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'Make the terror behind greater than the terror in front'? Internal discipline, forced participation, and the I.R.A., 1919–21

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Q2 ABSTRACT. *This article will explore two relatively neglected features of the Irish Republican Army's (I.R.A.) guerrilla war between 1919 and 1921: internal discipline and forced participation. The gravest disciplinary measure was the death penalty and I.R.A. orders directed that it should apply to members guilty of certain offences against the army. While British army and police officials often insisted that the I.R.A. executed its own without scruple, the death penalty was rarely carried out in practice. General Headquarters (G.H.Q.) was largely unsuccessful in applying a standard disciplinary code and there was also a general inconsistency and lack of rigour in applying other punitive measures for less serious offences. On a related theme, it was not uncommon for soldiers to be 'conscripted' or forced to take part in operations under duress during irregular warfare. In the Irish case, this idea has rarely been discussed. It will be argued here that, along with the death penalty and strict punitive measures, forced participation was an uncomfortable idea and often counter-productive in practice. The nature and extent of discipline and coercion was also firmly dictated by local conditions and personalities.*

In March 1921 Patrick Larmer and Francis McPhillips were found shot dead in Aghabog, County Monaghan, executed by the Monaghan Brigade of the Irish Republican Army (I.R.A.).[1] While news of the violent deaths of two young men may have come as a profound shock locally, it was perhaps less surprising in a national context; the I.R.A. killed at least 155 civilians in the first seven months of 1921 (Larmer and McPhillips were two of seven killed by the Monaghan I.R.A. between 1919 and 1921).[2] The shooting of civilian 'spies and informers' by the I.R.A. continues to draw significant scholarly attention inside and outside the academy.[3] But what makes the above case particularly

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[1] Monthly confidential reports (M.C.R.), County Inspector (C.I.) Monaghan, Mar. 1921 (T.N.A., CO 904/114); Fearghal McGarry, *Eoin O'Duffy: a self-made hero* (Oxford, 2005), pp 65–7. Larmer's surname also appears as Larmour is some sources.

[2] Eunan O'Halpin, 'Problematic killing during the War of Independence and its aftermath: civilian spies and informers' in James Kelly and Mary Ann Lyons (eds), *Death and dying in Ireland, Britain and Europe: historical perspectives* (Dublin, 2013), pp 327–9.

[3] For recent examples see Anne Dolan, '"Spies and informers beware …"' in Diarmaid Ferriter and Susannah Riordan (eds), *Years of turbulence: the Irish Revolution and*

noteworthy is that one of the victims, Patrick Larmer, was not a civilian at all, but a member of Rockcorry Company, Monaghan Brigade I.R.A. He had been killed after divulging the names of company colleagues while under arrest and interrogation.[4] Two months later, Dublin Castle produced a statement, purporting to come from a letter home by a soldier serving in Ireland:

> at least seventy five per cent of the I.R.A. are not active members but joined either because they were forced to or as a matter of precaution because the district in which they lived happened to be terrorised by a mob of ruffians ... The flying columns in the majority of cases have lost heart and are frequently made to work at the point of the revolver. They are held together by fear for if they desert they are shot by their own comrades while if they are captured they are shot for murder. Consequently they have no alternative but to carry on with their policy of terrorism and crime.[5]

The letter probably speaks more of official attitudes to the I.R.A. than those of an ordinary soldier, but how accurate were the assertions it contains? Patrick Larmer had committed an offence punishable by death under I.R.A. orders but was, in fact, a rare victim of their enforcement. He was one of only a handful of Volunteers to die in this way between 1919 and 1921. Joost Augusteijn has written on fear and reluctance to fight, but internal discipline and punishment has otherwise been largely overlooked in the growing historiography on the I.R.A. during the Irish Revolution (*c*.1912–23).[6] Throughout the country, as Peter Hart and David Fitzpatrick have shown, the I.R.A. depended on a small band of highly committed, full-time gunmen for its military success.[7] How did the hierarchy keep its 'part-time' members in check, encourage the less willing to fight, and deal with those who failed to do so? What punishments were threatened for indiscipline or neglect of duty, how

its aftermath (Dublin, 2015), pp 157–72; O'Halpin, 'Problematic killing', pp 317–48; Gerard Murphy, *The year of disappearances: political killings in Cork, 1921–22* (2nd ed., Cork, 2012). The most controversial case involves the killing of fourteen Protestant men over two nights in the Bandon Valley area of County Cork. See David Fitzpatrick, *Descendancy: Irish Protestant histories since 1794* (Cambridge, 2014), pp 221–9; Barry Keane, *Massacre in west Cork: the Dunmanway and Ballygroman killings* (Cork, 2014); John M. Regan, 'The "Bandon Valley massacre" as a historical problem' in *History*, xcvii, no. 325 (Jan. 2012), pp 70–98; David Fitzpatrick, 'Ethnic cleansing, ethical smearing, and Irish historians' in *History*, xcviii, no. 329 (Jan. 2013), pp 135–44. For Peter Hart's description of the killings, the work that has motivated the literature above, see Peter Hart, *The I.R.A. and its enemies: violence and community in Cork, 1916–1923* (Oxford, 1998), pp 273–92.

[4] McGarry, *Eoin O'Duffy*, p. 65; James Sullivan statement (M.A.I., B.M.H., W.S. 518).

[5] Dublin Castle statement, 11 May 1921 (T.N.A., CO 904/168/2).

[6] Joost Augusteijn, *From public defiance to guerrilla warfare: the experience of ordinary Volunteers in the Irish war of independence, 1916–1921* (Dublin, 1996), pp 140–44, pp 150–56.

[7] Hart, *The I.R.A. and its enemies*, pp 226–70; David Fitzpatrick, *Politics and Irish life, 1913–1921: provincial experience of war and revolution* (Dublin, 1977; repr. Cork, 1998), pp 178–91. This is common in irregular armed conflict: Stathis N. Kalyvas, *The logic of violence in civil war* (Cambridge, 2006), pp 102–3.

often were they carried out, and with what effect? The first section of this article will attempt to deal with these questions. Similarly neglected in the vast literature on the Irish Revolution is 'conscription', non-voluntary membership of the I.R.A., and the consequences of refusal. This will be the subject of the second section.[8]

I

Sir Nevil Macready wrote in his memoir, published in 1924, that in areas where martial law was proclaimed:

> outrages were mostly carried out in a half-hearted way, and where attacks on police barracks took place there was little inclination to push them to a conclusion; nor was evidence wanting to show that the rebel rank and file were acting under coercion rather than of their own free will from a whole-some fear of the penalties to which they were exposed.[9]

Macready's reflections might be taken with a pinch of salt, but were not entirely without a basis in reality. The extent to which an operation was carried out in a 'half-hearted way' is difficult to discern, and Volunteers themselves were unlikely to frame failures in that way, but there is evidence to suggest that the threat of violence was used to prevent 'part-time' Volunteers from leaving or to coerce the less willing into violent action.

Increasing pressure from crown forces and a lack of ammunition and excitement generated a growing level of apathy among the Irish Volunteers after the anti-conscription and general election successes of 1918.[10] This coincided with the first phase of Volunteer activity identified by Charles Townshend, comprising of 'low-level operations', including boycotts, raids for arms, and occasional attacks on isolated policemen.[11] This was, Augusteijn has argued, an attempt to force inactive members to commit to the movement by more radicalised colleagues worried by the level of disinterest.[12] The second phase of the campaign of violence had taken shape by the end of 1919 and saw attacks on larger police posts (a necessary consequence of the withdrawal of smaller stations brought about by the first). The commitment to violence prompted some Volunteers who had previously taken an oath of allegiance to the organisation to turn away while others remained reluctant to use physical force. Hints emerge in a range of accounts that the threat of violence loomed over many of the less prominent members of the organisation.

