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Violent Incidents between the Irish Free State Army, the IRA and Civilians during the Irish Civil War

“Somewhere in the vicinity of Kinsale he was shot...”

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To my late grandfather...

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I Abbreviations

ASU	Active Service Unit
BMH	Bureau of Military History
Co.	County
D/I	District Inspector
DMP	Dublin Metropolitan Police
DP	Army Pension/Dependency Pension
ICA	Irish Citizen Army
IPP	Irish Parliamentary Party
IRA	Irish Republican Army
IRB	Irish Republican Brotherhood
MSP	Military Service Pension
MSPC	Military Service Pension Collection
O/C	Commanding Officer
Q/M	Quarter Master
RIC	Royal Irish Constabulary
F/S	Free State
TD	Teachta Dála
UVF	Ulster Volunteer Force
V/C	Vice Commander

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III Anti-Treaty IRA Military Positions (June 28, 1922-May 24, 1923)

Brigade/Division	Area	O/C
Chief of Staff		Joe McKelvey (to June 30, 1922) Liam Lynch (to April 10, 1923) Frank Aiken
Deputy C/S		Sean Moylan Liam Deasy (to Feb. 1923)
Assistant C/S		Ernie O'Malley (to 10 July 1922)
Adjt.-General		Con Moloney (to Feb. 1923) Tom Derrig
Assist. Adjt. General		Tom Derrig (Nov. 1922)
Q/M General		Liam Mellows (to June 30, 1922)
1 st Southern Division	Cork, Kerry Waterford	Liam Deasy
Cork No 1 Brigade		Thomas Crofts ¹
Cork No 2 Brigade		Sean Moylan/George Power ²
Cork No 3 Brigade		Thomas Hales ³
Cork No 4 Brigade		Paddy O'Brien ⁴
Cork No 5 Brigade		Ted Sullivan ⁵

Figure 1: Anti-Treaty IRA Military positions

¹ Michael Hopkinson, *Green against Green. The Irish Civil War* (Dublin 2004), p. 201.

² "Sworn Statement of George Power Made before Advisory Committee". In: In: MSPC, MSP34 0478. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R5/MSP34REF478%20GEORGE%20POWER/MSP34REF478%20GEORGE%20POWER.pdf (seen July 16, 2019).

³ "Thomas Hales' MSP application form". In: MSPC, MSP34 2074, p. 5. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R3/MSP34REF2074THOMASHALES/WMSP34REF2074THOMASHALES.pdf (seen July 16, 2019).

⁴ Michael Harrington, *The Munster Republic: The Civil War in North Cork* (Cork 2009), p. 92; "Sworn Statement Made before the Advisory Committee by George Power". In: MSPC, MSP34 2020. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R5/MSP34REF2020%20Patrick%20O'Brien/MSP34REF2020%20Patrick%20O'Brien.pdf (seen July 16, 2019).

⁵ "Written testimony of Liam Deasy", AP 50 -3, p. 2. In: MSPC, W1RB 5265. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R3/MSP34REF2092TedOSullivan/W1RB5265TEDO'SULLIVAN.pdf (seen July 16, 2019)

1. Introduction

1.1 Research interest

On 26th November 1923, the military pension board received John Coffey's army pension claim relating to the death of his son Denis Coffey.⁶ John Coffey, a Cork farm labourer, claimed that his son had been killed by British forces during the Crossbarry ambush on 19th March 1921. However, the Army Pension Board found different evidence, which indicated his son had not died at Crossbarry, Denis Coffey had died during the Irish Civil War. He had a military background. He enlisted in the British Army during the First World War and took part in fighting in France as part of the Royal Munster Fusiliers⁷. During the war Coffey was a machine gunner and probably saw fighting at Gallipoli. In 1920 he left the army, only to join the IRA in 1921, under the command of Sean Hales' in his native County Cork.⁸

After the War of Independence Denis Coffey's military career turned bleak. During the Truce period he was court martialled, because of larceny and for breaking into the premises of Messrs Good, Main Street, Bandon. At the outbreak of the civil war, "Gunner" Coffey joined the anti-Treaty IRA in Bandon and was last seen alive by his father when the IRA evacuated Bandon, which indicates that his father was aware that his son was still alive in August 1922. However, his father did not know that his son attempted to leave the anti-Treaty IRA in 1922 and *"somewhere in the vicinity of Kinsale he was shot by the Irregulars."*⁹ This particular case raises the question why John Coffey had lied. The case was later investigated by the Pension Board and they approached Bob Hales, Coffey's former commander to find out the particulars of Coffey's death. Bob Hales told the investigating officer, D.J. Collins, that Coffey Sr. had seen his son alive in August 1922 and that he, Bob Hales, had lied to Coffey's father about the particulars of his son's death.

