independence movement decisively. Party delegates passed a motion for the party's executive to examine independence as an option at their 1976 conference. Advocates within the party included Paddy Duffy and Seamus Mallon, but the grass roots' endorsement was more the result of the political impasse and the stagnation which had hastened it.

The Irish government remained concerned about independence's paramilitary foundations and what motivated this political curiosity. These varied from 'a free hand in security as well as liberal aspirations to peace'.¹⁰⁰ Loyalists themselves were aware of the scepticism emanating over what stirred their enthusiasm for Ulster independence, as a U.D.A. symposium admitted:

The Catholics think we want Independence to give guns to all the Protestants to shoot all the Catholics, likewise the Protestants believe that if we break the British link that will give the Irish Government the right to march in and take over the 6 counties.¹⁰¹

¹⁰⁰ Report dated Jan. 1977, TAOIS 2007/116/758.

¹⁰¹ Record of a discussion by a group of U.D.A. men held at the Mercure Amsterdam Arthur Frommer Hotel, 28 Apr. 1978, N.I.P.C., Box 1, Linen Hall Library Belfast.

A policy document written by the U.L.C.C.C., a composite loyalist paramilitary body, elaborated plans for a new state structure for Ulster based upon the architecture of the American political system. This included a fixed term of government for four years before elections, the installation of a Chief Executive as head of state and an emphasis on the separation of powers. Members of the legislature would therefore be excluded from the executive functions of government.¹⁰² One could only be a citizen of this state by birth or residency in Northern Ireland for a period equal to or exceeding ten years. Elections would be by Proportional Representation and the Speaker of the House would be elected by two thirds of the full legislature. There would also be a Bill of Rights and a Supreme Court. For the more complicated rubrics of independence, academics were consulted, such as David Trimble, then a law lecturer at Queens University Belfast.¹⁰³ Its central theme was to dissuade Ulster's denizens from embracing the antiquated allegiances; instead, new ones, fostered by the ethos of mutual sacrifice, would be engineered:

There is a negative aspect of the Irish aspiration; namely an aversion to being British. There is a negative aspect to the British aspiration, namely desire to avoid being part of an all Ireland

¹⁰² Ó Malley, 'The Uncivil Wars', p.320.

¹⁰³ David Trimble, born on 15 Oct. 1944, would become the U.U.P. leader from 1995-2005 and was a chief architect of 1998's Good Friday Agreement. He was First Minister of Northern Ireland from 1998-2002 and became a working peer of the House of Lords in 2006.

Republic. The positive aspirations cannot be reconciled but their negative aspects can be, and this would involve equal sacrifices by both groups.¹⁰⁴

Despite paramilitary endorsement, the Irish government were aware that independence by violent inception was not sustainable and that a formula would have to be generated to inspire abundant support for the idea. The independence movement were never able to concoct such a strategy.

As a constitutional course, independence, by way of its affiliation to loyalist paramilitaries, always had blighted credibility. The U.D.A.'s political wing, the Ulster Political Research Group (U.P.R.G.), consolidated this by publishing *Beyond the Religious Divide* in 1979, which promoted independence for Ulster as a lasting solution.¹⁰⁵ In 1977, two representatives of the U.L.C.C.C., John McKeague and John McClure, met P.I.R.A. men Ruairí Ó Brádaigh, its then Chief of Staff, and Joe Cahill. This was to determine if some way could be found to accommodate the loyalists' independence proposals with Sinn Féin's Éire Nua programme, in which an all-Ireland Republic would have four regional parliaments, one in each province, with a central one in Athlone. Brokers were secured for the talks which progressed for several months until Conor Cruise O'Brien condemned them on Raidió Teilifís Éireann (R.T.É.) radio. As the loyalists had insisted on absolute secrecy, they felt unable to continue.

¹⁰⁴ U.L.C.C.C., *Your future- Ulster can survive unfettered* (Belfast, 1976), N.L.I., 5B 2267, p.4.

¹⁰⁵ U.P.R.G., *Beyond the religious divide* (Belfast, 1979). Accessed via <http://cain.ulst.ac.uk/>.

This association not only made widespread support problematic, but it failed to convince the British government that independence could be a durable solution. It might have reduced the financial obligation on their part, but the civil war that was expected to follow such an imposition would ensure Britain, by way of troop deployment, remained the main benefactor of Northern Ireland. Indeed academic studies, as late as 1986, still saw independence as a type of Stormont mark II. Liam Kennedy wrote that 'An independent state in east Ulster would be Orange, sectarian and economically impoverished. In any case the idea enjoys only fringe unionist support as yet, would be resisted by nationalists, and is probably unacceptable to Britain for security reasons'.¹⁰⁶

One might assume that a change of government, with Fianna Fáil back in power in June 1977, helped sound the death knell for independence. It was after all predicated upon the abandonment of the key principle of their stated northern policy, unity of the 32 counties. However, the legal and constitutional sub-committee of their northern study group submitted a report on the option in December 1978. Report author Dec Smith wrote of those loyalists who insisted that independence needed and wanted the approval of Dublin: 'This is a long cry from the D.U.P. and other hardline loyalist talk of "no truck" with an unfriendly foreign country. May their attitude also be interpreted as tacit recognition of the validity of articles 2 and 3?'¹⁰⁷

¹⁰⁶ Liam Kennedy, *Two Ulsters: A case for repartition* (Belfast, 1986), p.10.

¹⁰⁷ Northern Study Group report on Ulster Independence, 1 Dec. 1978, TAOIS 2008/148/732.

Perhaps the last comment was optimistic. The movement instead realised that the minority in the north's feeling for Dublin would have to be added to the independence equation rather than actually being encouraged to participate in the arrangement of this new state. Smith went on to state that there was a burgeoning generosity and affection on the part of loyalists as regards Dublin, and a metamorphosis from the dulling bigotry of past days:

It would be encouraging to think that Fianna Fáil would be the first to grasp the political significance in it and to recognise the sincerity of those who had given life to the idea /.../ we should at least ensure that those who are now its advocates will be able to look upon us as people who took them seriously and were willing to give consideration and a fair hearing to their point of view.¹⁰⁸

One should thus be aware of the nuances in the two administrations' appreciation of independence's significance. Cosgrave's government appraised it in terms of pragmatism, how it could operate satisfactorily, the support it would be likely to command and if it would lead to an undemocratic protestant takeover.¹⁰⁹ Fianna Fáil though, better versed in the baroque grammar of nationalism, saw the emergence of the movement as a major political development in Northern Ireland; that some northern protestants, for the first time, were saying that their British

¹⁰⁸ Ibid.

¹⁰⁹ See an article in the *Belfast Telegraph* by Garret FitzGerald on 10 Aug. 1979 which suggested this would be the outcome of independence.

heritage was redundant. It might be qualified that for Fianna Fáil this latitude was exceptional: none of the content of these ideas entered public discourse and the option was forgotten about by the Irish government. This must surely act as a gauge of just how unpopular Ulster loyalists were as a group in the republic, and how distasteful a material union with them was considered.

Independence was briefly resurrected during Garret FitzGerald's first term as Taoiseach, when it was again petitioned as a possible development for Northern Ireland. It was decided at the Anglo-Irish Policy Review Conference at Iveagh House on 24th-25th August 1981 that a paper discussing arguments for and against independence should be prepared. In the resulting paper, completed in December 1981, the advantages of independence were projected:

The current tribal basis of Northern Ireland political parties would thereby be removed by the surrender of external aspirations on both sides. This would permit the emergence of normal non sectarian political groupings divided on a left/right axis. An independent Northern Ireland would root out the cause of strife without substituting another /.../ With agreed independence for Northern Ireland the bogey of being "sold down the river" into the Irish Republic would disappear.¹¹⁰

As an indication of FitzGerald's desire to pacify unionists, the development of better north/south relations was cited as a major reward of independence and the

¹¹⁰ Paper on independence dated 1981, D.F.A. 2011/39/1888.

possibility of cultivating a new attitude from the north towards the southern government. More mundane reasons were listed, such as increases in tourism, a reduction in security expenditure and the attraction of more foreign investment to Northern Ireland.

The disadvantages, though, were considered more damning and incessant. Firstly, independence was ideologically incongruent with the political parties on either side of the border; it would be awkward to adopt in the north and irrevocably unpopular in the south. Another major concern was that independence, by way of removing the aspiration for Irish unification from the interior of the Irish political system, might convert P.I.R.A. into the only authentic disciples of unity. This would lead to locally exercised repartition and communal in-fighting. The report concluded that it considered even a negotiated independence highly improbable and that Ulster separatists had minimal support in the United States in comparison with the Irish unity lobby.

Independence did manage to attract many high profile supporters. These included the Irish-American attorney Paul O'Dwyer, the Archbishop of Armagh Tomas O' Fiaich, the British political scientist Professor Bernard Crick, the former Fianna Fáil minister Neil Blaney and most notably, James Callaghan, as leader of the Opposition, during a parliamentary debate in the House of Commons: 'The final step would be that a new Northern Ireland would emerge as a broadly independent state having, in the process, forged a new relationship with both Dublin and

London'.¹¹¹ His arguments were mostly of fiscal prudence, not cultural synergy, centring on the autonomy an independent Ulster would have with international bodies like the U.N., E.E.C., the Commonwealth, NATO, the World Bank and the I.M.F.¹¹²

The independence project found its finale in the deposing of Andy Tyrrie as U.D.A. Supreme Commander in March 1988. His successors favoured an upstart in violence and reinvigorated militancy. The assassination of John McMichael in December 1987 was also important. He had been a key figure in the U.P.R.G. and had been leading the appeal, with Tyrrie, for loyalism to play a more progressive, constructive and engaging role in the conflict. In truth, it had been wilting before that, with loyalist energy exerted in opposing the institutionalising of the Irish dimension. The New Ireland Forum, and the crushing fatigue of opposing the A.I.A., drained loyalism and distracted it from the activism it had once revelled in. Now it reverted to its role of automatic dissenter. There existed within this chasm the capacity for a third way, that unionism itself might concoct the alchemy of political progress. A joint unionist task force report, penned by Harold McCusker, Peter Robinson and Frank Millar, seemed to recognise this, but little action followed its publication. 'But we are convinced that, whatever the intentions of the Governments

¹¹¹ House of Commons Debates, *Hansard*, 2 July 1981, vol.7, no.33., columns 1046-53.

¹¹² His public declaration was supported the following month by a *Sunday Times* editorial on 16 Aug. 1981.

of London and Dublin, membership of the UK or membership of an Irish Republic are **not** the only options available to the people of Northern Ireland'.¹¹³

Conclusion

The strategies discussed in this chapter were tenuous choices, because the decision to implement them was never Jack Lynch's or Liam Cosgrave's to make. Too dependent on the agency of both the British government and loyalist Ulster, they resist categorisation as policy. They were disaster projections which assessed the intentions of the aforementioned players in catastrophic terms. These were that the British government was intent on withdrawal, and that consequently a ruinous civil war, stoked by combative loyalism, would ravage Northern Ireland. The Irish government miscalculated loyalist opposition to the nationalist community in Northern Ireland: it was typically on the grounds of their nationalism, not their catholicism. Denying power-sharing derived not just from the sectarian impulse to

¹¹³ Unionist Task Force, *An end to drift* (16 June 1987). Accessed via <http://cain.ulst.ac.uk/events/aia/taskforcereport87.htm> on 12 Mar. 2010. Emphasis from the original text.

Harold McCusker (7 Feb. 1940-12 Feb. 1990) was a teacher from Armagh who became M.P. for Upper Bann and later established himself as a leading talent in the U.U.P. He was expected to make an even greater contribution to unionism, and assume leadership of the U.U.P., before his death from cancer in 1990.

refuse co-operation with catholics, but the fear of what might happen to the state of Northern Ireland if those seemingly committed to its extinction, or at least its extensive alteration, were admitted to office.

The Irish government thought denying the possibility of intervention would compel political accord amongst the parties in the north. In other words, there was more chance for political agreement to transpire, especially on the nationalist/republican side, if it was thought there was no chance of external assistance. This seems to have been the reasoning behind the announcement by Minister for Defence Paddy Donegan in September 1975 that no Irish intervention would take place, except in the event of a natural disaster. The intimation made here was that loyalists would collude with security forces after an Irish intervention to repel assistance to civilians and any increased I.R.A. activity. The American Embassy in Dublin adjudged Donegan's statement to have been an attempt to salvage the ailing Constitutional Convention:

The reasoning is that the SDLP has always counted on Irish intervention as a last resort, and with this prop gone they would be more amenable to compromise. Other speculation is that the move is an attempt to halt the slide toward "doomsday" by taking away a prop which the IRA has depended upon as a last ditch defense [sic.], and thus if the IRA are reasonable men they will do nothing to hasten "doomsday" because they would be annihilated without timely aid from Ireland.¹¹⁴

¹¹⁴ Electronic Telegram from American Embassy Dublin to Secretary of State Washington D.C., 1975DUBLIN01663, dated 12 Sep. 1975, accessed via www.nara.gov 19 Mar. 2013.

Jack Lynch acknowledged Ulster protestants' importance in brokering an operable united Ireland. Stephen Kelly observed that Lynch 'genuinely sought to follow Lemass's conciliatory approach towards Ulster unionists and to try and kick-start the stalled cross-border co-operation between Dublin and Belfast.'¹¹⁵ Rather, his failure lay in his inability to diminish Fianna Fáil's hostility towards the body of unionism by not making that awareness more public and the vitriol that equipped it more negotiable. As the British Lord Chancellor wrote to Edward Heath in 1971 of Lynch, 'he recognizes that he cannot do so [achieve unity] unless he wins the acquiescence or, better, the good will of the Northern Protestants. That he is further from doing this now than at any time since 1921 can hardly be denied'.¹¹⁶

The main intention of this chapter was to exhibit the general contours of the way in which successive Irish governments and individual Irish politicians interpreted loyalist violence and unionist protest from the beginning of the Northern Irish conflict. Now that these basic parameters have been established, one can now proceed to examine what cultural and political exigencies effected these relationships and what informed loyalists' and unionists' conception of the republic.

¹¹⁵ Stephen Kelly, *Fianna Fáil, partition and Northern Ireland, 1926-1971* (Dublin, 2013), p.295.

¹¹⁶ Lord Hailsham (Quinton Hogg), Lord Chancellor, in a memo to Edward Heath dated 3 Sep. 1971, accessed on 16 Apr. 2013 via The Report of the Bloody Sunday at <http://webarchive.nationalarchives.gov.uk/20101103103930/http://report.bloody-sunday-inquiry.org>

3

Unionism, loyalism and the Irish Constitution, 1972-82

The expediency of conflict in the north urged southern politicians, and in particular the Labour-Fine Gael Coalition which took office in 1973, to evaluate the parochial national character of the Irish state, which had calmly omitted unionists and unionism from the established ideas of Irish nationhood. This led to a consideration of the Irish constitution on how mindful it was towards the northern majority and their dread of unification. This bore an inquisition if it, as a civic document which announced the intended complexion of a nation, could remain as it was created or if it had become a counter-productive anachronism.