In February 1920, the Royal Irish Constabulary (R.I.C.) county inspector (C.I.) for Cork West Riding reported that the I.R.A. had little difficulty collecting large bodies of men for barracks raids, 'but in some cases there is reason to believe that the result is obtained only by threats and fear of punishment.'[13] One Volunteer was said to have confessed to his parish priest

[8] For an exception, see Hart, *The I.R.A. and its enemies*, pp 242–3, 259–61.
[9] Nevil Macready, *Annals of an active life* (2 vols, London, 1924), ii, 536.
[10] Augusteijn, *From public defiance*, p. 79.
[11] Charles Townshend, *Political violence in Ireland: government and resistance since 1848* (Oxford, 1983), pp 334–5.
[12] Augusteijn, *From public defiance*, p. 85.
[13] M.C.R., C.I., Cork W.R., Feb. 1920 (T.N.A., CO 904/111).

that he was 'compelled by his brother volunteers to take an oath at the point of the revolver to "obey all orders"'; he was reassured that the oath was not binding.[14] It might not be surprising that police officials would be keen to report on cases of coercion, and these comments fit into a wider pattern of reporting on the nature and motivations for republican violence where it is contended that small bands of extremists terrorised moderate colleagues and civilians.[15] Occasionally, the threat of violence emerges from first-hand testimony too, at the courts-martial of those caught in the act. Volunteer Jim Croke became involved in a series of raids for arms in Cork under the clear threat of violence: 'I had to do it or I would be shot ... The men made me go.'[16] Similarly, in Wexford, James Denby 'knew I was doing wrong but I was afraid not to go'.[17] Michael McCearty, son of a Cavan farmer, was court-martialled in August 1920 for participating in an attack on a police patrol resulting in the injury of a police sergeant. When asked if he pleaded guilty, he claimed that 'I had to do it, as I would be shot in my bed if I did not.'[18] After his arrest, as the injured party testified, McCearty had 'said orders were given to him, and if he did not fire they would do the same to himself'.[19] When first asked to make a statement he did not wish to have it published because 'There was no use getting shot for nothing', but he later certified on oath that 'Men brought me away to raid a mail car … and if I did not go they would shoot me dead afterwards. They wore masks and I did not know them.' He had no intention of injuring the sergeant (who had earlier helped him obtain a passport) and deliberately 'fired up'.[20] McCearty's testimony – described in the unionist *Irish Post* newspaper as 'remarkable evidence' – may well have been influenced by the punishment that awaited (he was reported to have 'wept bitterly' during the trial) and a desire to distance himself from the event. But what emerges here is a less than totally devoted young man pushed to some extent to take part in armed action, and with rather poor results.[21]

From the point of view of those carrying out the threats, they were a necessity, retrospectively at least. In Derry city, where there was the additional fear of an armed and hostile unionist population, the local I.R.A. commander was under no illusion about the need to instil fear in the men under his control. In a later account of activities in his area, he admitted that of 500 men in his battalion 'twenty-five per cent ... I held together by means of threats etc. The rest were particularly unenthusiastic.'[22] Anne Dolan has described how, in more extreme cases, killing could be used to tie Volunteers to the movement, to keep them from talking by implicating them in the violence. In Tralee, John O'Riordan

[14] Ibid.

[15] See, for example, M.C.R., Inspector General, Dec. 1919 (T.N.A., CO 904/109); 'Record of the rebellion in Ireland in 1920–21 and the part played by the army in dealing with it. Volume I. Operations' (T.N.A., WO 141/93); Mark Sturgis quoted in Charles Townshend, *The republic: the fight for Irish independence* (London, 2013), p. 165.

[16] Quoted in Hart, *The I.R.A. and its enemies*, p. 243.

[17] Ibid.

[18] *Irish Post and Weekly Telegraph for Cavan and Midlands*, 14 Aug. 1920.

[19] Ibid.

[20] Ibid.

[21] Ibid.

[22] Lt. Sheerin, 'Record of the Derry City Battalion, Derry Brigade' (M.A.I., Collins papers, A/0464/i).

spoke years later of a Volunteer who had a habit of discussing I.R.A. matters in the presence of strangers and was ordered to carry out the execution of a 'spy' named O'Mahony; 'having carried out the execution he would have to remain silent about it'.[23]

So often a factor in the mobilisation of young men, peer pressure played a silent and largely unverifiable role in bringing Volunteers into action.[24] As Peter Hart pointed out, most Volunteers participated willingly but 'it is impossible to distinguish the willing from the unwilling when those called upon so often had very little choice'.[25] Todd Andrews made a rare reference to the power of peer pressure in his memoir. Andrews was concussed while playing football the day before he was due to take part in the operations on 'Bloody Sunday', 21 November 1920. His only concern was that he would not be able to fulfil his assignment the next morning: 'I felt that, short of actual death, I would be unable to persuade my comrades in the Company or in the Battalion that I had not faked an accident to avoid the mission. This, of course, was nonsense but I felt that I could not live with myself if I failed to turn up.'[26] Jim Slattery remembered two men watching the door as a warning to anyone who might wish to leave during the previous night's briefing.[27] Other Dublin I.R.A. men recalled the experience of peer pressure differently. Harry Colley recalled that when those selected for active service on what became 'Bloody Sunday' were informed of the operation, Seán Russell assured them that anyone with 'moral scruples' could walk away and 'no one would think any the worse of him'.[28] According to James Carrigan, Oscar Traynor delivered an almost identical speech on the formation of an active service unit in December 1920.[29] Neither statement mentions any defections; that all remained is almost taken for granted. William Stapleton had the conditions of service in the 'Squad' outlined to him in detail and was given 'the option of refusing to join' but mentioned twice how 'anxious' they were to have him.[30] Vinny Byrne claimed that 'there was no compulsion whatsoever' but, unlike Stapleton, noted that two 'conscientiously objected'.[31] What was being asked of these men, the kind of close, personal killing in which they were expected to partake, was different to that required of other Volunteers. Those who objected, it was assumed, were not opposed to killing so much as to that particular method of killing: one of Byrne's objectors stated he 'would have no hesitation in going out to face the enemy in open battle'.[32] This distinction seems to have been

[23] Anne Dolan, '"The shadow of a great fear": terror and revolutionary Ireland' in David Fitzpatrick (ed.), *Terror in Ireland, 1916–1923* (Dublin, 2012), p. 36; John O'Riordan statement (M.A.I., B.M.H., W.S. 1117).

[24] For the importance of peer pressure in Great War recruitment see David Fitzpatrick, 'Home front and everyday life' in John Horne (ed.), *Our war: Ireland and the great war* (Dublin, 2008).

[25] Hart, *The I.R.A. and its enemies*, p. 261.

[26] C. S. Andrews, *Dublin made me: an autobiography* (Dublin, 1979; repr. 2001), p. 152.

[27] Anne Dolan, 'Killing and Bloody Sunday, November 1920' in *Hist. Jn.*, xlix, no. 3 (Sept. 2006), p. 797.

[28] Harry Colley statement (M.A.I., B.M.H., W.S. 1687).

[29] James Carrigan statement (M.A.I., B.M.H., W.S. 613).

[30] William Stapleton statement (M.A.I., B.M.H., W.S. 822).

[31] Vinny Byrne statement (M.A.I., B.M.H., W.S. 432).

[32] Ibid.

accepted, if grudgingly, by those who had no such scruples. Charlie Dalton complained that 'in some instances the excuses put forward for the non-carrying out of instructions' on Bloody Sunday morning 'were not considered very satisfactory' but no more was said or done about it.[33]

Only a fraction of I.R.A. members became full-time gunmen, though all were subject to a disciplinary code. In March 1920 the I.R.A. organ *An t-Óglách* preached that 'The necessity of strict discipline cannot be too often emphasised.'[34] Failing to carry out instructions, misbehaviour, and drunkenness could undermine the local power structure and the general war effort, offer propaganda opportunities to the enemy, and affect morale. More seriously, neglect of duty, desertion of a post, or giving away information (purposely or inadvertently) could lead to seizures, arrests, and endanger the lives of a member or his comrades.

Official orders from G.H.Q. dealing with punishment and discipline were not issued to brigade commanders until spring 1921 and this belated instruction seems only to have arrived following repeated queries from local units. In January a meeting of brigades in the Cork No. 2 area had proposed to 'ask G.H.Q. if anything is available in discipline arising out of suggestions sent them (at their own request) from various BRIGADES some time ago'.[35] A March 1921 staff memo on a disciplinary code noted that 'It is now imperatively necessary to draw up a Code of Disciplinary Regulations to enable glaring military defects to be dealt with in a speedy and comprehensive manner.'[36] Offences were to be divided between 'grave' (treason, cowardice and gross neglect of duty) and 'minor' (all other offences). Grave offences could no longer be treated as leniently as before but commanders were told 'not to make too much fuss about minor failings'.[37] The death penalty was recommended for the 'graver class of crimes if the situation calls for it'.[38] This was a direct response to a number of recent desertions which, without disciplinary measures, could lead to 'large numbers running away in the Western areas. It is absolutely essential to stop this rot.'[39]

The fear of widespread 'running away' points to the seriousness of the issue and the need to ensure that Volunteers carried out their orders. Another significant problem, one at the other end of the scale, involved men acting recklessly or inappropriately on their own authority.[40] These issues were never satisfactorily resolved. As will be seen below, attempts to impose rigidly and consistently a firm system of discipline, and the threat of violence to that end, were largely unsuccessful. This was the case both in terms of the application of disciplinary measures and their results. There was no shortage of discussion within the organisation, but the realities of a localised guerrilla army, reliant largely on the initiative and drive of local leaders, dictated much – if not

[33] Charles Dalton statement (M.A.I., B.M.H., W.S. 434).
[34] *An t-Óglách*, 15 Mar. 1920.
[35] Report on a meeting of brigade commandants, 6 Jan. 1921 (University College Dublin Archives (U.C.D.A.), Mulcahy papers, P7/A/33).
[36] 'Staff Memo: Question of Disciplinary Code', 30 Mar. 1921 (U.C.D.A., Mulcahy papers, P7/A/17).
[37] Ibid.
[38] Ibid.
[39] Ibid.
[40] Augusteijn, *From public defiance*, p. 152.

most – of what happened on the ground. General Headquarters (G.H.Q.) remained reluctant to take decisions that they may not have been able to implement.[41] It was, after all, the local commanders who would be required to inflict punishment on their own men and a delicate balance had to be found between the need to establish authority and the risk of alienating local commands.