So, why did John Coffey put his son's death earlier than he must have known? One likely answer is that until 1934 only those who had not taken up arms against the Irish Free State

⁶ "Denis Coffey". In: MSPC, W1D13. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R1/1D13DenisCoffey/W1D13DenisCoffey.pdf (seen July 16, 2019).

⁷ British Army Pension Record, No. 7.211,357, "Denis Coffey".

⁸ "D. J. Collin's written statement". In: MSPC, W1D13. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R1/1D13DenisCoffey/W1D13DenisCoffey.pdf (seen July 16, 2019).

⁹ Ibid., p. 1.

could claim an army or military pension.¹⁰ Prior to 1934 all anti-Treaty and neutral IRA men and Cumann na mBan members had no claim to a military pension.¹¹ Under these circumstances John Coffey had to lie to receive any form of compensation from the Irish Free State. He applied in 1923, over ten years before the Act, which included the anti-Treaty side became law.

Denis Coffey's fate changed the course of this study profoundly. As I started to investigate forms of violence during the Irish Civil War, I initially wanted to reconstruct motives and legitimisation strategies for Republican violence during that period of the Irish revolution. Denis Coffey presents a certain kind of Republican, disillusioned by the First World War he probably returned home, and joined the IRA and after the Truce did not want to compromise on his principles nor did he want to abandon his comrades. However, as he realised that the struggle was lost, he tried to desert, which also reflects the general attitude in County Cork during the Civil War among the IRA: the feeling of loss and demoralisation in the face of defeat.¹²

Many historians focus on the general course of the Civil War and try to reconstruct the so-called bigger picture. Questions were raised why the Treaty split happened, how those in charge reacted and especially whether civil war was inevitable. However, little attention has been paid to the fate of the ordinary Republican volunteer. Denis Coffey is one of those who met death by the hands of his very own comrades for wanting to desert a cause, which in military terms was already lost after all major cities had fallen to the newly established Free State. The Civil War was virtually over by the autumn of 1922, apart from sporadic fighting, emergency powers and a lack of democratisation endured until the late 1920s and early 1930s. The Civil War had been brief. But the consequences were to shape the country for decades to come.¹³

In 1998, with his analysis of the Bandon Valley killings (April 1922), Peter Hart turned the tide and pointed out that everyday violence was omnipresent in Cork.¹⁴ He claims that the killing of local IRA commander Michael O'Neill by members of the Hornibrook household, situated in the Bandon Valley, triggered sectarian killings. Whether or not one agrees with Hart's

¹⁰ Catriona Crowe (Ed.), *Guide to the Military Service (1916-1923) Pension Collection* (Dublin 2010), p. 23

¹¹ Marie Coleman, "Military Service Pensions for Veterans of the Irish Revolution, 1916-1923". In: *War in History*, No. 20 (2), 2013, pp. 210-211.

¹² Hopkinson, *Green against Green: The Irish Civil War* (Dublin 2004).

¹³ Bill Kissane, "Éamon de Valéra and the Survival of Democracy in Inter-War Ireland". In: *Journal of Contemporary History*, Vol. 42 (2), 2007, pp. 213-215.

¹⁴ Peter Hart, *The I.R.A. and its Enemies* (Oxford 1998), pp. 273-276.

findings (this study does in some cases while in others it does not) does not change the fact that Hart redirected the course of historiography to the individual history of those who died in County Cork. Telling the story of individuals is always dangerous and often shrouded by motives, which might include the promotion of national narratives or the hope of establishing a counter narrative. This study tries neither of the afore-mentioned; it tries to reconstruct individual stories of those who died in Cork, not in direct combat but while in custody, on the run or imprisoned by the Free State and the IRA.