These corollaries forced Ulster unionists to diagnose their hostility to unification, and the ensuing exchanges revealed that their anxieties grew from sources other than hulking sectarianism or loyalty to the Union. Unionist interpretations of the Irish state came mostly from the legislative history of Dáil Éireann and the premonition formed by the Irish Constitution that Ulster protestantism would be systematically dismantled upon the creation of a 32-county republic. They also believed that it was the Irish Constitution of 1937 which had entrenched partition by making the south uninhabitable for unionists. There grew a

resounding fear of the perilous social station of Ulster protestants within a united Ireland, refined by issues such as extradition, divorce, mixed marriages and the adoption practices of the republic. While extensive treatment was undertaken to amend Ireland for northern protestant inclusion, it failed to rectify what unionists and loyalists saw as the terminal feature of Ireland: the authoritarianism of the Catholic Church and its assertive influence over public opinion. Unionists asked themselves what type of testament the constitution made about the country Ireland was and how it predicted the realities of what she might become.

Loyalists and the Republic of Ireland

The Labour-Fine Gael coalition, galvanised by Conor Cruise O'Brien and Garret FitzGerald, chose to pursue a less distancing and more involving approach towards unionists than had been the tendency of the previous Fianna Fáil administration. Jack Lynch had been unable to convince the ranks of Fianna Fáil to review their traditional opinions on partition. Catherine O'Donnell claimed in a recent study that 'the outbreak of the Troubles in Northern Ireland did not produce any real

meaningful political debate about unionism but instead saw the prevalence of traditional, uniformed attitudes to the northern majority'.¹

The benefits of a departure from this posture for the Fine Gael-Labour coalition were divulged in a confidential discussion paper on bi-partisanship in 1974. It recognised the danger for the coalition of being too consensual on political matters with Fianna Fáil, as this would threaten a productive relationship with unionists, with whom the coalition enjoyed greater credibility than any other Irish government since the creation of the republic. It asserted that

Fianna Fáil on the other hand has no such credibility /.../ among the majority in Northern Ireland. He [Jack Lynch] and his party are deeply distrusted and are seen as having veiled with the language of peace policies first of active collusion with the IRA and later of turning a blind eye. It is felt there that, while Mr Lynch disclaimed the IRA, he in fact relied on it to pull the chestnut of unity out of the fire for him /.../ It will be understood therefore that assertions or implications that the Government and Fianna Fáil are at one in working for unity are not helpful, when understood in this way, to credibility in dialogue with Northern Protestants.²

O'Donnell added that because of FitzGerald and O'Brien, and the absence of the accustomed anti-partitionist rhetoric, 'the coalition's position on Northern Ireland was viewed as less rigid and more accommodating to the possibility of agreement

¹ Catherine O'Donnell, *Fianna Fáil, Irish Republicanism and the Northern Ireland Troubles, 1968-2005* (Dublin, 2007), p.45.

² Discussion paper dated 15 July 1974, TAOIS 2005/7/633.

with unionists'.³ That such a concern recurred suggests improved relations with unionists were a meaningful objective of that government.

Such a stance also inspired greater cordiality and candour from the loyalist community and its new genus of politicised paramilitaries. John McColgan, as a counsellor in the Anglo-Irish division of the D.F.A., became an important intermediary between the Irish government and loyalists from various political and paramilitary groups.⁴ McColgan's meeting with Supreme Commander of the U.D.A., Andy Tyrie, revealed Tyrie's gratitude for the granting of an audience and the position which the Irish state had now begun to occupy in the psyche of working-class protestants. They were diplomatic allies, the counterpoint to the assumed impending abandonment of the British government. Tyrie sought to

Express unqualified appreciation for the fact that Dublin were now prepared to send someone to come and talk to people like himself and to learn first-hand what their opinions were /.../ Another point which Tyrie made with considerable emphasis was that he sees a United Ireland as inevitable /.../ when the British dump them, as he has no doubt they will, the only place they can turn to is the Republic. In this context, he repeated to me several times during the conversation that they needed our help desperately.⁵

³ Catherine O'Donnell, *The Sunningdale Communiqué, 1973 and bipartisanship in the Republic of Ireland*, IBIS Working Paper No. 81, 2007, p.1.

⁴ As the D.F.A.'s main loyalist contact, I met with McColgan on 2 Feb. 2011.

⁵ Report of Garret FitzGerald's visit to Belfast on 30-31 July 1974, Garret FitzGerald Papers, P215/94, U.C.D. Archives.

The assistance to which Tyrie referred was in forging closer north/south relations. He thought the logical answer to Britain's predictable withdrawal was the establishment of an independent Northern Ireland state, which would require southern assistance to work. Tyrie was still insistent for the south's approval on his independence plans a year later: 'he emphasised that a crucial factor in any such independence would be the capacity of the new state to get some form of international recognition. He said he would hope that in those circumstances the South would help'.⁶

McColgan also detailed a lengthy report of a visit from September 1974 during which he visited Harry Murray, then Chairman of the U.W.C. Again the motif of closer republic-loyalist relations arose. McColgan paraphrased Murray, who 'pleaded that the political leaders down south might on some occasions throw a few words of praise to Protestants and he was convinced that this would have an astounding effect on the man in the street in Northern Ireland'.⁷ Tyrie and Murray were not alone in this mission, with Glen Barr, member of Vanguard and the Chairman of the U.W.C. strike committee, meeting with Paddy Harte T.D. in January 1976.⁸

Harte reviewed Barr's demeanour and clarity of expression with a marked fondness, remarking that Barr was opposed to 'partition and really believed as did

⁶ Ibid.

⁷ Report on McColgan's visit to Northern Ireland, 2-3 Sep. 1974, TAOIS 2005/7/633.

⁸ Barr was a keen advocate of Ulster nationalism, appraising independence as the most astute constitutional arrangement for Northern Ireland. He acted as a political adviser to the U.D.A. and was Chairman of the U.W.C. during the strike of May 1974.

most of his family that Ireland should be one nation /.../ with pride I listened to the first Loyalist saying that he had everything in common with me and really very little with an Englishman.⁹ McColgan would later remark of William Craig that a constant theme recurring in their conversations 'was one of enormous appreciation of the contributions the South has made towards achieving a settlement in the North'.¹⁰ Gratitude was the loyalist antidote to their caricature as dangerous bigots. This type of contact was to ease though, as both parties became less fearful that the British government was soon to withdraw.

After the imposition of direct rule in March 1972, which re-introduced the spectre of Irish unity, unionist objections to the Irish constitution became better understood, along with the conditions in which that ill-ease thrived. It was the supposed inevitability of Britain's exit which fostered the loyalist impulse to examine the realities of unification, the decent and the menacing elements. The majority of them were not as comfortable with the republic as Tyrrie, Murray and Barr appeared to be, so it should be acknowledged that these men were exceptional as loyalists went. They were not representative of the wider loyalist community. But it might be recognised that there was developing a type of loyalist paramilitary/trade union thinker who, along others like John McMichael, Gusty Spence and David

⁹ Meeting with Barr on 11 Jan. 1976, Garret FitzGerald papers, P215/193, U.C.D. Archives.

¹⁰ Minutes of a meeting between William Craig and Irish Ambassador to Great Britain Donal O'Sullivan dated 12 Feb. 1976, D.F.A. 2013/27/1474.

Ervine, were willing to evaluate loyalists' traditionally hostile approach to the republic in a more nuanced way.

In September 1972, Dr. Gerard Benedict Newe, the catholic unionist politician and Brian Faulkner's closest advisor, wrote to the Chairman of The Inter-Party Committee of Dáil Éireann on the Constitution of the Republic of Ireland, Paddy Harte, that 'for fifty years, the Parliament, Government and people of the Republic of Ireland have made no sincerely honest or effective effort to understand the way of life and thought, traditions, attitudes and fears of the people of Northern Ireland.'¹¹ On the contrary, Newe surmised, the intention had been to denigrate Northern Ireland with constant references to the 'wee six', 'the six counties' and 'British occupied Ireland'. Thus some northerners felt that this entrenched practice of estrangement partially emanated from the dogmatic political culture the south had cultivated.

This was something that British officials had also come to realise. Even Secretary of State for Northern Ireland Merlyn Rees well understood it, the hollow assumption from which Irish irredentism was formed. He wrote in his journal that 'the realities are that a million Protestants in the North cannot be bulldozed into the South. The other reality is that the Government of the South does not want them'.¹² J.J. Lee reviewed unity and Irish opinion with similar expression, remarking on the crucial aspects of unification which until the early 1970s had yet to be assessed: the

¹¹ Letter from Newe dated Sep. 1972, PRONI D/3687/1/42/1.

¹² Merlyn Rees transcripts, sides 1-2, p.12, L.S.E. MERLYN-REES/1/1.

drought of public enthusiasm for it, the south's general estrangement from the north, the social and legal impediments within the republic to unity and the realistic consequences one could anticipate it would provoke.¹³

In another discussion, on this occasion after a meeting with Conor Cruise O'Brien, Rees reiterated his belief that 'the fact is that the people of the South in general do not want to know about Northern Ireland'.¹⁴ Indeed, for Rees' Prime Minister Harold Wilson, unification was the preferred option, but as Bew and Patterson discussed, the procurement of unionist approval and constitutional revision were prerequisites for this model of resolution. The republic needed to prove its public accepted 'the need for northern majority consent and by joint anti-I.R.A. actions with the British state. It would also have to participate in a constitutional commission with the object of creating a secular constitution for a new Irish state'.¹⁵ Thus the idea of unionist assent to, rather than resigned acceptance of, unity became a more established element of the debate.

But there were obvious counterpoints to this admirable development.¹⁶ The Irish government admitting that unionist concerns were legitimate, reasonable and even inevitable would amount to political heresy in the views of some traditional nationalists. It could also be suggested that the anticipation, symbolism and

¹³ J.J. Lee, *Ireland 1912-1985- Politics and Society* (Cambridge, 1989), p.479.

¹⁴ Merlyn Rees transcripts, sides 1-2, p.23, L.S.E. MERLYN-REES/1/1.

¹⁵ Paul Bew and Henry Patterson, *The British State and the Ulster Crisis: From Wilson to Thatcher* (London, 1985), p.40.

¹⁶ See Richard Sinnott, 'The North: Party images and Party approaches in the Republic' in *Irish Political Studies* Vol. 1, 1986, pp.15-32.

triumphalism of a united republic displaced considerations of its required architecture. Indeed a paper from the Conservative Political Centre in 1990 claimed that 'politicians who favour Irish unity have always been more inclined to express enthusiasm for their ideal than to explain in detail how they believe it should be achieved'.¹⁷ The next section will analyse how these dynamics affected the relationship between Ulster unionists and the Irish state and what particular components of it troubled unionists so forcefully.

*Ulster unionists as protestants and the Roman Catholic Church*¹⁸

Unionist inspection of the anatomy of Irish Constitution was thus rejuvenated as the prospect of unity or some modicum of constitutional reform became more conceivable outcomes. Their fear of the republic derived from the portrait of Ireland which the constitution had painted; a clerical, confessional state which would be intolerant of the rites of protestantism and the national identity of unionists. The first constitutional attempt by southern politicians to remedy their own state for northern protestants came with the Fifth Amendment of the Constitution Act, 1972, which removed the special position of the Catholic Church from the Irish Constitution.

¹⁷ Alistair B. Cooke, *Ulster: The Unionist Options* (London, 1990), p.8.

¹⁸ The intentional fusion of 'unionist'/'protestant' in this section is to demonstrate how they often morphed into the same figure in the mind of the Irish government and public.

Constitutional de-catholicisation took its roots from the *Report of the Committee on the Constitution* of December 1967, a body established by Sean Lemass after his meeting with the northern Premier Captain Terence O'Neill.

Article 44 recognised 'the special position of the Holy Catholic Apostolic and Roman Church as the guardian of the Faith professed by the great majority of the citizens'. The report noted that 'there seems, however, to be no doubt that these provisions give offence to non-Catholics', before advocating its deletion to 'dispel any doubts and suspicions which may linger in the minds of non-Catholics [sic], North and South of the Border, and remove an unnecessary source of mischievous and specious criticism'.¹⁹ The article and its explicit deference were dismissed from the Irish Constitution after a referendum on 7th December 1972, with 84% of the turnout voting in favour of its deletion. There was remarkably little dissent against the amendment, with only Bishop Lucey of Cork and Ross campaigning explicitly against it, but the emphatic affirmative vote masked the low turnout, which suggested a robust indifference amongst the Irish electorate. It was an attempt to deconfessionalise the Irish state and make it appear less rigorously pious and sectarian, but with a particular audience in mind: Ulster unionists.²⁰

This invitation failed because it was viewed by Ulster protestants as a cosmetic act of erasure. It removed the ornament of the legal recognition of the

¹⁹ Report of the Committee on the Constitution (Stationery Office, Dublin, 1967), pp.47-8.

²⁰ John Whyte, *Church and State in Modern Ireland 1923-1979* (2nd ed., Dublin, 1980), p.389.

Catholic Church's exalted position, but altered neither its ascendancy in matters of social policy nor the core religious fabric of the state. What remained essential for Ulster protestants was not that the clause no longer existed, but what it had conveyed about Ireland whilst it was alive. To unionists, the Constitution was not an agent or umpire of devotionism, but a response to public piety. Article 44 had decreed what had already become an assured social reality.

Such a view had not moderated almost a decade after the article's excision. On 8th October 1981 Robert McCartney Q.C., later leader of the U.K. Unionist Party, met with Taoiseach Garret FitzGerald as part of a unionist delegation which included other leading lawyers and prominent businessmen, but no politicians. Afterwards they met with Opposition Leader Charlie Haughey and in preparation for these meetings composed a document entitled *The Unionist Case*, which was circulated in the Irish press. Their protest was against the Catholic Church's overbearing position within Irish society and its knowing supremacy. McCartney claimed unionist opposition to the Catholic Church in Ireland was because it was able to

Dictate policy to the state on matters which the Church considers essential to the maintenance of its position. Such is the extent of this power that conflict between State and Church barely arises, and the power is so effective in real terms that the badges of it such as the special

position of the church in the Constitution are no longer necessary and can be dispensed with.²¹

What was particularly troubling for members of the legal profession was how the catholic monopoly on religious observance had been translated to refine the personality and character of Irish public law. Irish legislators became receptive to these anxieties, as made clear in a Martin Mansergh paper on Irish unity.²² Mansergh, himself a protestant, speculated that

Article 44 might be revived, which while recognising the special position of the Catholic Church of the great majority in the island as a whole, recognises the special position of the Protestant churches in Northern Ireland, and guaranteeing that no law which in the opinion of the majority of Northern Ireland representatives or the leaders of at least three principal Churches infringes existing religious liberties or freedom of conscience shall have effect in Northern Ireland.²³

It was thus its authoritarian impulse that Ulster protestants feared about the Catholic Church and its influence over public law in Ireland, about which the deletion of Article 44 did little to subdue, and which Mansergh here seemed inclined to

²¹ Report dated 8 Oct. 1981, TAOIS 2011/127/1015.