General orders no. 17 and 18 were issued on 2 April 1921. Order no. 17 stated that the death penalty could be carried out against a Volunteer in cases involving 'Knowingly conveying information to the enemy', 'Disclosing to unauthorised persons particulars of plans of operations', 'The treacherous surrender to the enemy or destruction of arms or War material', or 'Grave insubordination on active operation duty, involving danger to others and to the success of the operation'. The death penalty required the written consent of G.H.Q.[42] No. 18 noted that members wishing to leave the army could do so 'without any further comment'; they had previously been required to surrender arms.[43] Those who availed of this option were, however, 'warned to preserve silence in all matters concerned with the Army and should be made fully aware of the penalty they incur in endangering by their conversation or action its discipline or morale'.[44] Some local leaders were uneasy about the leniency with which 'deserters' would be treated. Liam Lynch, commander of the 1st Southern Division, was surprised at the order and argued that it 'makes nonesence [*sic*] of the Oath of Allegiance and is a grave danger to Discipline. O.C.s do not know where they are as if a man or men when ordered to an operation, say they are resigning from the Army he will find himself in an odd position.'[45]

In reality, instructions from G.H.Q. only served as guidelines and local officers retained autonomy on disciplinary procedure. With the exception of the death penalty, they were only required to report to G.H.Q. after they had taken action.[46] Officers regularly consulted G.H.Q. for instructions on dealing with internal discipline (they were often less keen to do so when dealing with civilians), but there remained inconsistencies and disagreements over sanctions. Punishment for disciplinary offences varied, and sometimes greatly, from area to area; many more offences went unpunished. In County Cavan, for instance, the I.R.A suffered its most serious setback at Lappanduff when a column sent from Belfast was surrounded in May 1921. One Volunteer was killed and only three escaped arrest. The affair was characterised by incompetence and indiscipline but none of those involved faced formal punishment.[47]

[41] Augusteijn, *From public defiance*, p. 51.

[42] General orders (new series), no. 17 'Death Penalty', 2 Apr. 1921 (U.C.D.A., Mulcahy papers, P7/A/45).

[43] General orders (new series), no. 18 'Deserters', 2 Apr. 1921 (U.C.D.A., Mulcahy papers, P7/A/45).

[44] Ibid.

[45] Officer commanding (O.C.), 1st Southern Division to chief of staff (C.S.), 1 July 1921 (U.C.D.A., Mulcahy papers, P7/A/21).

[46] Augusteijn, *From public defiance*, p. 152.

[47] For Lappanduff and its fallout see: Robert Lynch, *The northern IRA and the early years of partition* (Dublin, 2006), pp 58–62; G.H.Q. organiser, north Cavan to C.S., 6 June 1921 (U.C.D.A., Mulcahy papers, P7/A/18); Seamus McKenna statement (N.A.I., B.M.H., W.S. 1016).

Internal rhetoric often emphasised the value of the death penalty as a means of keeping the rank and file in line. After the July 1921 truce, Michael Brennan was 'absolutely certain that S. Galway will give a very good account of itself in the next phase of the war ... it would have been given if its "Leaders" had all been court-martialled and shot'.[48] G.H.Q. restricted the death penalty to offences that directly threatened military operations and the lives or liberty of colleagues but there were also some calls for 'deserters' to be shot. In County Meath, 'once things began to get serious', a number of Volunteers allegedly 'slunk away into oblivion' and Paddy McDonnell, a battalion intelligence officer, had argued that 'all of the deserters should be shot'.[49] In December 1920, Seamus Robinson, commander of the 3rd Tipperary Brigade, blamed 'desertions and neglect of duty and downright cowardice' for the death of a battalion commandant who was forced to 'do things that perhaps crossed the border into foolhardiness so as to get his men shamed into showing more spirit'.[50] In Robinson's opinion, these 'deserters etc.' had led the army into 'a false position' and allowing men to slack or back out of work so as to be 'drummed out' would only 'cause an avalanche in that direction'.[51] His suggestion was to 'make the terror behind greater than the terror in front by shooting all really bad cases. This may seem too drastic for ordinary times, but now that something of a crisis is on us, we require to show sternness.'[52]

Sir Ormonde Winter, appointed deputy chief of police and head of the special service in Ireland in April 1920, insisted in his 1955 memoir that 'Volunteers under the slightest suspicion were executed without compunction.'[53] He claimed that Tomás MacCurtain, the lord mayor of Cork killed in March 1920, had been unwilling to go to the lengths expected of him by 'Sinn Fein' and 'there is every reason to believe that he was executed as an example to the waverers.'[54] Similarly, the commander-in-chief of the British army in Ireland, Nevil Macready, had little doubt that MacCurtain was 'murdered by extremists of the I.R.A. without instructions from headquarters, as an example of the fate that awaited those who were not whole-hearted towards a policy of indiscriminate murder'.[55] Macready also declared that former and current lords mayor of Limerick, Michael O'Callaghan and George Clancy, killed in March 1921, had been involved in preventing outrages in the city and Clancy had been 'taken to task' for his lack of enterprise as an I.R.A. commander.[56] 'Judging from the methods of the rebels', he wrote, 'the supposition that these two men were murdered by their compatriots as a warning to others who might

[48] Brennan to adjutant general, 25 Sept. 1921 (Military Archives of Ireland (M.A.I.), Collins papers, A/0674).

[49] Seán Farrelly statement (M.A.I., B.M.H., W.S. 1734).

[50] O.C. Tipperary No. 3 Brigade to C.S., 3 Dec. 1920, epitome of seized documents no. 53/3649 (Liddell Hart Centre for Military Archives (L.H.C.M.A.), 7/24).

[51] Ibid.

[52] Ibid.

[53] Ormonde Winter, *Winter's tale: an autobiography* (London, 1955), p. 301. See also Winter's 1921 'Report of the Intelligence Branch of the Chief of Police' in Peter Hart (ed.), *British intelligence in Ireland 1920–21: the final reports* (Cork, 2002), p. 73.

[54] Winter, *Winter's tale*, p. 291.

[55] Macready, *Annals of an active life*, ii, 442–3.

[56] Ibid, ii, 546. See also I.O. [C. J. C. Street], *The administration of Ireland, 1920* (London, 1921), p. 80.

be inclined to dissent from the policy of extremists is by no means extravagant.'[57]

The police were immediately blamed in the widely publicised inquest verdict on MacCurtain's death and it has been generally accepted that it occurred 'almost certainly at the hands of policemen'.[58] Importantly, the inquest's narrative was the one most likely to have been believed at the time. One of those named as responsible in the court's verdict, District Inspector Oswald Swanzy (whose direct involvement was unproven), was tracked to Lisburn and shot dead by the I.R.A. several months later.[59] In contrast, it was the military court of inquiry into their deaths that had first suggested that O'Callaghan and Clancy were the victims of extreme republicans who disapproved of their attempts to limit violent action.[60] But John O'Callaghan has argued that, notwithstanding their potential moderating influence, 'there is no evidence to suggest that the mayors were killed by republicans.'[61] In 1962 Richard Bennett identified a British intelligence officer named George Nathan as the killer and this was followed in 1982 by a claim that two other 'Black and Tans', Sergeants Leech and Horan, had been involved.[62] Winter and Macready's comments are, though, more important here for what they say about the attitudes of senior British officials – and the inference that these were not isolated events but the acts of a decidedly ruthless organisation – than for their factual accuracy.

Chief of Staff Richard Mulcahy's reply to Robinson's call for executions, for instance, shows little evidence of a desire to execute 'without compunction':

> Instructions for such cases to be formally Court Martialled: where found guilty, the least punishment is they should be put on a definite list of deserters for general public knowledge and for future use. All recommendations to death penalty to be referred to Headquarters.[63]

A G.H.Q. training memo emphasised the need to be firm but also a preference for restraint and consideration in some instances:

> As regards the death penalty there is no objection to it for deliberate desertion of his post by a sentry – in fact, there is nothing else for it in such a case. The Death Penalty for Negligence is different – it would depend on the degree or result of the Negligence. Sometimes the Death Penalty for this offence would be undesirable ... no leniency will in future be shown to men who risk the lives of their comrades in such a manner [by desertion of a post].[64]

This more pragmatic approach appears to have been shared by many local leaders. At a court martial held in July 1921 on a group of Tipperary

[57] Macready, *Annals of an active life*, ii, 546.
[58] Hart, *The I.R.A. and its enemies*, pp 78–9, 321.
[59] Ibid, p. 79.
[60] John O'Callaghan, *Revolutionary Limerick: the republican campaign for independence in Limerick, 1913–1921* (Dublin, 2010), p. 146.
[61] Ibid, p. 147.
[62] Ibid; *Irish Press*, 29 Mar. 1961; Marie Coleman, 'O'Callaghan, Michael', in *D.I.B.*
[63] 'C/S's reply to above', epitome of seized documents no. 53/3649 (L.H.C.M.A., 7/24).
[64] 'H.Q. Training Brigade To Each Officer', 12 Apr. 1921 (U.C.D.A., Mulcahy papers, P7/A/47).