The possibility to reconstruct individual cases is difficult, because of a lack of source material. In 1932 the Free State government ordered the burning of intelligence reports, secret service vouchers and all documents related to military courts, especially those relating to executions for the civil war period.¹⁵ The destruction of files makes the reconstruction of individual cases difficult, however not entirely impossible.

This study attempts to answer the forthcoming questions: how did Cork TDs justify their vote on the Treaty and how and where prisoners treated during the Irish Civil War in County Cork. To answer these questions, I analysed the statements of Cork TDs during the Treaty debates and military pension files, newspaper articles, veteran interviews conducted by Ernie O'Malley and Bureau of Military History Witness Statements. It will be argued that Cork TDs who voted against the Treaty followed a militarist rhetoric, which triggered harsh military reactions from both sides, the Free State, and the anti-Treaty IRA, henceforth simply IRA. Additionally, I will argue that the absence of a civilian judiciary and executive led to prisoner mistreatment and executions in the localities.

1.2 Research design

This study tries to investigate violence on a case by case study. In brief, this study empirically analyses executions, reprisal killings, policing and political discourse from a Cork perspective. Cork has been chosen, because Co. Cork saw most fighting during the Irish War of Independence and later fighting quickly ebbed down during the civil war.¹⁶ Although, resistance was small-scale and limited, fighting dragged on for a long time. The main research question was:

¹⁵ Secretary of Defence, C.D. 334, March 7, 1932. Provided by Military Archives Dublin.

¹⁶ Harrington, *The Munster Republic*, pp. 90-95.

What motives can be identified for acts of violence within County Cork during the Irish Civil War?

Critics of the sectarian violence narrative argue that advocates of that theory do not use Republican sources.¹⁷ Therefore, I decided to include Republican sources as well, which include Ernie O'Malley's interviews of former IRA men and IRA supporters, Tom Barry's memoirs, Bureau of Military History (BMH) Witness statements, and recently published military pension application files. Moreover, I have used Dáil Treaty Debate transcripts to conduct a qualitative discourse analysis of Cork TDs statements. In addition, I tried to review each case, by looking into newspaper records and veteran records.

Republican sources are often difficult to acquire and rather limited in scope. From a methodological perspective, many sources used in this study are problematic. Ernie O'Malley's interviews and the BMH witness statements were conducted in the 1940s and 1950s, thus they are prone to memory inaccuracies, personal bias and retrospective justification.¹⁸ However, oral history and witness statements offer invaluable insights into discourses and events, which official narratives do not cover, as such this duality between "truer history" and "reconstruction" has to be taken into consideration.¹⁹ To avoid those pitfalls sources were triangulated, which naturally included contemporary newspapers. However, newspapers are often prone to censorship and follow an agenda, hence, it is necessary to decipher potential agendas and political realities.²⁰

To fully understand the complexities of the sources it is necessary to review them beforehand. For example, the BMH was established in 1947 and its objective was "to assemble and co-ordinate material to form the basis for the compilation of the history of the movement for Independence from the formation of the Irish Volunteers on 25 November 1913 to the [signing of the truce] 11 July 1921."²¹ The interviews were focused on surviving IRA and Volunteer officers, since many members of the rank and file had already died when the BMH was

¹⁷ Niall Whelehan, "Gemma Clark. Everyday Violence in the Irish Civil War". *The American Historical Review*, Vol. 121 (2), pp. 653-654.

¹⁸ Padraig O Ruairc, *The Anglo-Irish Truce—An Analysis of Its Immediate Military Impact* (Limerick 2014), p. 7. Online: https://ulir.ul.ie/bitstream/handle/10344/5397/ORuairc_2014_anglo.pdf?sequence=6 (seen July 16, 2019).

¹⁹ Ronald J. Grele, "Oral History as Evidence". In: Rebecca Sharpless (Ed.), *Handbook of Oral History* (Lanham 2008), p. 41.

²⁰ Klaus B. Jensen, "Chapter 1 Humanistic Scholarship as Qualitative Science: Contribution to Mass Communication Research". In: Klaus Jensen & Nick Jankowski (eds.), *A Handbook of Qualitative Methodologies for Mass Communication Research*, (London/New York Routledge 1991), pp. 17-30.