²² Mansergh was made First Secretary of D.F.A. in 1977 and later served as a special advisor to Taoiseach Charlie Haughey. He was especially important in the formulation of Fianna Fáil's Northern Ireland policy and was himself an Irish Senator from Sep. 2002-May 2007.

²³ Paper dated 22 Apr. 1981, TAOIS 2011/127/1021

resurrect. It also ran against a budding libertarianism amongst some protestants which objected to the legal endorsement or state patronage of any religion.²⁴

Other articles within Ireland's constitution suggested an ecclesiastical, prohibitive state which would doubtful be empathic to the traits of protestant worship and character of social custom. Garret FitzGerald identified these concerns as early as 1972. He wrote that, in order to better ready Ireland for co-operative unity, the changes required included 'the repeal by referendum on the special position of the Catholic Church and divorce; amendment of the law banning the import and sale of contraceptives; a modification of the system of dealing with obscene printed matter'.²⁵ He added that the removal of the Irish language as a requisite for entry into Irish public sector was also desirable.

But did the Irish government pursue constitutional reform because it would make her seem more alluring to a certain type of opponent? As early as October 1969, Jack Lynch interpreted the disposal of Article 44 as a formula through which to attain unionist support for Irish unity. He said in Dáil Éireann that when the point is reached at which 'we can see clearly the various changes needed in our Constitution to facilitate a re-unification settlement, I am sure that both Dáil and Seanad and our people generally will not be reluctant to consider and approve the necessary

²⁴ See for example Marianne Elliott, *Watchmen in Sion: the Protestant idea of liberty* (Derry, 1985).

²⁵ Garret FitzGerald, *Towards a New Ireland* (London, 1972), p.155.

changes'.²⁶ The argument advanced here for altering the Irish constitution was to concoct an algorithm for unity, not that reform was required for its own sake.

A Department of External Affairs paper written a month after Lynch's speech on Northern Ireland urged that 'Dublin should consider taking steps which would tend to convince Northern Protestants that they would enjoy full civil rights and equality in a United Ireland'.²⁷ It suggested organising a study into areas like divorce, birth control and questioned whether 'any reforms in the educational system are desirable, bearing in mind that a United Ireland would be pluralistic rather than a confessional society.'²⁸

It is counterfactual supposition, but one wonders if the Irish government would have had an appetite for constitutional reform if the conflict in Northern Ireland did not seem to necessitate it, at least to achieve unification. Unionists themselves were troubled by such proselytising, speculating what sort of shelter could they hope to savour in this 32-county idyll. There was scope to doubt that these reforms suggested Ireland could undergo fundamental change and become a more hospitable place for unionists to live in and more that some nationalists were prepared to relinquish certain constitutional articles to expedite unity. But the onus should also be put back on unionists, as the measurable impact that constitutional change was going to have would always be negligible. Unionists would probably

²⁶ Jack Lynch speech in Dáil Éireann on 30 Oct. 1969, Patrick Hillery Papers, P205/35, U.C.D. Archives.

²⁷ Report dated 28 Nov. 1969, Patrick Hillery Papers, P205/35, U.C.D. Archives.

²⁸ *Ibid.*

never migrate southward in the wake of unification, now convinced of a gracious welcome.

In the summer of 1970 Roy Garland, later a columnist with the *Irish News* and biographer of U.V.F. leader Gusty Spence, wrote to Irish Foreign Minister Patrick Hillery in his capacity as the Master of Ireland's Heritage Loyalist Orange Lodge 1303.²⁹ Garland wrote of the phenomenon wherein most Ulster protestants emphasised Britishness and considered themselves men of Ulster, but not Irishmen. Garland contended this was because 'the Roman Catholic Church and the Eire Government which is considered to be a tool of that church succeeded in using the Irish language and culture as a political weapon against Protestants and the British connection'.³⁰

So unionists themselves created a caricature of the republic, mimicking the one they accused the south of, as a land infested with priests and manically intolerant to the religious rites of protestants. This may have come from a display of opportunism from Jack Lynch's government, which promoted unity upon the outbreak of the Troubles. But as we are to see, the argument became more nuanced and there were those in the republic who genuinely sought to renovate and secularise Ireland through the vehicle of constitutional reform. And it also says something about the lack of exploration or curiosity within the unionist mind during

²⁹ See Roy Garland, *Gusty Spence* (Belfast, 2001).

³⁰ Letter from Garland to Hillery dated summer 1970, Patrick Hillery Papers, P205/36, U.C.D. Archives.

this period. Unionists had formed an unchanging and simplistic image of the republic in their minds from a document that was itself 40 years old. There was of course a zealous political purpose to this picture so lacking in complexity and actual substantiation.

Divorce, abortion, family planning and mixed marriages

Like the special position of the Catholic Church, the injunction on divorce, enshrined in the Irish Constitution under Article 41.3.2°, had been reviewed in 1967 in the *Report of the Committee on the Constitution*. It noted that the offending article, which provided that “no law shall be enacted providing for the grant of a dissolution of marriage” had received criticism because ‘it takes no heed of the wishes of a certain minority of the population who would wish to have divorce facilities and who are not prevented from securing divorce by the tenets of the religious denominations to which they belong’.³¹ The Committee suggested that marriages should be permitted dissolution when the religion of those concerned allowed it. Divorce could be granted for those denominations which were willing to facilitate divorce, whilst catholic spouses would remain bound by their church’s rejection of it.

³¹ Report of the Committee on the Constitution (Stationery Office, Dublin, 1967), p.43.

The Department of External Affairs assumed that divorce was not a prize protestant churches would campaign too strongly for, being virtually pyrrhic in nature. In late 1969 it acknowledged that the various protestant churches do not 'approve of divorce, but accept it as a fact of life. Embarrassment might, however be felt by them if divorce legislation was proposed on the grounds that they, the Protestant community, had been or were being denied their rights'.³² A markedly similar view was communicated to the new Taoiseach Liam Cosgrave in April 1973 by the Presbyterian Church in Ireland, a submission which was passed on to a body titled the Inter-Party Committee on the Implications of Irish Unity (I.P.C.I.I.U.), essentially the successor of the Constitution Committee of 1967 in role and function.

Its purpose was to examine the legal, economic, and constitutional implications of Irish unity and to make recommendations on the steps required to create the conditions conducive to such unity. It operated under the assumption that unification was inevitable and that protestant objections were its greatest fund of resistance. The Presbyterian submission reported of a resolution made by its Dublin Synod in April 1973. It generally advocated marriage as a contract of permanence, but also acknowledged the realities of marital breakdown and that much suffering could be caused by their continuance, and urged 'the removal of the prohibition of divorce in the Constitution'.³³

³² Draft Paper titled 'Provisions relating to Marriage in the Irish Constitution', Oct. 1969, D.F.A. 2001/43/1387.

³³ Letter from Reverend A.J. Weir, Clerk of Assembly and General Secretary to the Presbyterian Church in Ireland, to Liam Cosgrave dated 17 Apr. 1973, TAOIS.2004/21/505.

The I.P.C.I.I.U. itself discussed the article in September 1972 'and a proposal was considered that it was inappropriate to the Constitution and should be removed simply to empower parliament to entertain divorce legislation and without prejudice as to the merits or otherwise of such legislation'.³⁴ The committee's chairman Paddy Harte asserted that 'the question should be approached not from the point of view of bargaining with Northern Unionists but in an attempt to creat [sic.] a society which Northern Unionists could accept'.³⁵

In a letter to Monsignor Casoroli, Secretary of the Council for the Public Affairs of the Catholic Church at the Vatican, Garret FitzGerald wrote that the divorce prohibition appeared to 'threaten the existing divorce provisions in Northern Ireland and has suggested to many Northern Protestants an intention on our part, within a united Ireland, to require them to eliminate these provisions.'³⁶ FitzGerald added that in the event of a new constitution being written for the republic, there was a strong case for the clause's deletion, as it was offensive to protestants in Ireland. A removal of distasteful constitutional articles would also redirect unionists from a convenient position of dissent. If the republic was no longer under reformed, or inhospitably catholic, unionists would be impelled to change their argument as to why they would resist Irish unity.³⁷

³⁴ Minutes of a meeting of the I.P.C.I.I.U. on 19 Sep. 1972, TAOIS. 2003/16/539.

³⁵ Ibid.

³⁶ Letter dated 14 Aug. 1973, National Archives of Ireland, JUSTICE 2004/27/12.

³⁷ Basil Chubb, *The Politics of the Irish Constitution* (Institute of Public Administration, Dublin, 1991), pp.55-6.

Some parties believed it was constitutional opportunism that drove some in the south to consider reform and not the persistence of obsolete social philosophies. In an open letter from the Workers Association for the Democratic Settlement of the National Conflict in Ireland, a Marxist-nationalist group based in Dublin who petitioned on issues like divorce and abortion, to the I.P.C.I.I.U., the body criticised the committee and the Irish government for prioritising political expedience over the wants of long needed reform. In addition, for failing to grant Ulster protestants a non-religious reason for abjuring reunification:

Ulster Protestants have always pointed out, correctly, that the Southern state is sectarian; the hope now is that Unionist objections to a 32 county state will appear less rational if the South is given a secular facelift /.../ Your terms of reference assume that Ulster Protestants have no political disagreement with unification, and will be reconciled with the South as soon as a few social reforms are carried out.³⁸

The I.P.C.I.I.U., which never reached reporting stage, took a similar stance with other constitutional sensitivities, such as birth control. It alleged that unionist thinking on 'matters such as contraception would not be too different from our own; while accepting this, nevertheless failure to liberalise our law in the matter would give a further excuse to Unionists to opt out of an all-Irish situation'.³⁹ Embedded in this type of thinking was also the supposition that unionist and protestant were

³⁸ Letter dated 20 May 1972, TAOIS 2003/16/538.

³⁹ Minutes of meeting on 10 Jan. 1973, TAOIS 2004/21/506.

interchangeable items. The Irish Constitution itself made no reference to contraception but the Criminal Law Amendment Act, 1935 prohibited the import of contraceptive devices and made their sale a criminal offence. Garret FitzGerald agreed that in this area reform was required, again for legal imperatives, and the strain the ban on contraceptives had on protestants living in the south. It was a law he considered unworkable. If, for example, a protestant married couple sought to import contraceptives from Northern Ireland or Great Britain they could not 'legally do so. At the same time the law is in practice unenforceable and anyone prepared to ignore it- as, however, many law-abiding Protestants are reluctant to do- can obtain contraceptives, thus bringing law itself into disrepute'.⁴⁰

It was the tensions generated by mixed marriages though that were most obscene to FitzGerald, who, along with Richie Ryan, was the most prominent Fine Gael member of the committee. This was because, in his estimation, they spoke the most untruths about Ireland: that unionists' protestantism would be systematically dismantled upon their absorption into a united Ireland. Catholic doctrinal teaching taught that children born into mixed marriages, those between a protestant and a catholic, should be raised as catholic, the anachronistic *ne temere* decree.⁴¹ This had contributed to the steadily decreasing protestant numbers in the south and had

⁴⁰ Letter dated 14 Aug. 1973 to Monsignor Casoroli of the Vatican, JUSTICE 2004/27/12.

⁴¹ See Daithí O'Corráin, *Rendering to God and Caesar: the Irish Churches and the two states in Ireland, 1949-73* (Dublin, 2004) for a fuller explanation of *ne temere*.

prevented it becoming a hereditary religion in mixed unions in the way that catholicism had.⁴²

It was a habit of religious custom in Ireland, but like the ban on contraceptives, was not named as a legal requirement in the constitution. In a meeting at the Vatican with Monsignor Casoroli, FitzGerald indicated that mixed marriages were the most furiously provocative issue, and that their impact on protestant depopulation in the south 'had a disproportionate effect on Protestant opinion in Northern Ireland, as they wrongly attributed the rapid decline in the Protestant population in the south to other and more sinister causes such as repression leading to emigration'.⁴³ FitzGerald was worried that the Catholic Church was seen as the only reason protestant numbers in the south were diminishing. The creation of the Free State in 1922 had resulted in the widespread emigration of southern protestants to Northern Ireland.

A sinister element of the orthodoxy for mixed marriages was how they impacted upon adoption in the republic. The 1952 Adoption Act stipulated that both adoptive parents had to be of the same religion as the child's natural parents. On May 13th 1974 the Irish High Court found section 12 (2) of the 1952 Act repugnant to

⁴² The 1926 Census of Ireland recorded 207,307 protestants as being resident in the state. This figure comprised the Church of Ireland, the Presbyterian Church of Ireland and Methodist Church of Ireland. In the 1971 census this number had dropped to 119,437. The figure had fallen further to 107,423 by 1991. In each census from 1911 to 1991 the individual population of each of the three protestant denominations decreased. This information was accessed on the website of the Central Statistics Office on 1 Sep. 2014 via

<http://www.cso.ie/en/media/csoie/census/census1991results/volume5/C1991%20V5%20T1-%20T2.pdf>

⁴³ Meeting between FitzGerald and Casoroli at the Vatican on 12 Sep. 1973, JUSTICE 2004/27/12.

the Constitution. As the British Embassy of Ireland related, the 1952 Act 'severely limits the number of adoptions by Protestants, a growing proportion of whom have mixed marriages'.⁴⁴ At an earlier juncture the Embassy had denounced this phenomenon as a 'deplorable religious obstruction to a basic human right' which had been compounded by the hierarchy of the Catholic Church's interpretation of mixed marriage.⁴⁵ It had failed to replicate catholic practice elsewhere in Europe by using the latitude granted to mixed marriages by the 1970 Vatican apostolic letter *Motu Proprio*. It had urged that 'on the one hand the principles of divine law be scrupulously observed and that on the other the said right to contract marriages be respected'.⁴⁶

The Irish government wanted to stress that the welfare of children had not been compromised during the intervening period so that 'a change in this provision would, therefore be in ease of married couples rather than children'.⁴⁷ These changes took the shape of the Irish Adoption Act, 1974. Yet the forces of catholic tradition felt the new bill, which permitted couples in mixed marriages to adopt, went too far. The Central Council of Catholic Adoption Societies protested to Minister for Justice Patrick Cooney that

⁴⁴ Report by the British Embassy in Dublin dated 26 May 1978, T.N.A. FCO 87/749.