Volunteers accused of stealing cattle in the Dundrum area, three of the four presiding officers were in favour of execution. The fourth argued that as there was no order specifically stating that Volunteers were liable to execution for looting, it would set a dangerous precedent; the men were put to unpaid work instead.[65] In another case, a brigade commander in Galway argued against executing a Volunteer who had inadvertently arrived on the scene of an ambush and driven a policeman away.[66] Paddy McDonnell, who called for the shooting of deserters in Meath, was considered 'a little unbalanced' by others in his company.[67]

Similar attitudes and responses were prompted by the emigration of members, 'regarded as cowardly desertion', with only exceptional cases even deemed worthy of consideration.[68] Again, despite strong rhetoric, emigration or attempts to emigrate continued to frustrate and a March 1921 council meeting of the Cork No. 1 Brigade recommended to G.H.Q. that 'after a certain date all Volunteers emigrating without permission to be shot as deserters'.[69] A draft memorandum produced around June 1921 by the Dáil Éireann minister for home affairs, Austin Stack, seemingly intended for circulation in Britain via the Self-Determination League, criticised certain persons who had gone 'on the run' in Britain without permission but had been 'received as "Martyrs"'.[70] Any man leaving Ireland without a permit was to be considered either a 'deserter from the Irish Volunteers' or a 'fugitive from the Republic' and 'treated properly – as DESERTERS'.[71] There is, however, no evidence of a Volunteer being shot for emigrating, and preventing young men from leaving the country proved difficult. On arriving in Glasgow, Roger MacCorley of the Belfast I.R.A. was surprised to see a crowd of Belfast 'refugees' for 'We had issued an order that no able-bodied man was to leave the Brigade area even for a day.'[72]

The Monaghan I.R.A., and Eoin O'Duffy and Dan Hogan in particular, were more ruthless than most. O'Duffy had told James Sullivan that the execution of Patrick Larmer 'would be an example and a warning to the others' and when O'Duffy sentenced another Volunteer to death following a compromised ambush, the man 'left the country and never returned'.[73] Sullivan and John McGahey had argued against Larmer's sentence and McGahey believed that only for Hogan's intervention he would have convinced O'Duffy not to have it carried out. Decades later, McGahey

[65] James Keating statement (M.A.I., B.M.H., W.S. 1220).

[66] O.C. West Connemara Brigade to adjutant general, 1 May 1921 (U.C.D.A., Mulcahy papers, P7/A/19). For newspaper reports of the incident see *Irish Independent* and *Freeman's Journal*, 25 Apr. 1921.

[67] Seán Farrelly statement (M.A.I., B.M.H., W.S. 1734).

[68] *An t-Óglách*, 1 Apr. 1920; adjutant general to O.C. Cork No. 1 Brigade, 1 Apr. 1920 (N.L.I., MS 31,192 (1)). See also: General orders, no. 10 (new series), 1920 'Emigration' 19 June 1920 (U.C.D.A., Mulcahy papers, P7/A/45).

[69] Brigade adjutant, Cork No. 1 Brigade to adjutant general, 26 Mar. 1921 (U.C.D.A., Mulcahy papers, P7/A/19).

[70] Draft memorandum from minister for home affairs, *c.*June 1921 (N.A.I., DÉ 2/8/27).

[71] Ibid.

[72] Roger MacCorley statement (U.C.D.A., Ernie O'Malley notebooks, P17b/98).

[73] James Sullivan statement (M.A.I., B.M.H., W.S. 518), quoted in McGarry, *Eoin O'Duffy*, p. 63.

remained adamant that the execution 'was much too drastic'.[74] The attempts to save Larmer and the retrospective regret – no more than the rarity of such cases in the first instance – make it clear that shooting a Volunteer was uncomfortable for those involved and widely undesirable. In a war that was as often characterised by the absence of extreme violence as by its presence – particularly when compared to contemporary conflicts elsewhere – such reticence is perhaps unsurprising.[75]

It was, after all, one thing to justify shooting a uniformed servant of the crown or a civilian informer but it was something entirely different to kill one of your own. Close, personal – and often familial – bonds existed within local I.R.A. units and small groups of men 'on the run', sharing the same experiences, naturally developed a sense of loyalty towards each other, a loyalty that could supersede their loyalty to army hierarchy. It was, for example, only what Augusteijn describes as 'the strong bonds of friendship that evolved in the columns' that prevented the court martial of men who fled the scene of three ambushes in Mayo – an offence that could have carried the death penalty.[76] Equally, personal loyalty and commitment made coercion and punishment unnecessary among core groups of active gunmen. Fitzpatrick has observed how the need for self-preservation that contributed to the uncoordinated drift into columns also produced tighter, more disciplined, and effective fighting groups.[77] The columns may not have always felt they owed allegiance to G.H.Q., or that they were beholden to regulations coming from Dublin, but internal dynamics could be enough to negate the need for punishment.[78]

Why did individual Volunteers disobey orders and refuse to fight? Fear must have played its own part, but protecting livelihoods seems to have been similarly important. Seamus Robinson blamed neglect of duty in Tipperary not on 'personal cowardice' but on 'fear of their property'.[79] In other cases Volunteers actively provided the police and military with information to sabotage I.R.A. operations and prevent reprisal attacks. In Meath, information was leaked to the police from within the ranks of the I.R.A. about at least two planned operations.[80] One reason suggested by Meath Volunteers interviewed by Oliver Coogan was the fear of reprisals (as had taken place after the attack on Trim R.I.C. barracks in September 1920) and this, Coogan noted, 'from the point of view of military discipline, could not possibly be condoned but it may explain why men of apparently impeccable republican credentials may have found themselves double-dealing with the police to ensure the safety of their community.'[81] It is likely that individuals were suspected of informing but no one was punished, perhaps reflecting an unspoken communal acceptance of such behaviour.

[74] Ibid.; John McGahey (M.A.I., B.M.H., W.S. 740). See also, McGarry, *Eoin O'Duffy*, pp 63–4.
[75] See, for example, T. K. Wilson, *Frontiers of violence: conflict and identity in Ulster and Upper Silesia, 1918–1922* (Oxford, 2010).
[76] Augusteijn, *From public defiance*, p. 141.
[77] Fitzpatrick, *Politics and Irish life*, p. 181.
[78] Townshend, *Political violence in Ireland*, p. 337.
[79] O.C. Tipperary No. 3 Brigade to C.S., 3 Dec. 1920, epitome of seized documents no. 53/3649 (L.H.C.M.A., 7/24).
[80] Sean Boylan statement (M.A.I., B.M.H., W.S. 1715).
[81] Oliver Coogan, *Politics and war in Meath 1913–23* (Dublin, 1983), pp 162–3.

Gerard Murphy has noted how spies from within the I.R.A.'s own ranks 'tended to disappear without trace' and that anecdotal evidence suggests there were more than he could account for in Cork alone.[82] Relying on anecdotes alone is, however, unsatisfactory, as are any related assumptions about members of the I.R.A. executed and 'disappeared' without evidence. Killing in this way relinquished the wider coercive value that was identified as one important feature of the use of the death penalty internally, if not the capacity for disconcerting local rumour and speculation. It may have been considered expedient in some circumstances to kill an internal 'spy' secretly – civilians were also shot and buried or hidden in a minority of documented cases (and potentially in more that went unrecorded) – though this is difficult to prove.[83] But even for those who were killed and for whom evidence survives, accounts are often shadowy; there is a sense that they were different, the subject of rumour and misinformation. Dublin I.R.A. intelligence officer Vincent Fovargue was supposed to have given information under British interrogation or torture and was allowed to 'escape' from a military lorry in February 1921 and cross to England.[84] Even with his unusual surname, there was initial confusion as to whether the Vincent Fovargue found shot dead on a Middlesex golf course was the same man who had previously escaped from a British lorry.[85] Similarly, the first newspaper reports of the deaths of Patrick Larmer and Francis McPhillips (a member of the Ancient Order of Hibernians) named the latter while the former remained unidentified for over a week.[86] In Limerick, members of the 2nd battalion of the Limerick Brigade shot James Dalton, an active Irish Volunteer and Irish Republican Brotherhood member (though seemingly less so after 1916), as an alleged informer. Dalton was well-known in Limerick and his death was very firmly in the public domain but characterised more by rumour, accusation, and denial than fact; his guilt or otherwise, and the exact motivations for his death, remain unclear.[87]

In his 1974 book *Execution*, Sean O'Callaghan described – on the information of Cork I.R.A. veteran Frank Busteed – the suspicion, capture, confession (under the promise of a free passage and fifty pounds), and execution of 'an I.R.A. man nicknamed "Din-Din", a Kerryman'.[88] In *The I.R.A. and its enemies*, published in 1998, Peter Hart gave a detailed account of the killing of R.I.C. Sergeant James O'Donoghue in November 1920 and the reprisal killings by police that followed. Based on Busteed's description and an interview with Elizabeth O'Connor given in 1969 and held in private papers, Hart described how suspicion for a police tip-off on O'Donoghue's killers fell on 'Denis "Din-Din" O'Riordan', followed by

[82] Murphy, *The year of disappearances*, p. 40.