²¹ "Report of the Director". In: Jennifer Doyle (Ed.), *An Introduction to the Bureau of Military History* (Dublin Military Archives 2002), p. 1.

established.²² The witness statements are an invaluable source, because the interviewees were not briefed, the idea behind this was that as much evidence was to be gathered as possible.²³ The statements were later transcribed and only published in 2003. The other main archival source is the Military Service Pension Collection (MSPC). The pension files are divided into two sets, claimants who were eligible for a pension before the 1934 pension act and those who were eligible afterwards. Applicants had to provide evidence of their own active service or provide evidence of the active service of a deceased family member to qualify for a pension.²⁴ The definition of active service was altered and expanded up to 1934.²⁵ In 1932 Fianna Fáil took over government and introduced two more pension acts, 1932 and 1934. In 1934 anti-Treaty IRA members were included in the scope of having conducted “active service”.²⁶ Moreover, pension applications are divided into two sub-sets, army pensions (DP/WD), and military service pensions (MSP). Army pensions were awarded to soldiers wounded between 1916 and 1923 and provided allowances for family members of those who had died while on active service. Military service pensions were based on the duration and nature of service given by those who applied.²⁷ However, poverty and material deprivation led to many false claims, which makes it important to back-check information provided inside pension claims. Claimants had to prove their service and present witnesses for their claim. These claims are often based on false statements and thus have to be reviewed.²⁸ For example, Bertie Scully mentioned to Ernie O’Malley such a case: “‘Free’ Murphy said once: *This man [Danny McSweeney] came looking for a pension, and he needed to have service so I certified him for I felt I wasn’t giving anything away nor was I losing something.*”²⁹ To make up for these shortcomings I decided to draw on several sources and trace them in all the material used. Afterwards, I tried to find inconsistencies, which are then addressed in the analysis.

The papers built-up is organised alongside thematic segments and does not follow a chronological order. The first part of this thesis introduces different strands in Irish nationalism and the Anglo-Irish war. It was necessary to introduce the pre-civil war period as well, because without this period IRA operations and the built up of the Free State would not be fully

²² Ibid., p. 3.

²³ Ibid., pp. 5-7.

²⁴ Coleman, “Military Service”, p. 211.

²⁵ Ibid.

²⁶ Patrick Brennan, “‘Active Service’: Changing Definitions”. In: Crow (Ed.), *Guide to the Military Service (1916-1923) Pensions Collection* (Dublin 2012), pp. 64-83.

²⁷ Marie Coleman, “Military Service Pension and the Recognition of Guerrilla Fighters After the Irish Revolution”. In: *Historical Research*, Vol. 91 (253), 2018, p. 556.

²⁸ O Ruairc, *The Anglo-Irish Truce*, p. 7.

²⁹ Ernie O’Malley, *The Men Will Talk to Me. Kerry Interviews* (Cork 2012), p. 99.

comprehensible. The second part begins with an overview of the Irish Civil War, followed by the results of this study. As this study is strictly restricted to County Cork, I decided not to add information about reprisals and executions from other counties. The idea was to identify general motives for violent acts, reprisals and (un-) official execution within the boundaries of Co. Cork.

2. A Rocky Road to Independence

It is widely accepted in contemporary historiography that the main cause of the Irish Civil War was the Sinn Féin split over the Anglo-Irish Treaty.³⁰ This treaty laid the foundation of the Irish Free State, which did not only split Sinn Féin, the political wing of the Republican cause, but also the IRA in a pro and anti-Treaty segment.³¹ However, the Treaty split, according to Bill Kissane, was only the logical result of political and military power struggles within the nationalist movement.³² To illustrate these developments, it is necessary to revisit developments prior to the truce period, and even back into the 19th century. Hopefully, this will make the split in the IRA more understandable and provide a framework for understanding splits and tensions within the Republican movement and the IRA in particular.