⁴⁵ Letter from B.A. Major of the British Embassy to Brian Donnelly of the Republic of Ireland Department of F.C.O. dated 20 June 1974, T.N.A. FCO 87/290.

⁴⁶ Apostolic letter in the Form of *Motu Proprio* on Mixed Marriages published on 1 Oct. 1970, accessed via www.vatican.va on 25 Apr. 2014.

⁴⁷ Memo for Government dated 3 May 1974, TAOIS 2005/7/60.

A child may now be placed with a couple of mixed marriage, or where both profess a different religion to the child and its mother, or have no religion. This cannot be regarded as good adoption practice or of being in the best interests of the child.⁴⁸

To some, the idea of a secular or protestant upbringing for children was too daring. It was dangerous because a catholic religious instruction was still considered innate to the emotional health of a child in Ireland. The society was also concerned about the scope for proselytising through the 1974 Act, fearing that Protestant Rescue Societies might exploit the predicament of pregnant, single catholic girls and encourage them to change their religion.

The fact that FitzGerald entered into such detailed correspondence with a high ranking Vatican official on these matters suggests that FitzGerald knew that church influence was required to effect the more seismic change necessary in Irish public opinion. An electorate brought up to believe that divorce and contraception were morally wrong had difficulty in accepting that these practices should not be legally prohibited. It may also have been because of the way Irish legislators had applied Canon law, insisting that it should have absolute legal authority in Ireland.

It also drew an important distinction between criticism of the Catholic Church's position and the propriety of being a practicing catholic. FitzGerald sought an Ireland that was more welcoming to and understanding of northern protestants and one whose government was able to pursue a legislative programme

⁴⁸ Letter dated 1 July 1974, TAOIS 2005/7/60.

independent of catholic theology when it needed to.⁴⁹ The Church of Ireland offered their opinion on the subject, submitting to the I.P.C.I.I.U. in 1972 that it opposed the mixed marriage directive of the Catholic Church because it denied the human 'right of the Protestant partners in mixed marriages to influence the religious upbringing of their children /.../ It is difficult to see how the present Mixed Marriage regulations of the Roman Catholic Church can be reconciled with the sincere pursuit of ecumenism'.⁵⁰

Inflaming unionists during the national conversation over abortion in 1982 was a transitory concern for the Irish government. Fianna Fáil made a proposal to amend section three of Article 40 of the Constitution, so that greater protection was given to the unborn child, establishing a constitutional ban which would prohibit any judicial interpretation permitting abortion, such as the Roe vs. Wade judgement in America in 1973. The amendment was carried by 67% of voters by a referendum on 7th September 1983 and entered Irish law as the Eight Amendment of the Constitution Act, 1983. Now Article 40.3.3° read that: 'The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right'. David Neligan, Assistant Secretary of D.F.A. and the son of a Church of Ireland clergyman, wearily expected the amendment to illicit

⁴⁹ This is perhaps similar to the tenor of John McGahern's literary work. McGahern was severely critical of the role the Church played in Irish society yet remained a practicing catholic his whole life. See *The Dark* (Dublin, 1965).

⁵⁰ Report of the role of the Church Committee by the Church of Ireland, dated 1972, TAOIS 2004/21/505.

the displeasure of unionists, who would condemn it as a sectarian provision which confirmed 'their professed view that the state is a Roman Catholic State which aspires to Irish unity so as to impose domination on the Protestant people of Northern Ireland'.⁵¹

The Church of Ireland and Presbyterian Church thought abortion only acceptable in exceptional situations such as rape, incest, risk to the life of the mother and in cases of gross fetal abnormality. Like divorce, abortion was an issue which no political party or religious denomination could too fervently support, given that there was little public enthusiasm for it. It was a delicate appliance of personal redress, not an illustrious vote winner. In a letter from the Executive of the Irish Council of Churches, the Presbyterian Church in Ireland made clear that it was robustly opposed to abortion as a means of birth control or as a remedy for unwanted pregnancies, fearful of 'indiscriminate abortion' or 'abortion on demand'.⁵² The Protestant denominations' most forceful complaint against the amendment was that it was their belief abortion should be regulated by legislation of the Oireachtas and that morals should not be expressly declared in the constitution. This in itself would intimate a certain religious orthodoxy or symbiosis which Ulster protestants could denounce as sectarian. A delegation of Labour M.P.s observed the

⁵¹ Report dated 30 July 1982, D.F.A. 2013/27/1555.

⁵² Letter dated 5 July 1982, D.F.A. 2013/27/1555.

Dáil debate on the amendment and believed that 'the Amendment debate made the advocacy of Irish unity by consent more difficult'.⁵³

This was because unionist concerns emanated from acute anxieties over protestant liberty and human rights in the face of a dominant set of conventions. This was what to them had tainted Ireland with a richly catholic essence, which unionists feared would always force the surrender of a protestant challenge to its supremacy. For Ulster protestants, the Irish constitution reflected the fact that Ireland was a catholic country. It did not determine its creation as one.

Therefore, its amendment would always appear cosmetic to unionists because it would never change the frightening reality of a catholic majority, a reality to which no northern unionist had been accustomed to. John Fulton commented, 'Thus, protestant loyalists fight incorporation into a united Ireland for the reason that their perception of Protestantism and their values of polity contain a powerful rejection of catholic monopoly, which they identify with Catholicism *tout court*'.⁵⁴ It was these pervasive values that unionists feared would do most harm to protestantism in the event of unity, and what they might compel it to become or be reduced to. But the loathing also derived from the challenge the Catholic Church posed to the general standards of supremacy unionists had enjoyed in most factions of life in the north. So was there any reform unionists would have been content with; perhaps a deletion

⁵³ Report by Colm Ó Floinn, Anglo-Irish section of D.F.A., 2 May 1983, D.F.A. 2013/27/1518.

⁵⁴ John Fulton, *The tragedy of belief: Division, Politics and Religion in Ireland* (Oxford, 1991), p.122.

of the gravest provocation in the Irish Constitution, the territorial claim over Northern Ireland?

Articles 2 and 3 and the territory of Ulster

Other clauses existed within the Irish Constitution which loyalists believed threatened the survival of the Northern Irish state itself. Article 2 claimed the six counties of Northern Ireland to be territory of the Irish state, while Article 3 assumed jurisdictional sovereignty over that territory. 'The laws enacted by that Parliament shall have the like area and extent of application as the laws of Saorstát Éireann and the like extra-territorial effect'. The I.P.C.I.I.U. considered 'that, in the context 32-County State, Article 3 was superfluous and were of the opinion that, in the event of a general revision of the constitution, the amendment of Article 3 could be considered'.⁵⁵ It even suggested that in the event of unity, an entirely new constitution would be required and that the current articles 1 to 3 were not conducive to unity by consent.

One of the subsequent scenarios deliberated amongst Irish departmental circles in response to the northern situation was that of repartition. The idea

⁵⁵ Meeting of I.P.C.I.I.U. on 28 June 1972, TAOIS 2003/16/539.

fomented within the D.F.A. to argue for the severing of Northern Ireland east of the River Bann, making it a unitary protestant state. This would be most likely to occur following a British withdrawal from Northern Ireland. The republic would then accrue the remaining areas, which would include all of Fermanagh, parts of Tyrone such as Omagh and Strabane, districts in Derry and Armagh and towns in south Down like Kilkeel and Newcastle. This would necessitate a population move of 205,000 catholics to the south, but also 118,000 protestants. Concerns were expressed over the size of the remaining plot and whether the E.E.C. would recognise it as a legitimate state and permit it a voice in the Council of Ministers or a Commissioner of its own. The main considerations though, aside from the lesser economic ones of housing, employment, relocation costs, and who the main financiers would be, were security ones relating to the residual area left behind:

loyalists might favour it as a form of settlement which would give them an opportunity of exercising full control /.../ in a new state /.../ One of the main attractions of such a solution for the loyalists would be the prospect of being masters in their own house. They would take the view that the reduced proportion of the minority would not entitle them to any institutional or entrenched guarantees.⁵⁶

It was thus considered that such an operation would require the deletion of Articles 2 and 3, since they would no longer correspond to what would remain of

⁵⁶ Paper on repartition by I.D.U., D.F.A. 2005/145/2573.

Northern Ireland. One might also infer it was because such a form of repartition would make redundant the quest for unity, since the great majority of Northern Catholics would be incorporated into the Irish state. The Irish government assumed loyalists were intent on a catastrophic project of annihilation. Irish predictions about Northern Ireland were based on a limited understanding of the aspirations of what was held to be militant loyalism. The Irish government had de-politicised the U.W.C. strike, casting it not, partially at least, as an expression of political unrest, disenfranchisement, or the refining of a loyalist political consciousness, but rather as reflecting habitual loyalist disdain for Catholic civil rights. They were also agitated by border violence, the incidence of which raised the suggestion that the two states in Ireland had unmanageable borders which would need to be redrawn.⁵⁷

When unionists became aware of such a scheme of repartition, their objections were damning, as they read the plan as the imposition of an emergency decree. Brian Faulkner felt it would be a betrayal of those Protestants residing west of the Bann, while the U.U.U.C. issued the statement that it

Will not see areas of the province abandoned nor will it permit a form of apartheid to be created here /.../ Eire may want Northern Ireland in the long term. It certainly does not want it in bits and pieces with hardline republicans thrown in for good measure /.../ no British government in its right senses would countenance such a plan.⁵⁸

⁵⁷ See Chapter Six for a more comprehensive examination of loyalists and border violence.

⁵⁸ Electronic telegram from American Consulate Belfast to Secretary of State Washington D.C., dated 23 Apr. 1975, 1975BELFAS00139, accessed via www.nara.gov on 10 Jan. 2013.

The final point is a salient one, as the episode emphasised the Irish government's pronounced but unmoving accent, unable to command the course of the situation, only respond to the bearing of the British government. This was confirmed by a counsellor in the Anglo-Irish Division of D.F.A, Gearóid Ó Broin, who, in evaluating the role of the Irish cabinet in relation to the north, quipped that 'all they do is sit around and talk in circles, because there is, in fact, little the Irish government can do except urge the British to do something'.⁵⁹

The Irish government were still motivated by what they saw as a constitutionally prescribed territorial proprietorship over Northern Ireland, which could translate to considerations of military involvement. In July 1975 the I.D.U., based upon intelligence given to them by the Department of Defence, concluded that their assessment of Irish military intervention in the north was predicated on three provisos: that there was no prospect of United Nations assistance, that the British government would not militarily oppose an incursion and that the Irish army could be sufficiently expanded to meet the requirements of an open confrontation with marauding loyalists.

An earlier discussion paper, based on the military assessment of the Irish army, had already summarised the prospect in brisk terms. It estimated that it would require three extra brigades of men, expanding the defence forces in total to

⁵⁹ Electronic telegram from American Embassy Dublin to Secretary of State, Washington D.C., dated 5 Sep. 1975, 1975DUBLIN01616, accessed via www.nara.gov on 10 Jan. 2013.

20,000 troops, and an 'expenditure of over £18 million a year for pay, allowances, insurance, food and clothing and £21 million for equipment; extra accommodation and barrack services for about 5,000 men'.⁶⁰ Such an enterprise would only be considered in a civil war situation when an intervention by the Irish army would not exacerbate the violence already in bloom. The American Embassy in Dublin were concerned that such an Armageddon was looming, though they were sceptical that the British government would allow such a situation to ensue.⁶¹

The I.D.U. pondered its options: 'Deterrence involving a statement of intent by the Government not to permit an imposed solution by Loyalist militants in the North: and involving strong, well trained Defence Forces'.⁶² This was annotated with the comment that this 'would be counter-productive because it would amount to putting Loyalist militants under threat, thus escalating an already explosive situation'.⁶³ Other suggestions included the evacuation of refugees from areas not close to the border like Belfast and north Antrim, involving the use of armed force. It was estimated that in a doomsday situation as many as 100,000 might flee to the republic and that the Irish government should anticipate arranging the delivery of 'food, medical and other supplies in the event of Loyalist militant blockades of minority communities'.⁶⁴ The study concluded that the establishment of a 32-country

⁶⁰ I.D.U. discussion paper No. 3, JUSTICE 2005/24/10.

⁶¹ See electronic telegram from American Embassy Dublin to Secretary of State, Washington D.C., dated 5 Sep. 1975, 1975DUBLIN01616, accessed via www.nara.gov on 10th Jan. 2013.

⁶² I.D.U. paper from July 1975, TAOIS 2005/151/705.

⁶³ Ibid.

⁶⁴ Ibid.

republic would be improbable but that 'aggressive operations against loyalists, aimed not merely at immediate relief of the beleaguered community, but at the elimination of the threat to the community's safety' would be possible. Based on a military assessment, it hypothesised the requirement of three new brigades totalling 10,000 men for this particular operation.

This type of thinking had existed in the departments of the Irish government since the summer of 1971, driven by the disaster of internment without trial. The Irish army's then Chief of Staff, Major General T.L. Ó Cearbhaill, investigated the potential for Irish military intervention in the north and the prospect of having to defend the south from 'attacks on vital installations or industrial targets especially by the UVF'.⁶⁵ Ó Cearbhaill knew it would be a potent expression of national self-esteem if the Irish army were able to actively protect the north from loyalist attack. He 'estimated that 100,000 militant members of the majority in Northern Ireland would be available for the defence of Northern Ireland'.⁶⁶ He admitted that a successful military intervention was not plausible, requiring as it did 13,000 more men and that the army generally was poorly equipped for emergency situations in the north. Any invasion would be only a gesture or mirage of strength, and unlikely to yield success. Yet it is demonstrative of the responsibility the Irish administration now felt they had toward the nationalist community in the north, which was derived

⁶⁵ Report by Ó Cearbhaill dated 23 Aug. 1971, Patrick Hillery Papers, P205/37, U.C.D. Archives.

⁶⁶ *Ibid.*

from the maintenance of their constitutional claim over Northern Ireland and which could compensate for decades of neglect.