[83] Padraig Óg Ó Ruairc, *The truce: murder, myth and the last days of the Irish War of Independence* (Cork, 2016), p. 80; Hart, *The I.R.A. and its enemies*, p. 321.

[84] Charles Dalton statement (M.A.I., B.M.H., W.S. 434).

[85] *Irish Independent*, 6 Apr. 1921; *Irish Times*, 6 Apr. 1921.

[86] *Freeman's Journal*, 10 Mar. 1921; *Anglo-Celt*, 12 Mar. 1921. Larmer was named in the *Anglo-Celt* on 19 Mar. 1921.

[87] See O'Callaghan, *Revolutionary Limerick*, pp 175–7; Daniel Murray, 'In the presence of his enemies: the controversy of James Dalton' (http://www.theirishstory.com/2015/03/09/in-the-presence-of-his-enemies-the-controversy-of-james-dalton-may-1920/) (28 Oct. 2016).

[88] Sean O'Callaghan, *Execution* (London, 1974), pp 59–62.

his execution in April 1921.[89] The shooting of an I.R.A. informer in this way was also narrated by Fianna member George Hurley, who told the Bureau of Military History (B.M.H.) that 'An I.R.A. man suspected of giving information as to who shot Sergeant O'Donoghue was later apprehended and executed by the I.R.A.'[90] In 1957, Leo Buckley left a statement with the B.M.H. describing the shooting of Denis Donovan – nicknamed 'Din Din' – 'as a spy on Brigade instructions' for giving information to the R.I.C. on the shooting of O'Donoghue; Donovan was supposedly close to members of the local I.R.A. but is not described as a member himself.[91] In April 1921, the R.I.C. had reported that Denis Donovan was a 'Sinn Feiner' who had been shot for taking part in a robbery without authority, while the military inquiry in lieu of inquest suggested that he was the victim of those who had been involved in the robbery.[92] Hart, it seems, took the name O'Riordan from Elizabeth O'Connor – who was possibly mistaken – and suggested that as there was no other record of the shooting of a Denis O'Riordan, 'he was alone in the city and simply disappeared.'[93] Denis Donovan, though, did not disappear; he was shot and killed by the I.R.A. in April 1921. If his membership of the I.R.A. and the motivations for his killing are contested, his death is not. There may never have been a 'Denis O'Riordan' as Elizabeth O'Connor remembered. Another anonymous 'I.R.A. man' in O'Callaghan's book who told 'Din-Din' there was 'easy money to be earned' in informing, and was also shot, similarly seems to have vanished from the record, if he ever existed at all.[94] But what is most revealing here are not the facts of the case, rather the layers of mystery and confusion that have developed around the killing of a man either in, or very close to, the Cork I.R.A.

The memoirs and witness statements describing these events must be treated with some caution. Written or collected decades after the events they describe, sources like the B.M.H. statements are subject to all the failings (as well as the possibilities) of any oral or written testimony, including politicisation, failing memory, subjectivity, and appeals to posterity.[95] I.R.A. veterans say that Vincent Fovargue 'turned' informer but Peter Hart has stated that he was 'planted' in the Dublin I.R.A.[96] In Tipperary, newly married John Buckley

[89] Hart, *The I.R.A. and its enemies*, pp 14–15.

[90] George Hurley statement (M.A.I., B.M.H., W.S. 1630).

[91] Hart, *The I.R.A. and its enemies*, p. 15; Leo Buckley statement (M.A.I., B.M.H., W.S. 1714).

[92] See Andy Bielenberg and James S. Donnelly, 'List of suspected civilian spies killed by the IRA, 1920–21', pp 60–2 (http://theirishrevolution.ie/wp-content/uploads/2017/01/CorkSpyFilesDatabase09.01.2017.pdf) (25 Nov. 2017). Note the labelling of Donovan here as a civilian.

[93] Hart, *The I.R.A. and its enemies*, p. 15, n. 56.

[94] O'Callaghan, *Execution*, p. 62.

[95] Fearghal McGarry, 'Violence and the Easter Rising' in Fitzpatrick (ed.), *Terror in Ireland*, pp 43–4; Eve Morrison, 'Bureau of Military History witness statements as sources for the Irish Revolution' (http://bureauofmilitaryhistory.ie/files/Bureau_of_Military_witness_statements%20as_sources%20for_the_Irish%20Revolution.pdf) (25 Nov. 2017).

[96] David Neligan, *The spy in the castle* (Dublin 1999), p. 129; Frank Thornton statement (M.A.I., B.M.H., W.S. 615); Charles Dalton statement (Ibid., W.S. 434); Joseph Kinsella statement (Ibid., W.S. 476); Peter Hart, *The I.R.A. at war, 1916–1923* (Oxford, 2003), pp 156–7.

was alleged to have been shot as he had stopped attending night manoeuvres with his I.R.A. company.[97] Contradicting evidence given at the inquest into Buckley's death, Tadhg Crowe maintained that he was labelled a 'spy' by 'police in civilian clothes' and there was 'no doubt about his integrity'.[98] Seamus Robinson, so keen to shoot 'all really bad cases' in December 1920, remained revealingly silent on the matter in his statement to the Bureau.[99]

The errors, silence, and mystery should not be surprising given the obvious discomfort surrounding the issue. Sources suggest that the bodies of some of the men mentioned above were labelled with the traditional calling card of 'spies and informers', a process firmly associated with the deaths of civilian informers.[100] When 'Din-Din' is described as an 'I.R.A. man' (as in O'Callaghan's *Execution*) his shooting was hidden from public consumption: 'They shot him and buried him at the Viaduct. Next night they shot the other I.R.A. contact.'[101] It was their 'paymaster', the manager of Woodford Bournes' wine and spirit merchants, who was labelled with the usual 'Spies Beware – I.R.A.' calling card (another killing unrecorded elsewhere).[102] In Leo Buckley's account 'Din Din' was on intimate terms with local officer Dick Murphy and 'we all got to know Donovan well', but, as noted above, with no suggestion that he was actually a member of the organisation: 'He was shot in Ballygarvan on 14th April, 1921, and a label "spies and informers beware" placed on his chest.'[103]

It might also have been, as Gerard Murphy has pointed out, preferable to look outside the organisation for traitors, or to direct the blame elsewhere. Seán O'Hegarty either refused to heed or decided not to believe warnings that information was being passed to crown forces from within the ranks in Cork city; Florence O'Donoghue later insisted that Patrick 'Cruxy' Connors, an ex-soldier who worked for British intelligence, was the only traitor there.[104] But decades later Thomas Crawley could recognise that in Roscommon 'We were damned right from the start by having traitors and agents among us and in the area and we were never really able to get control over this situation or eliminate that danger.'[105] His brigade intelligence officer was 'found out to be an Intelligence agent for the British' who was able to leave the country 'and was never got'.[106] Eunan O'Halpin has suggested that there may have been many more Volunteers acting as informers in local units across Ireland, 'Yet most seem to have gone undetected, or at least unpunished.'[107]

[97] Dolan, 'The shadow of a great fear', p. 36.
[98] Tadhg Crowe statement (M.A.I., B.M.H., W.S. 1658).
[99] Seamus Robinson statement (M.A.I., B.M.H., W.S. 1721).
[100] Patrick Larmer's body was found labelled in this way, as was McPhillips's: *Freeman's Journal*, 10 Mar. 1921; *Anglo-Celt*, 12 Mar. 1921. A sign stating 'Let Spies and informers beware – I.R.A.' was found on Fovargue's body: Hart, *The I.R.A. at war*, p. 157.
[101] O'Callaghan, *Execution*, p. 62.
[102] Ibid, p. 63. See also Bielenberg and Donnelly, 'List of suspected civilian spies killed by the IRA, 1920–21', pp 60–62.
[103] Ibid.
[104] Murphy, *The year of disappearances*, pp 67–8.
[105] Thomas Crawley statement (M.A.I., B.M.H., W.S. 718).
[106] Ibid.
[107] O'Halpin, 'Problematic killing', p. 334.