2.1 Strands in Irish Nationalism

2.1.1 Constitutionalism

The 19th century saw the emergence of two strands of Irish nationalist movements; constitutionalism and physical-force nationalism. These two strands were to compete for dominance within the nationalist ranks and would shape Irish politics until the Anglo-Irish war began. Kissane makes it clear that these traditions culminated in the events in 1922.³³

Marie Coleman places the re-emergence of the Irish question in the 1870s and argues that the last quarter of the 19th century was the culmination of political events, which started with Daniel O'Connell's struggle for Catholic Emancipation in the United Kingdom and ended with the ratification of the Anglo-Irish Treaty.³⁴ However, to fully understand how Irish constitutionalism developed, it is necessary to review earlier developments to understand

³⁰ Mike Cronin, *A History of Ireland* (New York 2001), pp. 204-205; Bill Kissane, *The Politics of the Irish Civil War* (Oxford 2005), pp. 4-6; Gavin M. Foster, "Res Publica Na hÉireann?: Republican Liberty and the Irish Civil War". In: *New Hibernia Review*, Vol. 16 (3), 2012, pp. 20-21.

³¹ Hopkinson, *Green against Green*, pp. 34-37:

³² Kissane, *The Politics of the Irish Civil War*, pp. 3-6.

³³ *Ibid.*, p. 6.

³⁴ Marie Coleman, *The Irish Revolution, 1916-1923*, (New York 2014), pp. 4-6.

problematic issues, such as partition, ideology and even the terminology of the Civil War.³⁵ The most important event was the Act of Union of 1800, which integrated Ireland in the United Kingdom, practically ending any form of Irish self-government.³⁶ Briefly before the Act of Union was enacted an Irish uprising had been quelled by force, i.e. the uprising staged by the United Irishmen.³⁷ Afterwards, the early 19th century was shaped by discrimination against the Catholic majority in Ireland, who as acts of retaliation and anger attacks against Protestant gentry and the burning of their farms and estates.³⁸

On 8th February 1823 the Catholic Associations was founded by Daniel O’Connell, and others in Glencullen House. The association’s main aim was to represent Irish Catholics and their interests to find an alternative to armed resistance. The early members of the Association were landowners and the middle classes.³⁹ Brian Jenkins claims that the Association was indeed influenced by liberal ideology.⁴⁰ This was reflected in the thought that the peasantry needed an urban intelligenzia to guide them. Shifting public opinion with great political skill finally lead to the long-sought for Catholic Emancipation passing through both Houses of Parliament in Westminster. This was accompanied by Irish Protestant’s protests and agitation in the House of Lords and the House of Commons.⁴¹ The compromise itself was vague and botched, but the confessional threshold to enter the Houses of Parliament was finally removed.⁴² O’Connell’s deal opened the door to the stepping-stone approach, which would shape nationalist constitutionalism for nearly a hundred years to come.

During the Famine, 1845-1851, Irish constitutionalism’s weakness were exposed, since no legal intervention or effort could stop the ill-fated work-house policy and the lack of food distribution. However, a revival followed in the late 19th century: the Irish Parliamentary Party (IPP) came into existence. The IPP became the main organ of Irish nationalism and governed with a wide mandate of the Irish electorate. The original Home Government Association in Dublin consisted mainly of Protestant middle class men.⁴³ Surprisingly, the greatest resistance towards Irish Home Rule did come from Ulster Protestants who feared to lose their status and

³⁵ John Regan, *Myth and the Irish State: Historical Problems and other Essays*. (Sallins 2013), pp. 46-50.

³⁶ Mike Cronin, *A History of Ireland*, pp. 114-116.

³⁷ Patrick Geoghegan, “Rising and Union, 1791-1801”. In: Alvin Jackson (Ed.), *The Oxford Handbook of Modern Irish History* (Oxford 2014), pp. 500-502.

³⁸ Jody Moylan & Mateusz Nowakowski, *Daniel O’Connell* (Cork 2016), p. 101.

³⁹ *Ibid.*, p. 102.

⁴⁰ Brian Jenkins, *Era of Emancipation: British Government of Ireland, 1812-1830* (Kingston Ont. 1988), p. 216.

⁴¹ *Ibid.*, p. 251.

⁴² *Ibid.*, pp. 275-276.