To allay unionist fears over the suspected march towards Irish unity, the Irish government claimed to be willing to sacrifice Articles 2 and 3. In a meeting with Brian Faulkner shortly after the signing of the Sunningdale agreement, Liam Cosgrave stated that 'any referendum to change Articles 2 and 3 of the constitution might fail, but there would be better prospects for an entirely new constitution which could drop the unacceptable assertions'.⁶⁷ This was also a tacit acknowledgement that the articles retained an important nationalist resonance for the Irish public, who would interpret the deletion as the desertion of their republican ambition. This awareness attended Irish thinking when negotiating the Sunningdale agreement, since they assumed it was vital to 'have regard to the body of sentiment in the Republic which attaches importance to the 'claim' inherent in Articles 2 and 3 of the Constitution'.⁶⁸

This was borne out by the attitudinal study of southern public opinion towards Northern Ireland by Davis and Sinnott. In their study, compiled in 1979, they found that of the 1758 persons they surveyed, 'there is a substantial body of

⁶⁷ Minutes dated 21 Jan. 1974, PRONI OE/1/29.

⁶⁸ Séan Donlon brief dated Sep. 1973, D.F.A. 2013/27/1620.

opinion (50 per cent) opposed to removal of Articles 2 and 3 and only a small minority (16 per cent) in favour of outright deletion'.⁶⁹ They continued that

There is only limited support in the Republic of Ireland for changes in the 1937 Constitution which are frequently regarded as relevant to a solution of the Northern Ireland problem. This support is particularly low (24 per cent) in the case of the proposal to remove the claim to Northern Ireland from the Constitution.⁷⁰

What Cosgrave was also admitting was that the articles would carry a permanent, if ancillary, significance until the aspirations they declared were redundant. This would only occur when the state to which they referred had been created. This was the central implication for unionists- what type of action, military or political, would Articles 2 and 3 actually facilitate and more importantly, what would their removal achieve, since presumably the attitude they fostered, a predilection for unity, would persist. Gerard Hogan has made a compelling argument that the Irish Constitution of 1937 shared a preamble similar to other catholic constitutions, but conceded the most telling point that when it came to

⁶⁹ E.E. Davis and R. Sinnott, *Attitudes in the Republic of Ireland relevant to the Northern Ireland Problem: Volume I* (Dublin, 1979), p. 68.

⁷⁰ Davis and Sinnott, 'Attitudes in the Republic', p.83

Northern Ireland, the constitution 'was unlikely, to put it mildly, to contribute to such an accommodation'.⁷¹

Brian Faulkner testified that it was the symbolic encroachment of the Irish state through these articles that disconcerted unionists the most. He told Cosgrave that it was 'open to doubt whether our Protestant community at large will ever be satisfied with anything less than an amendment to your constitution'.⁷² Unionists believed that articles 2 and 3 had convinced some nationalists that they had a self-serving entitlement to subject Northern Ireland to the designs of their ambition.

This was because, to accept the Irish state's involvement in Northern Ireland through the vehicle of the Council of Ireland, unionists had to be convinced that the Irish state was committed to repairing communal division there and not seizing an advance towards unity. Faulkner added that the attitude of Fianna Fáil, who spoke constantly of the claim's veracity and mythic authority, only added to unionist apprehension.

The fear controlled unionist views of the Irish state, despite their recognition that the Irish government was trying to restrain the P.I.R.A. A 1976 D.F.A. report told of the genuine sense of grievance amongst northern protestants that these articles still existed and that 'a change of the Constitution in this area is probably the one subject that is raised most frequently by Unionist contacts' and that 'while

⁷¹ Gerard Hogan, *The Origins of the Irish Constitution, 1928-1941* (Dublin, 2012), p.214.

⁷² Letter from Faulkner to Cosgrave dated 31 Mar. 1974, D.F.A. 2013/27/1474.

Articles 2 and 3 remain there will always be a residue of distrust about Dublin's ultimate intentions'.⁷³ Unionists queried if the Irish government was committed to the principle of unity by consent why they did not remove articles of its own Constitution which ignored this, claiming ownership over Northern Ireland by right. The predicament for the Irish government was not only if they could successfully carry a referendum on any deletion or alteration of the constitution, but what such an event would be reciprocated by.

The British government would then have to be willing to enshrine an Irish dimension into the governance of Northern Ireland as compensation. Michael Lillis, head of Anglo-Irish Division of D.F.A., told David Goodall of the Cabinet Office in September 1983 that constitutional change would only follow the granting of the involvement of Irish security forces and the Irish judiciary in the maintenance of security and order in Northern Ireland.⁷⁴ Amid the uncertainty of the Northern Ireland's constitutional future, the Irish government would be assuming all the risk and had the most to lose if the motion was carried, but was then followed by majority rule devolution or some other unsatisfactory constitutional arrangement like integration. An Irish speaking note in November 1984 made the point that because of the unlikelihood that power-sharing government could be established in Northern Ireland 'it would be madness for an Irish Government to call on the Irish

⁷³ Brief dated 3 Mar. 1976, D.F.A. 2013/27/1483.

⁷⁴ Note of a private conversation between Lillis and Goodall dated 29 Sep. 1983, D.F.A. 2013/27/1589.

electorate to take the enormous step of changing the Constitution in order to secure the implementation of certain measures by the British Government'.⁷⁵ Thus the Irish government needed greater assurances from the British government that whatever movement they made on the articles would be refunded and reciprocated with something of material use.

Unification itself endangered the very ideology of unionism because it threatened to destroy its key concept, Ulster's permanent membership of the British family of nations, which unionists depended on for self-explanation. This was the menace of casual nationalism for unionists, that the articles kept alive a latent inclination for unity. If they disappeared, Northern Ireland would feel less like a possession over which the republic staked a claim by right. However, the articles also provided unionists with a repeating and convenient defence against participating in initiatives which had an Irish dimension preserved in them. Unionists could thus constantly spoil new Anglo-Irish manoeuvres and do little to broker progress themselves. This might prompt the analyst to query how assured unionists were in their constant pronouncements of Britishness and to what extent it was used as a tactical resistance to Irish unity.

In January 1980, Ian Paisley told a session of the Conference on Government in Northern Ireland that 'any solution which had the seal of approval of the Republic's Government - which claimed sovereignty in the North- would be totally

⁷⁵ Note dated 13 Nov. 1984, T.N.A. PREM 19/1289.

unacceptable to the majority in the North'.⁷⁶ Yet in October 1981, after Taoiseach Garret FitzGerald had suggested removing Articles 2 and 3 of the Irish Constitution to relieve concern over the Irish claim to jurisdiction, unionists were slow to applaud, when before they had made it seem their central objection. FitzGerald explained to Margaret Thatcher his rationale that 'while the aspiration to unity remained, the Republic no longer claimed jurisdiction in Northern Ireland'.⁷⁷ Now Paisley remarked that it was an:

Attempt to show the acceptable face of Dublin at the next Anglo-Irish talks: nothing would alter Northern Ireland's determination to remain British. By dropping the claim to the North, Dublin would merely normalise relations between the UK and the Republic, as between two foreign countries.⁷⁸

Martin Smyth M.P. was reviewed by Liam Hourican, Irish Government Press Secretary, as exhibiting the same tendency.⁷⁹ Of the proposed Anglo-Irish Council,

⁷⁶ Minutes of the 33rd and 34th Sessions of the Conference on government in Northern Ireland, PRONI CENT/1/9/20.

⁷⁷ Meeting between FitzGerald and Thatcher on 6 Nov. 1981, PRONI CENT/1/10/93A.

Margaret Thatcher, 13 October 1925 – 8 April 2013.

Thatcher was the United Kingdom's first, and to date only, female Prime Minister and held office between 4 May 1979 – 28 November 1990. She was known in Irish circles for her staunch unionism and uncompromising diplomatic approach demonstrated through situations such as the Falklands War, the republican hunger strikes and the New Ireland Forum of 1984. She was eventually convinced of the merits of permitting the Irish state a role in the governance of Northern Ireland and signed the A.I.A. on 15 Nov. 1985. She later came to regret the agreement.

⁷⁸ Note on northern reactions to the Taoiseach's proposals for Constitutional Change by David Blatherwick, N.I.O., 7 Oct. 1981, PRONI CENT/1/10/86A.

⁷⁹ In addition to being a U.U.P. M.P. for Belfast South, 1982-2005, Smyth was elected Grand Master of the Orange Lodge in Ireland in 1971. He contested the leadership of the U.U.P. in 1995 and 2000, both times unsuccessfully.

Smyth said that 'Unionists could not contemplate recognising such a Council as long as Articles 2 and 3 existed. He became coy when asked whether recognition would follow their deletion'.⁸⁰ Articles 2 and 3 were a valuable propaganda weapon to unionists, because they seemed to testify to the invidious character of the Irish state. Thus there was unquestionably a tactical dimension to the unionist revulsion of Irish unity and the demonic Articles 2 and 3.

The N.I.O. acknowledged the perpetual fatalism within unionism, which assessed everything as a sudden lurch towards unity, such was their pathological opposition to it. Ken Bloomfield remarked to Northern Ireland Secretary of State Humphrey Atkins that 'anxiety about the British Government's long-term objectives amongst the unionists reflected among other things a tendency to place an interpretation on disparate events which was not justified'.⁸¹ Minister of State at N.I.O Adam Butler, son of Rab Butler, confided that he 'had been struck by the strength of feeling, even amongst moderate unionists, that the Government was set on a policy designed to achieve Irish unity'.⁸²

Unionists were thus inclined to detect a nationalist pattern in occasions where there was none, and this was because of how disastrous unity was thought to be to their political and cultural endurance.⁸³ It threatened their complete destitution: unionists claimed this was because the south had contrived a political and moral

⁸⁰ Letter from Hourican to Taoiseach Garret FitzGerald, 27 Oct. 1981, TAOIS 2011/127/1015.

⁸¹ Meeting on 30 Nov. 1981, PRONI CENT/1/10/91.

⁸² Ibid.

⁸³ This point is expanded Chapter 7 on the A.I.A.

orthodoxy which was itself distinctly sectarian and hostile to the customs of unionism. It should be emphasised that while unionists had a genuine and affecting fear of the idea of a 32-county republic, they also had a vested interest in not recognising the validity of the debate, never mind conceiving an answer to its leading question.

The direct consequence of recognising the validity of the debate would have been to acknowledge the right of the south to intervene in the political affairs of the north. To unionists, this claim was anti-democratic but also a flamboyant myth, because it ignored the prerogative of the Ulster people to resist such an interruption. Its logic derived from a self-awarded authority from its own Constitution which was itself deceptive and delusional. Unionists also believed they had latitude to accuse the Irish constitution of being counter-intuitive, because it claimed union with a country it had sought to be distinctive from. It was this distinctiveness which FitzGerald tried to repeal or overcome, forged as it was by the Irish language and the preservation of Gaeltachts, unique Irish sporting recreations, the bans on divorce and contraception, extensive censorship, the high observance of catholicism and the perennially catholic flavour of public law in Ireland. It meant that British officials were occasionally sympathetic to unionists, despite their recalcitrance, because they were having to confront decades of southern dogmatism.

It should not be forgotten that it was the Republic which had gone its own way in many respects in the years since partition and that politicians in the Republic were on many occasions keen to emphasise the respects in which they were different.⁸⁴

Thus unionist representatives might have been content to meet with southern politicians, and develop placid diplomatic relations with them, but would not 'tolerate anything which smacks of supra-national arrangements or which might give Southern politicians a standing to interfere in the affairs of the North.'⁸⁵ FitzGerald's constitutional crusade had convinced unionists of the goodwill of the Irish government, but no more than that. Harold McCusker thought courteous neighbourly relations with the south were preferable, but it was the apparatus conceived to advance them which was the loudest siren to unionists. Ken Maginnis and Michael Armstrong of the U.U.P. 'were convinced that the structures were nothing more than a camouflage to allow the Republic of Ireland to interfere in the affairs of Northern Ireland'.⁸⁶ Thus the N.I.O. were keen to stress that whilst unionists could be inflexible, they were synchronized by an earnest conviction 'that they are British, and their genuine surprise that anyone should question this'.⁸⁷

The British government did also have sympathy for the unionist position on Articles 2 and 3, given that they were drawn from a national ambition, not legal

⁸⁴ Meeting between Humphrey Atkins and N.I.O. Officials on 19 Oct. 1981, PRONI CENT/1/10/86A.

⁸⁵ Report by David Blatherwick, N.I.O., dated 11 May 1981, PRONI CENT/1/10/36A.

⁸⁶ Maginnis was a former Major in the British Army and was made Ulster Unionist spokesman on internal security and defence in 1981. Reference from a meeting between Unionist representatives and N.I.O. Officials, 14 Nov. 1981, PRONI CENT/1/10/93A.

⁸⁷ Ibid.

reality. The F.C.O. wrote to the British Embassy in Dublin in 1972 that 'we entirely agree of course that the articles are anomalous nonsense and that this should be said frequently and loudly'.⁸⁸ There was also empathy for the way unionism and protestantism had been excluded from the Irish national character, accelerated by the 'Republic's assumption that Republican Irishness and Catholicism are the norm'. The F.C.O. were worried about the empty role unionists might be asked to play in a new Ireland and how dangerous an anachronism the articles became when understood 'in the context of the Taoiseach's [Lynch] desire to be consulted about solutions for the Six Counties'.⁸⁹

The F.C.O. pondered how northern protestants and the British government could take the republic's calls for power-sharing seriously with the articles still in operation. It would seem more like an attempt to engineer unification if the articles which pledged their determination to do so remained active. The Irish government believed fault lay with the British government, whose constitutional guarantee to unionists dulled their appetite for change. Irish Ambassador to Great Britain Donal O'Sullivan wrote that 'until there is a change in the form of the guarantee, the majority in the North will not be prepared to condition their minds to thinking about a united Ireland in the future'.⁹⁰

⁸⁸ Letter from William Hull of F.C.O. to Peter Evans of the British Embassy in Dublin dated 27 Feb. 1972, T.N.A. FCO 87/21.

⁸⁹ Letter from Evans to Hull, undated, T.N.A. FCO 87/21.

⁹⁰ Report by O'Sullivan dated 28 July 1972, T.N.A. FCO 87/114.

It should also be added that the Irish government made a distinction between Articles 2 and 3 and the confessional elements of the Irish Constitution. The former were less suitable for reform, because, unlike the latter, there was no satisfactory argument which could claim them to be socially redundant. An Irish government could sell the reform of certain constitutional articles to the Irish public under the logic that they were outdated. However, there was less latitude to apply the same rationale to Articles 2 and 3, because this would be to declare the Irish claim of jurisdiction over Northern Ireland as improper, fictitious or irrelevant. This would not be acceptable to the Irish electorate.

In a meeting with a unionist delegation, Tánaiste Michael O'Leary, referring to matters like divorce and contraception, admitted that there was scope to argue that 'the constitution needed change for its own sake'.⁹¹ However, he qualified, the same was not applicable to Articles 2 and 3, which the Irish government would not abandon. Unionists may have seen them as a legal fiction, but to Irish nationalists they were a lament that the Irish nation had not yet been completed.⁹² There was a poetic rapture to them which an Irish government would always want to stir.