Did the death penalty have to be carried out often, or at all, to be effective? Talk, threats, and rumour may have been enough to maintain focus and keep wavering Volunteers in line, or at least convince them to steer clear of 'grave' offences. There was certainly no desire to execute Volunteers in any great numbers and it was, instead, generally accepted that one or two executions might scare others sufficiently to neutralise any further problems. Ernie O'Malley complained of the looting by Volunteers in Tipperary in July 1921 and asked if 'the capital punishment' could be carried out on those guilty as 'Nothing short of the latter will prevent its spread'.[108] Kevin O'Higgins agreed that 'if a few are shot now for it it will be all right', though, as seen above, capital sentences were not ultimately issued.[109] G.H.Q. noted that the death penalty would be 'undesirable' for some cases of negligence but added, crucially, that 'power to inflict it should always be recognised'.[110] Ormonde Winter and Nevil Macready may or may not have actually believed the I.R.A. was capable of executing their own for weakness, and without remorse, but in some ways it was equally logical for the crown forces to portray the I.R.A. in this way. It made sense for them to tell themselves, and the readers of their memoirs, that this was the kind of army they had been up against. It had also made sense at the time to tell their own rank and file that the bulk of the I.R.A. was afraid, coerced into action by the fear of a bullet from a core of extreme gunmen, whether or not there was definitive evidence to support the assumption.

Attitudes and responses to indiscipline should also be examined further down the spectrum of perceived offences. Once again, I.R.A. leaders were not always keen to follow up on rhetoric in practice, to conduct courts martial and dispense punishment, even for minor offences. Kerry Volunteer Peter Browne claimed it was only necessary to punish Volunteers for very serious breaches of discipline. Even then, he insisted, the sanction usually only consisted of 'a day or so many days, according to the nature of the offence, doing guard duty for 12 hours or working for some farmer, generally for one of the Volunteer officers who, because of his service in the Volunteers, was behind in his farm work'; such punishment was, apparently, 'given and taken in a good spirit and no bitterness resulted'.[111] This may not seem like an ideal disciplinary structure, but perhaps had some logic among part-time, volunteer soldiers. Some leniency was perhaps sensible when there was a risk of pushing discipline too far: threats of shooting on rank and file Volunteers 'suspected of wavering' in Louth only seems to have convinced them to inform anonymously on their superiors in a bid to get them arrested.[112]

Local ties, allegiances, and conflicts were often deciding factors when decisions were made about the extent and nature of discipline and punishment. Individual units were guilty of refusing to punish a member of their own group or ignoring the orders of superiors, particularly when it came to a reduction in

[108] C.S. to director of intelligence, 12 July 1921 (U.C.D.A., Mulcahy papers, P7/A/21).
[109] Assistant C.S. reply to letter from C.S., 18 July 1921 (U.C.D.A., Mulcahy papers, P7/A/22).
[110] 'H.Q. Training Brigade To Each Officer', 12 Apr. 1921 (U.C.D.A., Mulcahy papers, P7/A/47).
[111] Peter Browne statement (M.A.I., B.M.H., W.S. 1110).
[112] M.C.R., I.G., Mar. 1921 (T.N.A., CO 904/114).

rank for locally appointed officers. In the Donoughmore battalion in Cork, the men threatened to leave when their commandant was court-martialled and dismissed.[113] Seán Moylan, commandant of Cork No. 2 Brigade, requested permission from Mulcahy to 'deal quietly' with local officers proposed for court martial as a reduction in rank 'might have a bad effect on the Rank and File'.[114] He had previously been forced to back down and reinstate an officer dismissed for failing to obey orders.[115] Similarly, Seán Boylan's repeated calls for the dismissal of a Meath battalion adjutant who had refused to bring cartridges to an ambush site went unheeded by the battalion staff.[116]

The commandant of the West Donegal Brigade offered what appears to have been a rare example of stern and effective punishment for a minor offence. After eleven men disobeyed an order to cut a railway line, three 'ringleaders' were deported and 'various sentences' carried out on the rest. The use of men outside the company to arrest and guard the men meant 'the effect has been most salutary to possible slackers'.[117] Mulcahy was 'particularly pleased with the businesslike specimen of disciplinary action which you record. Other Brigades have had their troubles in this particular direction, but I have not heard of a case being dealt with in such a businesslike fashion.'[118] Similarly drastic, but less effective, was the occasional use of flogging (opposed by G.H.Q. and banned in the British army in 1881). The men of a battalion in Meath were arrested on G.H.Q. orders for failing to take part in an ambush in early 1921. The commandant refused to hand over arms and was flogged along with some of his officers: 'When all threats and persuasions failed there was no alternative but to have recourse to the dreadful remedy of flogging.'[119] It did not have a positive effect as 'Every I.R.A. man who was a friend or relative of those degraded were in a very unsettled state with the result that the situation in the area was in a very bad way.'[120] Fines might have been a useful (if unpopular) way to punish dissent and raise much-needed cash but rarely seem to have been considered as a viable option. A Volunteer in Limerick who refused to obey orders was fined £5 but even this paled in comparison to the £50 collected by the same company from a farmer who handed his rifle over to 'Black and Tans'.[121]

[113] Hart, *The I.R.A. and its enemies*, p. 215.
[114] O.C. Cork No. 2 Brigade to C.S., 13 Jan. 1921, epitome of seized documents no. 53/3649 (L.H.C.M.A., 7/24).
[115] Hart, *The I.R.A. and its enemies*, p. 215.
[116] Sean Boylan statement (M.A.I., B.M.H., W.S. 1715). Boylan was suspicious that the adjutant had been paid to supply information to the R.I.C. and his suspicions appear to have been confirmed later.
[117] O.C., West Donegal Brigade to C.S., 7 Mar. 1921 (U.C.D.A., Mulcahy papers, P7/A/39).
[118] C.S. to O.C., West Donegal Brigade, 22 Mar. 1921 (U.C.D.A., Mulcahy papers, P7/A/39).
[119] Seán Farrelly statement (M.A.I., B.M.H., W.S. 1734).
[120] Ibid. For G.H.Q. opposition to flogging see: 'Staff Memo: Question of Disciplinary Code', 30 Mar. 1921 (U.C.D.A., Mulcahy papers, P7/A/17); Michael Collins to ?, 2 July 1921 (U.C.D.A., Mulcahy papers, P7/A/21); Seán Farrelly statement (M.A.I., B.M.H., W.S. 1734). Two civilians who committed a robbery were also flogged as a punishment by Meath Volunteers (Seán Boylan statement (M.A.I., B.M.H., W.S. 1715)).
[121] Mossie Harnett, *Victory and woe: the west Limerick brigade in the war of independence*, ed. James J. Joy (Dublin, 2002), pp 90–91.

II

In March 1920, the 1st Manchester Regiment of the British army recorded that in Millstreet, County Cork, a Father Brennan had been asserting his influence over the local youth: 'he has compulsorily enrolled all the young men in the district in the I.R.A. One method of enforcing enlistment was by prohibiting owners of threshing machines to hire their machines to farmers whose sons were not enrolled.'[122] In November, the *Weekly Summary*, a propaganda organ for the crown forces, quoted an article claiming that I.R.A. recruitment was less 'brisk' than before owing to the success of British forces and the growing republican casualty list. 'Sinn Fein has had recourse to a sort of conscription of young farmers', it argued, 'Notices have been posted up (in one case in a church in the Galtees) warning young farmers that if they did not enlist in the I.R.A. they would be prevented from bringing their cattle to the fair.'[123] By March 1921, the R.I.C. C.I. for Westmeath (a relatively 'quiet' county) was confident that the I.R.A. were finding it necessary to resort to 'conscription' and added that the only way for young men to 'escape' was by obtaining a medical certificate.[124] In May, it was reported that in some localities in Mallow, County Cork, a 'fresh mobilisation or conscription is ordered'.[125]

It might be no surprise that the police and army would emphasise force over patriotism in I.R.A. participation, but neither should their claims be dismissed out of hand. Stathis Kalyvas has pointed out that in irregular war 'many fighters are conscripted or abducted' and that even during civil wars where 'individuals are supposed to have extremely strong preferences, participation often results from conscription'.[126] In the case of the I.R.A.'s war, the exact nature of 'conscription' remains difficult to track – those who silently obeyed for fear of the consequences were unlikely to describe it in that way afterwards – and it is the failures and refusals that remain best documented.