⁴³ Alan O’Day, *Irish Home Rule*, (Manchester 1998), p. 29; Cronin, *A History of Ireland*, p. 161.

influence as a minority in a mainly Catholic all-Ireland parliament.⁴⁴ In 1870 Isaac Butt organised the Home Government Association⁴⁵, which in 1872 returned 59 MPs to Westminster in that year's general election. However, many of these Home Rulers abandoned the cause soon afterwards, further weakening the movement again.⁴⁶ Meanwhile William Gladstone had become prime minister, whose aim was to draw a wedge between constitutionalists and the physical-force wing of Irish nationalism, whom he referred to as "Fenians".⁴⁷ The late 1870s saw the emergence of the land war, which also saw the foundation of the Land League, whose goal was revolutionary: land redistribution from mainly Protestant landlords to their tenants.⁴⁸

At its beginnings Irish constitutionalism has been weak and disorganised, this was about to change. In the 1880s, the Irish Parliamentary Party (IPP) was now under the management of Charles Stuart Parnell, a Protestant Irishman who was partly sponsored by Irish Republican Brotherhood (IRB) members.⁴⁹ Not only did he become leader of the IPP in Westminster, but he became leader of the Land League as well, which put the IPP in a dominant position in inner-Irish affairs, culminating in the Land Act of 1881. The Land Act of 1881 saw most of the Land League's demands fulfilled, but Parnell refused to accept compromise, which in return saw the Land League outlawed and Parnell was even imprisoned briefly in Kilmainham Jail.⁵⁰ After his release in 1882 Parnell founded the Irish National League, reorganised the IPP and put Home Rule back on the table in Westminster.

The main strength of the IPP lay in the hung parliaments in Westminster. Hence, the IPP used complex Westminster arithmetic to play the kingmaker in the British parliament and manoeuvred itself into a strong negotiating position. Being in position to make or break governments, the IPP used its influence to make Gladstone change his policy and the Home Rule Bill came into existence. Unfortunately, the first attempts to introduce Home Rule failed, because in 1885 the House of Lords vetoed it down and Gladstone retired afterwards.⁵¹

⁴⁴ Coleman, *The Irish Revolution*, pp. 3-4.

⁴⁵ Sean Connolly, "Patriotism and Nationalism". In: Alvin Jackson (Ed.), *The Oxford Handbook of Modern Irish History* (Oxford 2014), p. 37.

⁴⁶ Alan O'Day, *Irish Home Rule*, pp. 29-31.

⁴⁷ *Ibid.* pp. 30-31

⁴⁸ *Ibid.* p. 5

⁴⁹ Matthew Kelly, "Home Rule and its Enemies". In: Alvin Jackson (Ed.), *The Oxford Handbook of Modern Irish History* (Oxford 2014), p. 585.

⁵⁰ Cronin, *A History of Ireland*, p. 161.

⁵¹ Kelly, "Home Rule and its Enemies", pp. 585-588.

The threat of Home Rule lingering, Northern Protestants saw their position in Ireland and the United Kingdom endangered. Ulster Unionists threatened to leave any all-Ireland parliament, which in return put the liberal government under pressure. At the same time the Parnell scandal of 1891 he had an affair with another MP's wife (the O'Shea divorce case), as well as the emergence of a conservative government in Britain, saw a decline in support for home rule.⁵² In 1902 the Irish land questions was finally settled, the IPP was once again successful. The IPP was about to reach its peak in Irish politics. In 1912 the third Home Rule Bill passed and even the House of Lords could not stop the Bill anymore. Immediately a political crisis unravelled the agreement, and the House of Lords used its veto to at least postpone Home Rule for another two years. In 1914 the Home Rule Act was suspended, until the end of the First World War, a blow to constitutionalists.⁵³

The Home Rule crisis saw the re-emergence of physical-force nationalism in Irish politics. Edward Carson founded the Ulster Volunteers, to, if necessary, stop the introduction of Home Rule in Ulster by force. In response, the Irish volunteers were established. Initially, John Redmond managed to retain control of the Volunteers, but in 1914, his already loose grip was loosened further. In 1914 the IPP, under Redmond called Irish men to join the war effort, which led to a split in the Irish Volunteers, which had been set up in response to the Ulster Volunteer Force.⁵⁴ The gun was back in Irish politics.