The S.D.L.P.'s objections to FitzGerald's pacifying gestures to unionists were partly derived from a fear that circumventing the S.D.L.P. to achieve this could make them obsolete.⁹³ It was also an ideological prerogative, as the N.I.O. observed. 'Mr

⁹¹ Meeting with a unionist delegation of lawyers dated 19 Oct. 1981, TAOIS 2011/127/1015.

⁹² Patrick Hanafin, 'Legal Texts as Cultural Documents: Interpreting the Irish Constitution' in Ray Ryan (ed.), *Writing in the Irish Republic: Literature, Culture, Politics 1949-1999* (Basingstoke, 2000), p.159.

⁹³ Minutes dated 22 Oct. 1981, PRONI CENT/1/10/86A.

Hume and the SDLP representatives appeared more rigid, and less sensitive towards unionist opinion than representatives from the Republic. The Irish Attorney General [Peter Sutherland] had emphasised the importance of the Republic doing something on extradition to reassure unionists'.⁹⁴

Yet the S.D.L.P. could be inconsistent on the matter. Perhaps this can best be explained by separating what was made public, and acted as an appeal to a particular body of voters, and what was admitted only to other politicians, to calculate political progress. The N.I.O. reviewed the S.D.L.P.'s 1979 Westminster Election Manifesto, remarking on the significance that there was 'no reference to the principle of unity by consent; the dominant theme is of unionist intransigence and the British guarantee of it.'⁹⁵ Yet at the second session of the Conference on the Government of Northern Ireland in January 1980, John Hume admitted that 'their [the nationalist tradition] narrow sectional, even sectarian, vision of Ireland had excluded any real understanding of the rights and aspirations of the Protestant community in Ireland. In its extreme form, this attitude had given birth to violence'.⁹⁶

Unionists believed articles 2 and 3 illuminated the myths of Irish sovereignty. The articles could only accrue political traction if the British government came to consent to their central demand: the southern administration of the northern state.

⁹⁴ Meeting on 30 Nov. 1981, PRONI CENT/1/10/91.

⁹⁵ Report dated 25 Apr. 1979, PRONI CENT/1/8/17.

⁹⁶ Report dated 8 Jan. 1980, PRONI CENT/1/9/20.

Whilst direct rule remained unsatisfactory, compounded by consecutive disasters of constitutional endeavour, it does not appear the British government ever accepted unity as a tempting solution. The N.I.O. speculated in 1980 that the possibility of 'HMG declaring an interest in Irish unity cannot be ruled out for all time. But it does not seem to provide an answer in the short-term. It could provoke a violent reaction from the majority'.⁹⁷

It was not until an Irish High Court ruling by Justice Donal Barrington in 1989 that Article 2 was interpreted as a political aim and not a legal right to jurisdiction over Northern Ireland. Barrington also concluded that Article 3 gave the Irish state no authority to enact laws with an area of application in the counties of Northern Ireland. This was the first time their legal effect had been pronounced upon. This judgement was in response to a case brought by brothers Christopher and Michael McGimpsey of the U.U.P. The Plaintiffs sought a declaration that the Anglo-Irish Agreement of 1985 was contrary to the provisions of the Constitution of Ireland, 1937. In particular, they argued that, in recognising the legitimacy of the present status of Northern Ireland, the agreement violated Articles 2 and 3 of the Constitution.⁹⁸

⁹⁷ Paper dated 13 Aug. 1980, PRONI CENT/1/9/16.

⁹⁸ Christopher McGimpsey and Michael McGimpsey v. Ireland, An Taoiseach and Other Defendants, 1 March 1990 [Supreme Court No. 314 of 1988].

This peculiar use of the Irish Constitution against the Anglo-Irish agreement demonstrated the breathless desperation within unionism to desist its application. Until that point, unionists could occasionally mispronounce the intention of the articles, like Robert McCartney Q.C., who alleged that 'These two articles gave political legitimacy to the terrorist campaign of the Provisional I.R.A.'⁹⁹ This was a view shared by loyalist paramilitaries too.

The U.D.A. considered the Irish republic a potentially hostile nation because the mechanism of Articles 2 and 3 seemed to encourage the militancy of the P.I.R.A. They believed that if Northern Ireland had been declared a possession of the south, it was inevitable that some of its citizens would seek to guarantee this exchange through violence. Further, that the articles would act as a receipt of this transaction. 'The U.D.A. believes that the existence of the territorial claim is the mainstay of the Provos and all other para-military republican organisations. The claim supports the political philosophy of these groups'.¹⁰⁰ This of course was antithetical to the design of the articles' creation, which were intended to operate as a restraint on I.R.A. militancy, not evolve into a license for its pollination.

⁹⁹ Meeting between a unionist delegation and the Irish government, 19 Oct. 1981, TAOIS 2011/127/1015.

¹⁰⁰ Draft minutes of a meeting between the New Ulster Movement (which dissolved in 1978 after most of its members left to form the Alliance Party in 1970) and the U.D.A. dated 10 Sep. 1974, Papers of the New Ulster Movement, D/3159/1/10, P.R.O.N.I.

Extradition

The other key loyalist grievance about the Irish Constitution, and one which became a highly publicised topic of Anglo-Irish friction, was the Irish state's inability to extradite Irish citizens to United Kingdom courts for the trying of terrorist offences committed on United Kingdom territory. Republican activists would commit offences in the north and then escape to the republic, from where they could not be extradited. Irish government efforts to secure the extradition of alleged republican terrorists invariably failed in court because Article 29 of the Irish Constitution forbade the extradition of anyone sought for a political offence. The basis for such an opinion, ironically grounded in a principle of international law established by a British court early in the twentieth century, was that a terrorist offence constituted a political act or could be said to have been borne of political motives. A 1981 report by the Ulster Young Unionist Council on *Ways of strengthening the Law to more effectively fight Terrorism* argued that:

In our view there is no single measure that would handicap the terrorist activities of the Irish Republican Army more than the introduction by the Irish Republic of extradition of terrorists

to Northern Ireland from the Republic of Ireland for offences which they have committed within Northern Ireland.¹⁰¹

It went on to claim that the Criminal Jurisdiction Act, 1975, which was introduced in the Republic of Ireland to ensure that Irish citizens who were suspected of committing serious offences in the United Kingdom be tried by the courts of the republic, had been a comprehensive failure.¹⁰² Up to that date, only two people suspected of committing murder in Northern Ireland had been brought to trial before the republic's courts, and in both these cases the persons were acquitted. This had been the prediction of some around the time of the Act's inception. During a visit by a delegation of the Canadian Embassy of Ireland to the Department of Defence in Dublin in June 1975, Minister for Foreign Affairs Garret FitzGerald was forced to issue a defence of this legislation.

Responding to criticism that the act might never be used, he doubted 'that fugitive offenders would wish to escape to the South in the knowledge that they could be more easily picked up and subsequently prosecuted in the Republic'.¹⁰³ But even this was a type of evasion, for it was based on a hope that the act would dissuade a certain legal scenario from occurring, rather than change Irish government attitudes towards political offences. The Canadian Embassy of Ireland

¹⁰¹ 1981 Report referenced from TAOIS 2011/127/997.

¹⁰² This report was written before Gerald Anthony Tuite was convicted by a Special Criminal Court in Ireland in July 1982 for possessing explosives in the United Kingdom.

¹⁰³ Report by the Canadian Embassy Dublin dated 11 June 1975, Archives of Canada, 27-10-10-1-2-IRLND, Vol. 6834, File No. 1, Series RG 25.

believed that aside from Fianna Fáil seeing the act as unconstitutional, it would 'be some time before there is a sufficient change in Irish mentality to permit effective use of the new legislation'.¹⁰⁴

The Irish government believed a practical reason for opposing extradition was the excessive length of time the constitutional reform needed would take. A change of the Irish Constitution could only occur with the consent of a majority of the population via referendum and even if it was carried the problem of compiling adequate evidence for convictions would still exist. The issue of extradition distressed unionists because it implied the Irish government would endorse or accord to the legal immunity of republican terrorists. Also, because it was an issue which had lingered since the advent of the conflict and still not been resolved, but prolonged by a tepid constitutional argument which strained the credibility of the Irish government. The British High Commission in Ottawa speculated as early as February 1972 that if the Irish government continued to maintain that the considered offences were political, would they 'regard murder as a political act'?¹⁰⁵

Loyalists also wondered how committed the south was to abolishing republican violence, if it actually wished to sanctify it and if the non-extradition of P.I.R.A. suspects might justly be observed as a form of collusion. The 1981 unionist report stated that Northern Ireland's courts had been willing to deport suspects to

¹⁰⁴ Report by the Canadian Embassy Dublin dated 4 Mar. 1976, 20- NIRE, Vol. 8576, File No. 11, Series RG 25.

¹⁰⁵ Report of the British High Commission of Canada dated 2 Feb. 1972, National Archives of Canada, 20-IRE-9, Vol. 9192, File No. 2, Series RG 25.

the country of their citizenship. Further, that the Law Enforcement Commission, which was established to discuss the ramifications of an All-Ireland Court, contended that extradition for the Republic of Ireland would not be a breach of its constitution, as was continually claimed by the south, nor an infringement of international law, since it no longer tended to regard offences of a political nature as including crimes of terrorism.

The British Home Office held that the view that international law 'precludes surrender in respect of political offence is not one shared by the United Kingdom government, and it is evidently not held by the other states which have ratified or signed the European Convention on the Suppression of Terrorism'.¹⁰⁶ In 1977 this declared what offences would not be regarded as political. This included bombings, kidnappings and unlawful detention. Signatories included the United Kingdom, France, Germany and Ireland itself. It was also noted that Irish courts had created a broad definition of what constituted a political offence; if the fugitive could show that he was politically motivated in committing the offence of which he was accused, then the offence was said to be "of political character".

The four British members of the Commission had been reviewed by the Irish government as stating that the practice 'of nations admits of exceptions where the enormity or barbarism of the crime justifies an explanation. The British members of the Commission held the view that the terrorists operating in Northern Ireland,

¹⁰⁶ Letter from John Chilcot of the Home Office to Michael Alexander of F.C.O. dated 18 Sep. 1979, T.N.A. FCO 87/1072.

whatever their motivation, fall within such an exception'.¹⁰⁷ The Irish government cited clauses 1 and 3 of Article 29 of the Irish Constitution, which professed a desire to adhere to the conduct of generally accepted international principles of law, as the impediment to extradition. One brief explained that the Irish government believed 'that the enactment of legislation to permit extradition for such offences would represent a departure from those principles and would consequently be repugnant to the Irish Constitution'.¹⁰⁸

The Irish government emphasised it was not common for countries like France, Denmark and Belgium to extradite their own citizens. This was though, as Hogan and Walker explained, becoming a less convincing argument upon which to rely: 'whatever scope for argument there may have been in 1974, events since then - most notably the European Convention on the Suppression of Terrorism, 1977, - show that international law and practice does not preclude the extradition of politically motivated offenders'.¹⁰⁹

The unsteadiness of this defence was compounded by the judgement of the Irish Supreme Court in the Dominic McGlinchey case in 1983, which cleared the way for the extradition of suspected terrorists. Its judgment held that only what 'reasonable, civilised people would regard as political activity' could be used to interpret an offence as political.¹¹⁰ This would preclude offences like hijackings,

¹⁰⁷ Report on the Law Enforcement Commission, 15 Oct. 1981, D.F.A. 2011/39/1882.

¹⁰⁸ Extradition brief dated 23 Oct. 1981, D.F.A. 2011/39/1830.

¹⁰⁹ Gerard Hogan and Clive Walker, *Political Violence and the law in Ireland* (Manchester, 1989), p.286.

¹¹⁰ Paper on the McGlinchey judgement dated 5 Jan. 1983, D.F.A. 2013/27/1520.

bombings and kidnappings. The Irish government believed that even if a failure to extradite fugitive suspects distressed Ulster unionists, its accommodation would have been equated by Irish nationalists as a wilful submission to the British government, permitting their police force unfettered interrogation of Irish suspects.

In respect of the European Court of Human Rights, which had arbitrated the interrogation practices of some R.U.C. members in 1971 as constituting 'inhuman and degrading treatment', such a move might 'breach the obligations of the Irish government under the European Convention of Human Rights. The principal gainers from a campaign including such content would be those against whom the co-operative security efforts of both Governments are directed.'¹¹¹ This was a reference to the P.I.R.A., support for whom the Irish government was desperately trying to reduce.

In a paper on new ideas for a settlement in 1981, the main reason for opposing extradition was admitted: 'though less openly stressed than the constitutional argument, much of our objection to extradition really related to interrogation and police procedures in the North'.¹¹² The reason this was not publicised was the injury it was expected to inflict on Anglo-Irish relations. The paper took the territorial imperative imported in Article 2 of the Irish Constitution to its logical conclusion, treating Northern Ireland legally as another part of the republic. It asked 'Why not treat crimes of violence in th [sic.] other jurisdiction in Ireland similarly especially

¹¹¹ Extradition brief dated 23 Oct. 1981, D.F.A 2011/39/1830.

¹¹² Paper dated 22 Aug. 1981 by Noel Dorr, D.F.A. 2011/53/11.

since Article 2 itself is based on the concept that it is the “national territory”.¹¹³ It also suggested a long-term strategy to include considering, because their outright deletion might be too challenging, a ‘Constitutional amendment to de-fuse Articles 2 and 3 by adding the Sunningdale “consent” formula to Article 3’.¹¹⁴

An All-Ireland Court was the Irish government’s preferred route around extradition, because it could be established without surgery to the constitution. A paper on the idea explained its viability within the context of constitutional prohibition. Despite Article 32.3.1° of the Irish Constitution enshrining full and original jurisdiction with the High Court:

Jurisdiction may be given, also, to other tribunals over “limited functions and powers of judicial nature, in matters other than criminal matters” [Art. 37] and other than “the question of the validity of any law having regard to the provisions of this Constitution [Art. 34.3.2°]. Special courts may be established by law for the trial of offences in cases where it may be determined in accordance with such law that the ordinary courts are inadequate to secure the effective administration of justice” [Art. 38.3.1°].¹¹⁵

An All-Ireland court could thus be set up to have limited functions, powers and criminal jurisdiction as a special court, designated for a particular set of legal scenarios and all without requiring a change of the Irish Constitution. It was not

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Report on matters of joint security by D. Quigley, Office of the Attorney General, 1981, TAOIS 2011/127/1109.

pursued; unionists made it clear that such a development would be seen as a step towards unity. Ian Paisley claimed to Margaret Thatcher that 'the suggested All-Ireland Court would be equally anathema to my people as they would see it as an overt and giant step towards the creation of an All Ireland state'.¹¹⁶ As an added indignity, Paisley feared it would threaten the constitutional sovereignty of Northern Ireland as part of the United Kingdom.