During a raid on the home of George Nicolls, a Protestant farmer in County Cavan, in April 1922, he was told to give up his farm. He ruefully told the Irish Grants Committee (I.G.C.) – a Treasury-funded scheme of compensation for southern Irish loyalists – that 'if I had to join up with the rebels to shoot down his Majesty's forces, as some of my Protestant neighbours have done, I would not be raided at all'.[127] The I.G.C. files offer an unmatched range and variety of first-hand civilian testimony but their accounts must be treated with the same caution as I.R.A. witnesses. Applicants for compensation would inevitably portray themselves as victims, and emphasise (or exaggerate) their suffering at the hands of republicans. The terms of reference – most obviously a requirement to prove loss on the basis of 'allegiance to the government of the United Kingdom' – further framed and influenced the testimony.[128]

[122] Benjamin Laurence Bradley, 'The British army in Ireland 1916–1921: a social and cultural history' (Ph.D. thesis, University of Hull, 2007), p. 128.
[123] *Weekly Summary*, 5 Nov. 1920.
[124] M.C.R., C.I., Westmeath, Mar. 1921 (T.N.A., CO 904/114).
[125] M.C.R., CI, Mallow, May 1921 (T.N.A., CO 904/115).
[126] Stathis Kalyvas, *The logic of violence in civil war* (Oxford, 2006), p. 96 and n. 14.
[127] Irish Grants Committee (I.G.C.), George William Nicolls (T.N.A., CO 762/175/18).
[128] For the I.G.C. and the use of its files see Niamh Brennan, 'A political minefield: southern Irish loyalists, the Irish Grants Committee and the British government,

Nevertheless, applicants were left reasonably free to decide how they would present their loyalty and Nicolls's broader suggestion that a failure to assist or participate in republican activity had seen him suffer financial loss was often repeated.

Edward Goldrick had refused to 'join the Sinn Fein movement or support them in any way' as early as 1918.[129] His brother was serving with the R.I.C. in Cavan and Goldrick was boycotted, fired at, harassed, and claimed that he had lived in constant fear of being shot.[130] T. J. Lush was approached three times to join Sinn Féin and the I.R.A. He refused and was informed that 'as I wasn't with the movement I was an enemy' before a boycott was imposed upon him; he told the committee that if 'I had joined Sinn Fein when approached to do so I would be about 8 thousand pound the better today'.[131] Similarly, if less dramatically, James Kennedy refused to join the I.R.A. in Leitrim and was told 'they would make a pauper of me', claiming the threat was carried out by damaging or taking away £40 worth of goods.[132] In Queen's County (Laois), Patrick Donnelly alleged that he was approached in June 1921 and asked to join the local I.R.A. unit. He had previously 'roused the ill-feeling of the Republicans', he said, by driving a R.I.C. constable to Wexford. Following his refusal, which 'intensified the bad feeling', Donnelly was boycotted and his car was regularly taken from him by the I.R.A. after the Truce.[133] In the same county both Isabella Chambers and Anna Maria Martyn claimed that they were subjected to petty persecution and boycotting after their sons refused to join the I.R.A. in 1921.[134] Julia Neligan blamed the boycott of her County Cork business on 'the fact of my late husband and our family being Loyalists and the refusal of our four boys ... to join the Anti-British forces'.[135]

Given their military training and experience, ex-soldiers were potentially valuable recruits for the I.R.A.[136] Steven O'Connor has found information on 121 ex-soldiers who joined local I.R.A. units, while many more remain undocumented.[137] Some were approached by local officers and joined willingly, while others like Tom Barry in west Cork actively sought out membership.[138] There is also a suggestion, particularly in British records, that threats were used. In Carlow, Patrick McGrath, ex-Royal Air Force, was

1922–31' in *I.H.S.*, xxx, no. 119 (May 1997), pp 406–19; R. B. McDowell, *Crisis and decline: the fate of the southern unionists* (Dublin, 1997) pp 130–62; Gemma Clark, *Everyday violence in the Irish Civil War* (Cambridge, 2014), pp 18–53.

[129] I.G.C., Edward Goldrick (T.N.A., CO 762/36/14).

[130] Ibid.

[131] I.G.C., T. J. Lush (T.N.A., CO 762/21/11).

[132] I.G.C., James Kennedy (T.N.A., CO 762/160/13).

[133] I.G.C., Patrick Donnelly (copy) (P.R.O.N.I., D9/B/3/9).

[134] I.G.C., Isabella Chambers (copy) (P.R.O.N.I., D9/B/3/8); I.G.C., Anna Maria Martyn (copy) (P.R.O.N.I., D9/B/3/11).

[135] I.G.C., Julia Neligan (T.N.A., CO 762/32/16).

[136] Jane Leonard, 'Getting them at last: the I.R.A. and ex-servicemen' in David Fitzpatrick (ed.), *Revolution? Ireland 1917–1923* (Dublin, 1990), pp 119–29; Paul Taylor, *Heroes or traitors? Experiences of southern Irish soldiers returning from the Great War, 1919–1939* (Liverpool, 2015), pp 13–15.

[137] Steven O'Connor, 'Database of Irish ex-servicemen in the I.R.A., 1919–21' (unpublished).

[138] Tom Barry, *Guerrilla days in Ireland* (Dublin, 1949; repr. 1981), p. 5.

approached in 1921 by the local I.R.A. company and 'ordered to join their columns or leave the place'.[139] On refusing, he was kidnapped and warned to leave or be shot 'as a spy'.[140] In July 1920, the commander of the British army's 6th Division, Lt. Gen. Peter Strickland, reported his fear that sixteen ex-soldiers in Callan, County Kilkenny, who had been 'largely responsible for the peace in the district', would be 'compelled to join the Sinn Fein Party as their leader has recently been compelled to leave the Country'.[141] There is, however, little solid evidence indicating that ex-soldiers joining the I.R.A. had been coerced. One ex-soldier named Shields joined the Kanturk flying column. A British intelligence officer's diary states that he was 'conscripted' into the I.R.A., but members of the battalion claimed that he 'offered his services to Denis Lyons and was accepted ... despite the wishes of the local Company Captain'.[142] If Shields was indeed 'conscripted', his case demonstrates why there was little point in forcing unwilling men into the movement. Soon after joining he allegedly informed the authorities about two ambushes (perhaps, as Peter Hart has suggested, as a result of suspicion and ill-treatment by his comrades), leading to the deaths of a number of Volunteers.[143] Similar problems arose with inactive Volunteers who were forced into action as scouts, couriers, or road breakers. When captured they often talked and repudiated the I.R.A.[144]

The evidence of (often unsuccessful) attempts to coerce individuals raises wider questions about the nature and extent of forced participation. Why was one ex-soldier targeted when most were not? Why approach the son of a well-known local loyalist and leave most of his peers alone, loyalist or otherwise? Much of this was dictated by inherently local conditions and by often-imperceptible communal relations. The nature and frequency of violence fluctuated and with it both the needs of the local I.R.A. and the impact of threats or petty persecution on members of a community. Moreover, though applicants to the I.G.C. framed their testimony around their politics and allegiances, and used this to suggest why they had been targeted, individuals may equally have been sought after based on local perceptions about their skills, competency, influence on others, or, indeed, weakness as perceived 'soft' targets. Patrick Donnelly and T. J. Lush's cars were useful commodities, for instance, and were taken away anyway when refused voluntarily.[145] Other personal attributes known to local members of the I.R.A. and not necessarily available to historians – mentality, stubbornness, volatility – might also be considered as reasons why some were asked to join and others were not. There

[139] I.G.C., Patrick A. McGrath (T.N.A., CO 762/60/7).
[140] Ibid.
[141] Weekly intelligence summary, 6th Division, 12 July 1920 (Imperial War Museum (I.W.M.), P363).
[142] Hart, *The I.R.A. and its enemies*, p. 149; Denis Mulchinock, Michael Courtney, Jeremiah Murphy statements (M.A.I., B.M.H., W.S. 744). Hart names the ex-soldier as Dan Shields but in B.M.H. W.S. 744 he is named William Shields. A number of other Cork witness statements, which all claim that he was the source of the leak, simply refer to him as 'Shiels'.
[143] Hart, *The I.R.A. and its enemies*, p. 260.
[144] Ibid., p. 259.
[145] I.G.C., Patrick Donnelly (copy) (P.R.O.N.I., D9/B/3/9); I.G.C., T.J. Lush (T.N.A., CO 762/21/11).

is no evidence of widespread, systematic conscription and the absence of a clear pattern suggests that its defining characteristic is that very lack of a pattern, bound up as it was in a range of individual and local motivations, personal opinions, and prejudices. Those same factors, more or less evident at different times or in different places, are found in the decision to join and to participate: many followed friends and family; some were enthusiastic but lost their enthusiasm when things got serious; others may have been afraid not to join, were reluctant and remained so, or grew into it and were radicalised as the conflict progressed; others still were consistently keen and committed, leading and influencing those around them.[146]