2.1.2 Physical-force nationalism

After Daniel O'Connell's case opened the doors of Westminster Parliament for Irish Catholics in 1829, Constitutionalism emerged, but physical force nationalism was not diminished or resolved. Quite the contrary, as the land wars and the Fenian uprising showed, there had always been a radical force existing beside constitutionalist movements, always gaining momentum when the latter lost its grip.

Nineteenth century radical republicanism has its origins in the Fenian Brotherhood or the Irish Republic Brotherhood (IRB). These two secretive and conspiratorial movements were the main drive behind violent radicalism in Southern Irish nationalist politics.⁵⁵ British politics failed to counter the effects of the Famine, which in return radicalised the population. During the Famine millions died and millions migrated. Relief actions failed and policies appeared to be

⁵² Ibid.

⁵³ Cronin, *A History of Ireland*, p. 161.

⁵⁴ Kelly, "Home Rule and its Enemies", pp. 597-598.

⁵⁵ Patrick Stewart & Bryan T. McGovern, *The Fenians: Irish Rebellion in the North Atlantic World, 1858-1876* (Knoxville 2013), pp. 2-3.

inefficient, as Patrick Stewart and Bryan T. McGovern point out in their study of Fenianism in the second half of the 19th century:

“British prime minister Robert Peel, the leader of the paternalistic Conservative Party, authorized government subsidization of public works projects as well as the purchase of American corn meal to supplement soup kitchens funded by the Quakers and other private charities. Yet peasants often had to leave their land in search of food when affluent landowners either ignored—or could not fulfil—their legally mandated responsibility to underwrite road grading, wet-land drainage, and other labor-intensive projects near their property during times of economic crisis.”⁵⁶

After the Whigs took over government in 1846, the situation in Ireland deteriorated even more. Liberal ideology opposed state intervention, which meant that even basic relief measures were reduced to a minimum.⁵⁷ These new developments gave birth to the idea among Irish nationalists that Great Britain was perpetuating genocide against the Irish. Under these circumstances anti-English sentiments rouse among Irish immigrants and in Ireland itself. Tensions rose steadily until they culminated in the Young Ireland uprising, led by William Smith O’Brien in 1848. After only a few days, local police quelled the uprising.⁵⁸ Young Ireland never stood a chance. It was made up mostly by writers and intellectuals who tried to confront the British in conventional warfare. Inevitable they failed and the cause was lost.

Long before Young Ireland staged its failed uprising, Daniel O’Connell and other constitutionalists tried to defy physical-force nationalism.⁵⁹ With the fate of the 1798 rebels in mind, O’Connell declared any armed resistance and any armed uprising to be futile: “*Their struggle was of blood and defeated in blood. The means they adopted weakened Ireland and enabled England to carry the Union.*”⁶⁰ This rift went straight through Irish nationalist ranks, still constitutionalists did not manage to stop the Young Ireland rebellion in 1848 from happening. However, after Young Ireland’s defeat, Irish armed resistance was defeated, for now.

The second return of physical-force nationalism began in the 1870s and 1880 with the land wars. In 1879 the first wave of agrarian unrest ravaged through County Mayo. It was initially focused on the West of Ireland and slowly spread from Connacht into the province of Munster, which saw most agitation and fighting during the Land Wars. Later during the Irish Revolution

⁵⁶ Stewart & McGovern, *The Fenians*, p. 2.

⁵⁷ Ibid., pp. 2-3.

⁵⁸ Ibid., p. 4.

⁵⁹ Moylan & Nowakowski, *Daniel O’Connell*, p. 198.

⁶⁰ Ibid.

this trend can be observed again.⁶¹ This Southern province of Ireland bore later witness to the harshest and most ferocious fighting during the entire revolutionary period.⁶²

Although post-Famine tenant farming brought relative prosperity in many parts of Ireland, the tenants were still under immense pressure from landlords. At the end of the 1870s an agricultural crisis erupted. “The land movement began in the western province of Connaught, in County Mayo, which contained the bulk of the smallest and poorest tenancies in the country and those hardest hit by the depression and failed harvests of 1878 and 1879.”⁶³