It was in the end two judgements of the Irish Supreme Court which determined a change in the Irish legislative practice of extradition. *Quinn v. Wren* [1985] held that members of illegal organisations committed to the overthrowing of the state, and thus the constitution, could not claim protection under the 'political offence' exception. This led to the extradition of persons belonging to illegal organisations dedicated to the destruction of the state. This ruling was enshrined by the Supreme Court decision in *Russell v. Fanning* [1988], where the Court refused to endow the benefit of the political offences exception to an escaped prisoner from the Maze Prison, convicted of the attempted murder of an R.U.C. officer. This was because he was a member of an illegal organisation whose activities subverted the Constitution.¹¹⁷

The practice of extradition then formally entered Irish law with the Extradition (Amendment) Act 1987, which heavily qualified the scope of the

¹¹⁶ Letter from Paisley to Thatcher dated 6 Nov. 1981, T.N.A. PREM 19/509.

¹¹⁷ Hogan and Walker, 'Political Violence', p.181; for reflections on whether it was the purpose of the I.R.A. to overthrow the republic and its constitution see Michael Farrell, *Sheltering the fugitive? The extradition of Irish political offenders* (Cork, 1985).

'political offence' exception contained in section 50 of the 1965 Extradition Act. This legislation was largely symbolic for the above judgements had already denied the availability of this defence for persons engaged in crime on behalf of paramilitary organisations, whose objectives included the subversion of the Constitution. Hogan and Walker went on to discuss how its application did not cover the activities of loyalist paramilitaries in the republic, since perhaps, although they did not elaborate, certain bodies like the U.D.A. remained legal until 1992 and existed to resist the I.R.A., not overthrow the republic.¹¹⁸

There was even transiently an attempt to settle the question of fugitive offenders by making the Irish Constitution more resilient to extradition for political offences. Martin Mansergh drafted a constitutional amendment which would devote stronger legal defence to the Irish refusal to permit extradition. It read that 'No Irish citizen may be extradited outside the jurisdiction of the laws of the State. Persons being persecuted for reasons of race, religion or politics shall enjoy a right of asylum'.¹¹⁹ It was discounted because of the questionable objectivity of Irish courts, which might widen their interpretation of political offence and pledge total protection to I.R.A. suspects. In addition to the problem of defining what constituted Irish citizenship, it was feared that an anti-Irish prejudice 'would receive free and pungent expression if we were to prescribe in the Constitution that Irish citizens

¹¹⁸ Hogan and Walker, 'Political Violence', pp.290-291.

¹¹⁹ Report by Martin Mansergh on Northern Ireland, 16 July 1982, D.F.A. 2012/59/1654.

could not be extradited in any circumstances'.¹²⁰ This was a prescient inference, for even if the matter of extradition would receive some manner of closure through the 1987 Extradition Act, until then it poisoned and crippled relations between unionists and the Irish state, as a report in December 1981 recognised:

In all our contacts with Unionist opinion, extradition continues to be cited as an area in which our credibility and good faith is questioned. Although appreciation is expressed for the Taoiseach's understanding and sympathy by Unionist contacts there is no sign at present of any willingness on the part on Unionists to change fundamental attitudes to the South.¹²¹

Mansergh's attempt to strengthen the Irish government's constitutional defence against extradition implies not only that he knew it was weak in the context of international law, and the questionable veil of Article 29, but also that the Irish government did not want to allow extradition, and only did so because the Irish Supreme Court invalidated their oft-repeated defence. The episode confirmed that the Irish government was aware their refusal to extradite outraged British and unionist public opinion, as it could claim they were seeking to protect the men who were actually their gravest adversary. However, the Irish government was more willing to exacerbate this, and help preserve an untruth about their alleged sympathy for P.I.R.A., than incite general nationalist opinion, so fearful was it of the public reaction to the transfer of fugitive suspects.

¹²⁰ Report dated 21 July 1982, D.F.A. 2012/59/1654.

¹²¹ Report dated Dec. 1981, D.F.A. 2012/59/1756.

To avoid asking turbulent questions about its republican loyalties, the Irish government preferred extradition remain shrouded in ambivalence. As a former British diplomat remarked, even after extradition had formally entered Irish law, the Irish government's compliance could be hesitant and incomplete.¹²² But it should also be emphasised that the Irish government did not accord extradition the same gravity or toxic symbolism as did the British government. As various court cases were to show, problems with applying evidence and securing convictions would remain. Recalling the instance when Secretary of State for Northern Ireland Jim Prior argued that extradition was 'a matter of supreme importance in view of the Unionist sensitivities', a D.F.A. report replied that

While the granting of extradition for political offences could well be seen as a gesture of political goodwill to both the British and the Unionists, it is unlikely to make any significant difference to the security situation in Northern Ireland and its practical effects would be minimal.¹²³

¹²² Sir David Goodall in a talk given at Trinity College Dublin on 19 Nov. 2013.

This might be balanced with what an Irish High Court Judge told me on 4 Sep. 2014 at a conference on the Irish Constitution at Dublin City University. He said that extradition requests from the British side, or 'backing of warrants' as the Irish called them, were marked by 'sheer incompetence', with continuous errors found in the documents sent over from Britain. This is certainly a matter that would benefit from further exploration; alas time constraints have made this problematic.

¹²³ D.F.A. report for an Anglo-Irish official level meeting on 11 July 1983, D.F.A. 2013/27/1612.

Jim Prior served as Secretary of State for Northern Ireland from Sep. 1981 to Sep. 1984. His appointment was a surprise and was seen by many as an attempt by Thatcher to isolate Prior, who had disagreed with several of her economic policies during his previous position as Secretary of State for Employment.

The Irish government also well understood what extradition was to some unionists; an accessory with which to personify the Irish republic as being in concert with vicious terrorists, to whom they would quietly give sanctuary. There was great profit to be had off this profane caricature. Eamon Kennedy, as Irish Ambassador to Great Britain, speculated that some unionists would not want to relinquish this device, because it gratified a key unionist ideological objective: established distance from the republic. Kennedy wrote of the McGlinchey judgement that it will 'disappoint those extreme Unionists in the North who have used the Extradition issue to vilify successive Irish Governments'.¹²⁴

Unionists, Joint-Studies and Irish government policy

The desire to connect with unionists and loyalists was something that Garret FitzGerald saw as intrinsic to any prosperous and lasting northern settlement. This may have been, as the above report suggested, only mildly successful in altering the tense relationship between unionists and the southern government, but it remained a remarkable effort of diplomacy on the part of the FitzGerald administration. In a meeting with Sir Robert Armstrong, the British Cabinet Secretary, FitzGerald

¹²⁴ Report by Eamon Kennedy on British Conservative Policy on Northern Ireland, D.F.A. 2013/27/1510.

expressed his opinion that 'the context for a solution to the Northern Ireland problem lay in the British/Irish relationship /.../ the great need now was to allay the fear of the moderate unionists'.¹²⁵ A Department of an Taoiseach brief observed of Haughey's first spell as Taoiseach that 'Unionists were "left out" of the former Taoiseach's Northern policy'.¹²⁶

The emphasis on unionist inclusion was conferred at the Northern Ireland Policy Review Conference at Iveagh House, attended by FitzGerald, Tánaiste Michael O'Leary and Minister Designate for Foreign Affairs James Dooge in August 1981. It was decided:

- (i) That efforts should immediately be initiated to establish or re-establish contact, at political level, with Unionists in Northern Ireland, including both political figures and other leaders of public opinion.
- (ii) That work should be pressed forward on an examination of ways of awakening Unionist interest in closer relations with this state, possible [sic.] including involvement in structures flowing from the joint studies process. The examination should cover the question of All-Ireland Courts.¹²⁷

¹²⁵ Minutes of a meeting on 15 Oct. 1981, TAOIS 2011/127/1088.

Sir Robert Armstrong became one of the most important British officials on the subject of Northern Ireland. He was Principal Private Secretary to the Prime Minister from 1970-75 and was Secretary of the Cabinet from 1979-87.

¹²⁶ Brief authored by Frank Murray and dated 24 Sep. 1981, D.F.A. 2011/38/11.

¹²⁷ Meeting minutes dated 27 Aug. 1981, TAOIS 2011/127/1087.

The three most important unionists with whom contact should be developed were listed as Ian Paisley, Martin Smyth and Harold McCusker, and in that order. James Molyneaux, the Official Unionist leader, was bypassed, considered an insipid and unchanging leader, heavily under the influence of Enoch Powell.¹²⁸ The joint studies process mentioned was one of political co-operation on various arranged topics between the Irish and British governments at official level. Security was one, citizenship rights another, but perhaps the most interesting was a study group co-ordinated to discuss 'measures to encourage mutual understanding'. The group met in April 1981 and discussed the prospect of co-operation in sport, cross-border student exchange, and how Britain and Ireland lived in the minds of both countries.¹²⁹ There was a robust imbalance: Britain was central to Ireland's view of herself yet she rarely even walked the horizons of the British nation. A paper rendered from these discussions entitled *Analysis of Misconceptions* noted a general

¹²⁸ John Enoch Powell (Conservative Party), born Birmingham June 1912, died London Feb. 1998.
Minister of Health, July 1960-Oct. 1963.

Member of Parliament for Wolverhampton South West, Feb. 1950-Feb. 1974.

Member of Parliament for South Down, Oct. 1974-June 1987.

Powell is interesting in that he was an Englishman and an English M.P. before representing a constituency in Ulster. He was regarded as a political maverick and became infamous for the 'Rivers of Blood' speech he made in 1968.

James Molyneaux (born Oct. 1927) was leader of the U.U.P. from Sep. 1979-Sep. 1995. He was also an active Orangeman, having been Sovereign Grand Master of the Royal Black Institution from 1971-1995. His years of military service in the Royal Air Force informed his devotional view of the Union with Great Britain.

¹²⁹ On the Irish side were David Neligan, Assistant Secretary of the D.F.A., Frank Murray, Assistant Secretary to the Government, Brendan Meehan, Assistant Secretary in the Department of Education, Martin Burke, Counsellor in the Anglo-Irish division of the D.F.A. and Eamon Kennedy, the Irish Ambassador to Britain. Notable amongst the British representatives were Sir Leonard Figg, British Ambassador to Ireland and Pat Carvill, Under-Secretary at the Northern Ireland Department of Education.

perception in the republic that unionists had made slight effort to understand or remedy nationalist grievances in Northern Ireland.¹³⁰

Another report argued that northern protestants suspected there was a reluctance in the south to challenge clerical opinion on matters outside of religious affairs. Further, that the average northern protestant believes the depth of his attachment 'to the Union to be misunderstood in the South ... The supposition that the statutory guarantee is the key obstacle to Irish unity, and that, but for it, Northern Protestants would be ready to join the South is wide of the mark'.¹³¹ An awareness of these sort of divergent opinions demonstrated a revision of the traditional posture of Irish nationalism in line with the thinking of Conor Cruise O'Brien.¹³² A British government report later observed the isolation unionists felt from the south, a disparity which resulted in their belief that southerners cared or knew little about the position of unionists.¹³³

Charles Haughey appeared less tolerant than Garret FitzGerald of the virtue of sustained communication with Ulster unionists. An N.I.O. review observed that Haughey 'dismisses the views of Unionists' and seeks to arrange unity 'implicitly over the heads of the Unionists'.¹³⁴ Haughey's dismissal of unionism was neatly illustrated in a meeting with Eamon Kennedy, Irish Ambassador to Britain, and Seán

¹³⁰ D.F.A. report dated 14 April 1981, TAOIS 2011/127/1115.

¹³¹ Report titled *Measures for the encouragement of mutual understanding*, TAOIS 2011/127/1115.

¹³² See his influential book *States of Ireland* (London, 1972), which critiqued the traditional appearance of Irish nationalism.

¹³³ Report dated 14 Oct. 1981, T.N.A. FCO 87/1100.

¹³⁴ Report dated 26 May 1982, PRONI CENT/1/11/30.

Donlon in January 1980. Discussing their approach to the community of unionism, Haughey remarked that 'the loyalists would revel in inaction for ever. No new dawn was going to come bringing enlightenment to the loyalists'.¹³⁵ David Neligan, Assistant Secretary of D.F.A., believed loyalist/unionist disquiet might have a volatile impact on the security situation and that it was incumbent upon the Irish government to have something meaningful to entice unionists with, if, after all, a shared future with them was the ultimate objective. Haughey was paraphrased as replying 'that violence was there anyway and enquired whether it could get much worse /.../ there seemed little hope that the unionists would respond to appeals from Dublin'.¹³⁶

Haughey seemed to lack hope that unionists could be lured from their seemingly recreational intransigence or that ignoring them could threaten the mission of unification. The N.I.O. assessed the fundamental difference in the Anglo-Irish policy of Haughey and FitzGerald with similar unease. FitzGerald sought to convince unionists of the assets innate to unity, while Haughey 'pays little heed to the views of unionists...he speaks of this [The Anglo-Irish Intergovernmental Council] in terms which do not necessarily accept the need for this [unity] to be achieved with the consent of the majority of the people of Northern Ireland'.¹³⁷

¹³⁵ Note dated 24 Jan. 1980 from a meeting on 23 Jan. 1980, D.F.A. 2011/38/18.

¹³⁶ *Ibid.*

¹³⁷ N.I.O. Report dated 24 June 1982, PRONI CENT/1/11/34A.

Haughey never considered reforming the constitution to pacify northern loyalists and seemed to trap unity in the absolutes of victory, as a pursuit to disqualify the other tradition in Ireland. Or he sought, as the N.I.O. phrased it, 'the creation of a distinctively Irish State in which the Protestant tradition would in practice be subordinate'.¹³⁸ Removing unionist fears was not an important objective. Brian Girvin wrote that Haughey 'consistently denied any distinct identity to the unionist population, arguing that partition had been imposed and was opposed by a majority of Irish people... Nor, despite his claims, did Haughey appreciate the sensitivity of unionist fears'.¹³⁹ Thus, so dominant was the image of unionist obduracy that often alternate, rational objections to unity were denied to those opposed to it.

Haughey's position also suggested that he did not consider unionists or loyalists Irish, or believe that they ever could become so. Irish nationalism had though at times failed to apprehend its culpability for the development of unionist intransigence and the centrality of the Irish state in the unionist consciousness. Instead, it had preferred to entirely omit the unionist one from theirs. Graham Walker wrote that 'Ulster Unionists have always tended to define themselves in relation to Irish Nationalism, something not fully appreciated in my view by Lee

¹³⁸ N.I.O. report dated March 1981, T.N.A. CJ4/3337.