After July 1921, and the arrival of a truce and ceasefire, significant numbers of men joined the ranks of the I.R.A. Certainly, membership was a more attractive proposition during 'peacetime' but post-Truce police reports also regularly referred to what they saw as I.R.A. 'conscription'. In September, the C.I. in Kildare had sarcastically observed that 'Conscription is, or has been, hard at work in this liberty loving and preaching land: Nationalist or Unionist, no civilian has been left alone. It is said that the County Kildare Army has been increased by 5000 more valiant men.'[147] The British army reported in the same month that 'young men have been enrolled and even ex-soldiers, who in the main had kept aloof from the rebel organisation in the past, have now been induced to join'.[148] In Skibbereen, County Cork, it was reported in October that up to that point only nationalists had been targeted, and many had gone 'fairly cheerily', but an extract from a speech by local I.R.A. leader Con Connolly caused some concern: 'Before this day week or at farthest before month [*sic*], we must have all creeds and classes in the Volunteers. Anyone who will not join let him leave the country.'[149] The report claimed that while Protestants had not previously been targeted,

> great alarm is felt among Protestant residents as it is expected they will be called up when a Protestant Commandant and Protestant drill instructor can be procured to take charge of and train them. None of these will go willingly, but if they refuse they are faced with the prospect of having to leave the country.[150]

Reports of the establishment of I.R.A. camps throughout the country noted that local men of military age had been rounded up or served notices ordering them to report for training at certain times and suggested that most complied with the orders, however reluctantly. James Grogan, for example, was forcibly taken from his place of work in Monaghan by four men in September 1921. The local police reported that:

> Grogan is an advanced Sinn Feiner (or Republican) but does not approve of militant methods of obtaining the Republican ideal. It is thought that

[146] The most sophisticated study of the motivations for joining and participating remains Hart, *The I.R.A. and its enemies*, pp 134–64.
[147] M.C.R., C.I., Kildare, Sept. 1921 (T.N.A., CO 904/116).
[148] 'The military situation in Ireland at the end of September, 1921' in 'Record of the rebellion in Ireland 1920–21 and the part played by the army in dealing with it, volume I: operations' (T.N.A., WO 141/93).
[149] Breaches of the Truce, Cork (T.N.A., CO 904/152).
[150] Ibid.

> Grogan received instructions to attend an I.R.A. training camp and that he ignored the order or else refused to comply – hence his removal by force.[151]

Loyalists were also targeted and punished for refusal. Thomas Bradley's son was tied to a chapel gate in Timahoe, Queen's County, in February 1922 after he had refused to join an I.R.A. ambush.[152] Where coercion took place, it did so without G.H.Q. sanction as a letter from Mulcahy to the lord mayor of Dublin in October made clear: 'as the Dail has not yet passed a conscription act, no one has any authority to serve such notices.'[153]

It was one thing to recruit men during a truce, it was another to get them into the field should violence resume. In Leitrim the police noted that: 'There is a difference of opinion as to whether the I.R.A. would again mobilize but it is probable that it would owing to the strict discipline, although there might be some defaulters.'[154] In Clare, the C.I. was 'quite certain that the I.R.A. could again call out the men in large numbers'.[155] His counterpart in Limerick claimed that the men who had been on the run were not anxious to return to fighting but erred on the side of caution, noting that 'it would not be judicious to express a decided opinion as to what they would do if they were ordered by their leaders to take the field again'.[156] In Kerry there was, apparently,

> a general belief that in the event of the present negotiations breaking down and fighting being resumed, the rebel leaders will experience great difficulty in again mobilizing the rank and file. Members of the rank and file who have returned to their homes state they will not go back to the I.R.A. On the other hand there are still extremists at large and from what we have learned of their methods during the past year or so, there is no reason to doubt the supposition that they would not have much difficulty in again terrorizing the smaller fry and compelling them gradually to rejoin the I.R.A. but those who do join will do so unwillingly and the effect on their morale will be such as to render their fighting value negligible.[157]

This was, of course, all speculation. As it turned out, when fighting did resume it was not against the crown forces.

III

Police and military officers believed, or at least articulated the idea, that the majority who participated in I.R.A. 'outrages' did so out of fear of the

[151] Breaches of the Truce, Monaghan (T.N.A., CO 904/156A). Another report mentioned that Grogan had been interned in 1916: a James Grogan from Tyrone is included in a list of internees sent from Richmond Barracks in Dublin to Wandsworth after the Easter Rising: *Sinn Féin Rebellion handbook: Easter 1916* (Dublin, 1917), p. 79.

[152] I.G.C., Thomas Bradley (copy) (P.R.O.N.I., D989/B/3/8).

[153] Mulcahy to Lord Mayor of Dublin, 24 Oct. 1921 (U.C.D.A., Mulcahy papers, P7/A/36). A complaint had been received about conscription notices served on employees of a firm in Ballaghaderreen, County Roscommon.

[154] M.C.R., C.I., Leitrim, July 1921 (T.N.A., CO 904/116).

[155] M.C.R., C.I., Clare, July1921 (T.N.A., CO 904/116).

[156] M.C.R., C.I., Limerick, July 1921 (T.N.A., CO 904/116).

[157] M.C.R., C.I., Kerry, July 1921 (T.N.A., CO 904/116). See also, 'Record of the rebellion' (T.N.A., WO 141/93).

consequences. Wavering and hesitant Volunteers could be immersed into acts of violence and thereby tied to the movement by threat, but coercion had its disadvantages. Reluctant men who were asked to take part in raids, ambushes, or assassinations could hardly be trusted to carry through their assignments efficiently. On occasions, ambushes had to be cancelled as they were deliberately jeopardised by Volunteers fearing for their safety or property; on others, Volunteers fled ambush sites. Forced 'conscription' into the ranks had the dual benefit of increasing company strength and forming a 'closed shop' within a community, but also had its limitations. It was difficult enough to convince members who had joined of their own volition to engage the enemy without attempting to do the same with loyalists or those who had preferred to remain aloof. Rather than continue to pursue obstinate individuals, the I.R.A. often punished them for their refusal through boycotting, raids, and destruction of property. When personal risk had all but disappeared during the Truce men flooded in to the ranks of the I.R.A. More advanced attempts at 'conscription' could be carried out without the interference of the police and those who had refused, either before or after the Truce, were far more susceptible to retribution.

In a regular army it was the fear of punishment that motivated soldiers to follow orders, even when they found them objectionable. Within the I.R.A. there was clearly tension between the desire to turn the organisation into a 'regular army' and the idealism of a volunteer, willing to do whatever was necessary for the sake of the cause. Seamus McKenna, originally from Belfast but transferred to a Cavan active service unit, for example, was suspicious and critical of ex-soldiers in the column: 'whilst their fighting qualities left nothing to be desired, their conception of discipline was that enforced by punishment in a regular army.'[158] He complained of two ex-soldiers who had joined the Volunteers after their father was killed by 'Orange terrorists' who 'had not the slightest shred of national ideas or principles' but were out for revenge.[159] Conversely, after the capture of a number of men, including the commander of the 1st Northern Division, his replacement emphasised the struggle to maintain strict discipline without a standardised and detailed scale of punishment: 'It is difficult, for instance, to know how to punish an offence such as desertion of post which resulted in the capture of so many Officers here on 16th May and now that the I.R.A. is rapidly developing into a regular Army a scale of punishment is imperative.'[160] In the case of the I.R.A. it was more necessary to enforce discipline among the majority of 'part-time' Volunteers, the 'small fry' who were outside the tightly knit units of the full-time gunmen. A scale of punishment was only of use if it was applied firmly and consistently, but even after an official set of guidelines issued from G.H.Q. in spring 1921 this was not the case.

The I.R.A. was generally unwilling to carry out the death penalty on its own men. Eunan O'Halpin has suggested that in comparison to their search for civilian spies, 'the I.R.A. remained dilatory in weeding out and punishing spies within in its own ranks.'[161] Where a civilian endangered the lives of I.R.A. men, it was often seen as a cut and dried case for execution, but not so when a

[158] Seamus McKenna statement (M.A.I., B.M.H., W.S. 1016).
[159] Ibid.
[160] C.S. to director of organisation, 20 June 1921 (U.C.D.A., Mulcahy papers, P7/A/20).
[161] O'Halpin, 'Problematic killing', p. 321.

Volunteer was at fault. The death penalty did not, however, necessarily have to be inflicted often, or at all, to have some effect within the ranks. The threat of execution could be more valuable than many other minor punishments meted out to Volunteers. The most common – demotion, suspension and dismissal – were, as Augusteijn has put it, 'ineffective when trying to force men to risk their life against their will'.[162] As the G.H.Q. memo on discipline noted: 'Drumming out is no use in such a case [desertion] – the type of man concerned would only welcome it.'[163] If suitable punishment was not inflicted (or feared) then free will and self-interest could be allowed to take over. In this respect, both I.R.A. G.H.Q. – trailing behind local initiative and involved in a difficult political game – and local leaders – bound by personal and community politics – were largely unsuccessful. The I.R.A., it might be suggested, was far more adept at punishing, intimidating, and coercing servants of the crown and civilians than dealing with its own.

[162] Augusteijn, *From public defiance*, p. 151.
[163] 'Staff Memo: Question of Disciplinary Code', 30 Mar. 1921 (U.C.D.A., Mulcahy papers, P7/A/17).