¹³⁹ Brian Girvin, 'Northern Ireland and the Republic' in Paul Mitchell and Rick Wilford (eds), *Politics in Northern Ireland* (Colorado, 1999), p.226.

[J.J.] and other historians and commentators; Nationalists, however, have taken little account of Unionism in forming their outlook'.¹⁴⁰

This symbiosis was given profound expression by loyalist paramilitaries, who emerged in response to the republican threat. It also meant that there was an intrinsic asymmetry to the relationship; the umbra of the Irish state would prowl constantly in the unionist mind, yet nationalists would seldom consider the parameters of unionism or its people. Unionists, not nationalists, would obsess over the intricacies of Irish unity. Walker argued that nationalists like Haughey, who condemned the supremacist character of unionists, also tended to ignore the cultural superiority and exclusivist Gaelic tendencies in the writings and speeches of nationalist and republican paragons like 'Pearse, Connolly, Griffith, de Valera, Frank Gallagher and C.S. Andrews which have shaped so profoundly the ideology of Irish Nationalism and rendered the development of pluralism in Ireland problematic'.¹⁴¹ These figures spoke of a certain conception of Ireland, from which unionists were casually excluded, because the imagined state finished at the border.

Thus northern unionists and southern nationalists created mutual states of ignorance or singularity, both conceiving of nationhood without reference to the other. Stephen Howe remarked that this elision impairs our ability to determine whether the northern conflict may be considered a colonial one: 'Many critics have

¹⁴⁰ Graham Walker, 'Old History: Protestant Ulster in Lee's "Ireland"' in *The Irish Review*, 12 (Spring-Summer 1992), p.71.

¹⁴¹ Walker, 'Old History', p.70.

noted the virtual silence of Irish nationalist intellectuals, from Pearse and Connolly to the most contemporary cultural theorists, about the history, culture and politics of Ulster Unionism'.¹⁴²

Garret FitzGerald was receptive to this imbalance and attempted to remedy it. In a radio interview with R.T.É., FitzGerald remarked that the republic had nurtured sectarianism to the same extent the northern state had, and that he viewed the unionist resistance to unity as rational in respect of the behaviours of Irish public law. He also launched an attack on members of Fianna Fáil, who upheld claims of ownership on the north but lacked a compassion for or familiarity with it. He said that so few of 'them have been willing to go north and talk to the people. Look at the number of visits made by Fianna Fáil Ministers. They know nothing of Northern Ireland. They haven't been there. They haven't met any of the people'.¹⁴³

A D.F.A. briefing declared in September 1981 that the 'greatest defect in previous Government's approach was their neglect of the Unionists. We will try to rid Unionists of their suspicions'.¹⁴⁴ Soon after Haughey relinquished office for the first time, the Department of the Taoiseach requested a report detailing just how marginalised unionists had been under Haughey. A directive ordered that

¹⁴² Stephen Howe, *Ireland and Empire- Colonial legacies in Irish History and Culture* (Oxford, 2000), p.193.

¹⁴³ Taken from the programme *This Week* on 27 Sep. 1981, quoted in the *Irish Times* 28 Sep. 1981.

¹⁴⁴ Briefing dated 24 Sep. 1981, D.F.A. 2011/42/6.

A report should be prepared on all contacts with Unionists over the past couple of years, since 1977 in fact. This should include a tabulation of contacts, and an evaluation of current Unionist attitudes, including in particular an assessment of the extent to which the present Government here enjoy a real or illusory degree of trust and confidence either at political level or amongst the wider community.¹⁴⁵

A week later, Eamon Kennedy wrote from the Irish Embassy in London to the Anglo-Irish division of the D.F.A. remarking that the 'hostility of people like Paisley, Robinson, McQuaid, Molyneux [sic.] and Bradford towards me is in marked contrast to the excellent relations we enjoy even with the most right wing members of the Conservative party.'¹⁴⁶ According to Kennedy, the only unionist M.P.s he enjoyed cordial relations with were Harold McCusker and Enoch Powell, the latter being the sole unionist attendee at the Embassy's gala functions.

FitzGerald, in a meeting with Thatcher in November 1981, stressed how he saw dialogue with unionists as the means to secure lasting settlement in Ireland, and that moderates should be supported to act as a brake on Paisley and his ability to limit progress. The Taoiseach said that he 'had a strong sensitivity to unionist opinion, and a lot of contact among unionists /.../ If the British and Irish Governments were open and honest with the Unionists, there should be greater readiness of the moderate unionists to stand up to Paisley'.¹⁴⁷ In fact it was with

¹⁴⁵ Note dated 10 Aug. 1981, D.F.A. 2011/46/1.

¹⁴⁶ Letter dated 18 Aug. 1981, D.F.A. 2011/46/1.

¹⁴⁷ Notes of a meeting held on 6 Nov. 1981, PRONI CENT/1/10/93A.

moderate unionists, particularly those of the O.U.P., that the greatest potential for unionist co-operation was thought to lie.

This was because they had been overtaken electorally by the D.U.P. and in a weakened state had less to protect. They would be, perhaps because of their desperation, more agreeable to consultation with Irish officials. This preference, allied to the fear of an unrestrained Ian Paisley, forced N.I.O. officials in November 1981 to consider unseating James Molyneaux from the O.U.P. leadership and helping to install Harold McCusker as his successor. David Blatherwick of the Political Affairs Division of the N.I.O. wrote that Molyneaux's 'continued leadership is not just an embarrassment but a grave disadvantage to everyone, because while he is there no alternative can emerge to focus "moderate" unionist support and present the alternative to Paisleyism.'¹⁴⁸

Blatherwick suggested intervention would have to be made by the Secretary of State for Northern Ireland Humphrey Atkins on the expressed logic that 'in current circumstances Northern Ireland could not afford Mr Molyneaux'. The scheme was dismissed, as it was thought to be a breach of the Secretary of State's field of responsibility and imprudent at a time when the Office was having to stipulate the limits of his authority. It was abandoned because the department became convinced that moves were already underway within the O.U.P. to depose

¹⁴⁸ Report dated 24 Nov. 1981, PRONI CENT/1/10/93A.

Molyneux and that 'when it takes place is the time for the Secretary of State to move/ definitely not before'.¹⁴⁹

The N.I.O. devised a strategy to weaken public support for Paisley, which included attacking him and his ideas in public, urging the O.U.P. in private to aggressively oppose the D.U.P. and coming out publicly in favour of moderate unionists. It adjudged that Paisley's success owed much to the 'lack of a credible alternative to him and many Unionists seem to feel the need for a clear lead. A campaign to show how meaningless and irrelevant are the fears Paisley stirs up might tip the balance against him'.¹⁵⁰ Thus the Irish and British governments had a shared concern for the flailing unionist middle ground and thought solution in the north was partially predicated on its revival.

FitzGerald sought to groom liberal unionist amity through utensils like the 'joint studies' process. The culture of 'joint studies' derived from a 1977 initiative called *Ireland-North and South-Toward a Better Understanding*, which was the innovation of Paddy Harte T.D. This scheme encouraged the development of north-south contacts and aimed specifically to ensure working-class and agricultural unionists interacted with southerners. It was applauded within Irish departmental circles but failed to obtain the financial support it sought. Nevertheless, four years later the issues it had raised encouraged Irish officials to proceed along similar lines. A letter from Assistant Secretary of the Department of the Taoiseach, Wally Kirwan,

¹⁴⁹ Note dated 25 Nov. 1981, PRONI CENT/1/10/93A.

¹⁵⁰ Note dated 7 Apr. 1981, PRONI CENT/1/10/25.

to David Neligan of D.F.A. on the dilemmas of protestant disaffection in February 1981 demonstrated this. The problem, as Kirwan saw it, was the force of misconception among unionists about conditions in the republic, and the lack of knowledge in the south about life in Northern Ireland. To correct this he was promoting

Greater contacts between the farming population, North and South, between trade union members and between the working classes generally /.../ I raise the question as to how this objective could be served by greater contacts at the grassroots level- at branch and trades council level, in the destination of branch social outings, in exchange visits to each other's communities and homes.¹⁵¹

Perhaps Kirwan misjudged the appropriate channels through which to pursue his ambition, given loyalist animosity to the trade unions, but the intention remains the remarkable element.

Attempts like this to woo unionists threatened to anger other parties, as FitzGerald himself surmised to a branch of Fine Gael in 1981. He knew that regardless of how carefully he treaded, he was 'liable at the end of the day to be accused by my own people of being insufficiently nationalist, by Unionists of being patronising, and by the Northern minority of being excessively concerned with Unionist feelings.'¹⁵² It was also feared by some on the British side that FitzGerald's

¹⁵¹ Letter dated 24 Feb. 1981, PRONI CENT/1/10/25.

¹⁵² Speech to Sandymount Branch of Fine Gael, 9 Dec. 1981, TAOIS 2011/127/1017.

constitutional crusade, of which the Joint Studies was an ancillary, was a step too far.

In a meeting with FitzGerald, James Dooge and Michael O'Leary, Jim Prior, the Northern Ireland Secretary of State suggested

there was a danger of putting the unionists into an intransigent position /.../ The Secretary of State said /.../ that the unionists had made the point to him all the time, movement was required on their part. Stormont had been taken away, direct rule introduced but still the demand was made for movement on their part.¹⁵³

The joint-studies ventures were conducted on a strictly Anglo-Irish basis.

Members of the N.I.O. would be invited to contribute, but no northern politicians.

This convinced some unionists that the joint studies were a conduit for the British government to craft a deal with the republic on the subject of unification. The unionist fear over the trajectory of British policy is also worth remembering.

Unionists worried that a deal with the republic was plausible given the rising exasperation within sections of Westminster with the Ulster question. Martin Burke met with Bill Craig in March 1981, shortly after the U.W.C. had reformed. Craig told him that

the South was not aware of the strong resentment against recent developments (joint studies etc.) and for this reason a break up of the all-Ireland structure of the I.C.T.U. had been proposed as a symbolic measure /.../ Finally on this topic Mr. Craig said that there was a

¹⁵³ Notes of a meeting, 28 Oct. 1981, TAOIS 2011/127/1103.

militant minority on the protestant side which was capable of taking a more violent attitude towards the South and he did not exclude the possibility of more bombs in Dublin.¹⁵⁴

The Irish government was becoming attuned to the resentment the joint-studies were stirring, even if it was after British referral. At a dinner of Irish and British officials 'it was confirmed on the British side that there was concern about the extent of suspicion about and hostility to the joint studies process among unionists in the North. This extended beyond hard-core Paisley supporters'.¹⁵⁵

The emphasis on greater unionist involvement was also doubted by some within Irish diplomatic circles, who felt it could eventually weaken the Irish position and destabilise chances of peace within Northern Ireland. In November 1981 Michael Lillis of D.F.A. wrote that for Northern Ireland this policy might:

Formally consolidate (it) within the United Kingdom, through its involvement in the dialogue exclusively as a constituent of the United Kingdom side; politically reinforce the British identity of Northern Unionists through formalising their contact with the South through a London-British framework /.../ (The O.U.P. and D.U.P.) are vying with each other in their condemnations of the Anglo-Irish institutional approach on the grounds of its alleged erosion of the Union, when in reality the only constitutional sovereignty it threatens is our own.¹⁵⁶

¹⁵⁴ Report dated 30 Mar. 1981 of a visit to Northern Ireland from 24-26 Mar. 1981, D.F.A. 2011/42/6.

¹⁵⁵ Report of a dinner dated 19 Feb. 1981, TAOIS 2011/127/1100.

¹⁵⁶ Discussion paper dated 18 Nov. 1981, TAOIS 2011/127/1009.

Despite Lillis' scepticism, the grand intent of this policy was to invite unionism into the interior of Irish nationalist thought, resulting in 'a full acceptance of the Unionist reality by non-violent Irish nationalism throughout Ireland'.¹⁵⁷ It was hoped this would create an atmosphere in which it would be reasonable to expect Margaret Thatcher to help unionists 'face up to the reality of Irish nationalism'. Thus the intention was to make both traditions begin to contemplate what the opposite conscience or mentality was, and what a union with that might implore. The main artefact of this synthesis would, the Irish government hoped, be an acceptance that both traditions existed and retained the right to. In such an arena of tolerance, unity by consent could flourish as a desirable solution for the divided populations, because neither of them felt under threat.

Conclusion

To loyalists, the Irish Constitution was the design of a country which was forged without them in mind. It was also a document open to the accusation of being counter-intuitive, claiming union with a country it had sought to be distinctive from. The strenuous and undimmed unionist hostility towards the Irish republic derived from their terror that unionism and its people would become casualties of Irish

¹⁵⁷ Irish steering note for meeting with Margaret Thatcher dated 14 June 1983, D.F.A. 2013/27/1501.

nationalism, being displaced and made invisible upon their encounter with a 32-county republic. This fear came from years of estrangement, isolated living and the reverberations of a fundamental question: what position did unionists occupy in the republican imagination? Were they sectarian masters who had seized Irish territory but were not themselves Irish, or a cult of residual Irishman with whom compromise could be brokered to engineer a unified state? This question is left rhetorical to ensure it keeps being asked.

What remains stark about the resulting consultations was the capacity for either side, northern loyalist/unionist and southern politician, to be surprised at the other's ripostes, which suggests that for too long mutual conceptions had become founded on ageing stereotype. As Colin Coulter remarked as late as 2001, 'Northern Unionists have remarkably little knowledge of the matters and figures that animate public life south of the border'.¹⁵⁸ This was partly because of the underdeveloped economic links between north and south. There was often no reason for unionists to venture south and experience the republic for themselves. Typecasting the south as culturally introverted suited and reassured unionists, because it could strengthen their opposition to national unity for Ireland.

The conclusions arrived at by Irish representatives were not always astute either. A recurring fascination with the violence of loyalism distorted its political aspirations, which included a schism from unionism, working-class intellectual

¹⁵⁸ Colin Coulter, 'Unionists after Unionism' in *Peace Review*, Vol. 13 Issue 1 (2001), p.76.

emancipation and co-operative independence for both communities in Ulster. The redeeming point is not the success of these communications, with relations breaking down after the signing of the A.I.A., but that members of a southern government were keen to educate themselves on unionist opinion and to actively incorporate those concerns into the governance of their state and Anglo-Irish policy. This was traced by a tentative acknowledgement from some loyalists that they felt closer to Ireland than Britain, compounded by the anticipated British government departure from the north. This was a poignant advance from decades of separation and uninformed hostility.