At first, the agrarian movement was loosely organised, but soon self-organised groups spread through western and southern Ireland, unveiling just how flawed and ill-constructed the landlord and feudal system was. Paired with new forms of farming, tenants revolted against their circumstances. Primarily, IPP nationalist leaders seized the opportunity to frame the movement as an anti-British struggle.⁶⁴ Parnell and others framed the events for the Home Rule purpose, by describing the situation as an inherited injustice, rooted in foreign rule over Ireland.⁶⁵ Parnell took charge and spoke out firmly:

“You must show them that you intend to hold a firm grip of your homesteads and lands. You must not allow yourself to be dispossessed as your fathers were dispossessed in 1847. You must not allow your smallholdings to be consolidated. You must help yourselves.”⁶⁶

Parnell and the IPP took control of the land movement, which weakened Fenianism in Ireland. The Fenian Brotherhood, which would later become the IRB, was the radical arm of the nationalist movement in Ireland. In 1858 the IRB was founded and soon staged an abortive uprising in 1867.⁶⁷ Although a failure the uprisings also took place in Limerick and Kerry. The main failure of the uprising lay in its lack of any sound organisational structure.⁶⁸ Nonetheless the IRB managed to recruit and re-establish physical-force nationalism. The IRB remained a secret movement which held firm influence over radical Irish nationalism. The

⁶¹ Donnacha S. Lucey, “Power Politics and Poor Relief During the Irish Land War, 1879-1882”. In: *Irish Historical Studies*, Vol. 37 (148), 2011, p. 585.

⁶² Michael Hopkinson, *The Irish War of Independence* (Dublin 2002), pp. 201-202.

⁶³ Anne Kane, “The Fall of Feudalism in Ireland: A Guide for Cultural Analysis of the Irish Land War”. In: *New Hibernia Review*, Vol. 5 (1), 2001, p. 139.

⁶⁴ *Ibid.*, pp. 139-141.

⁶⁵ *Ibid.* p. 138.

⁶⁶ *Ibid.* p. 138.

⁶⁷ Coleman, *The Irish Revolution*, pp. 4-5.

⁶⁸ Padraig O’Conubhair, *Fenians Were Dreadful Men: The 1867 Rising in Ireland* (Cork 2010), p. 102.

duality of constitutionalism and physical-force nationalism would exist until the Irish Civil War itself.

Throughout the land war arson-attacks and land-grabbing as means of tenant protection were the means of choice for violent action. The newly established Land League tried to protect tenants in the 1870s and 1880s from eviction, by relying on physical force.⁶⁹ Ultimately, Protestant property owners had lost their influence in Westminster, because of the emergence of the IPP, which in return called for violent action during the Land War. Economic crisis and industrialisation had led to debt and decay of the former ruling Protestant class in most of Southern Ireland. Under these circumstances it is not a surprise that violent clashes with tenants under the leadership of Michael Davitt and Charles Parnell were successfully on two fronts, violent resistance and in the political theatre.⁷⁰ So called relief boards were not established until 1880, which further fuelled the conflict. In Munster relief boards acted quicker and more efficiently, thus agrarian violence was less pronounced than in Connacht.⁷¹ In 1880 the “Poor Laws”, which were passed as a means of relief, failed to quell the violence, neither did arson attacks stop. However, the Land Acts of 1881 and 1902 ended the land question in a political way.

In brief, physical force nationalism re-emerged after Young Ireland’s defeat in 1848. The IRB was founded and Fenianism was firmly established in Ireland. The Land Wars saw further acts of violence, but the IPP under Parnell took control of the land movement. Thus, the 19th century saw the demise and failure of physical-force nationalism, but also its re-emergence. Constitutionalism prevailed, but the tide would eventually turn in the 20th century.

2.2 From the Ulster Crisis 1912 until the Easter Rising 1916

2.2.1 The Ulster Crisis 1912

Irish constitutionalism reached its peak influence in the 1880s, but then, after the Parnell divorce case, lost its momentum. At the same time the ballot-box strategy failed as well. Home Rulers lost their influence in Westminster, due to changing parliamentary arithmetic. While Parnellites were making or breaking government, the IPP was in decline after his death in 1891, although John Redmond managed to stabilise the party again.⁷²

⁶⁹ Coleman, *The Irish Revolution*, p. 5.

⁷⁰ Perry L. Curtis, “Landlord Responses to the Irish Land War, 1879-87”. In: *Eire-Ireland*, No. 38 (3), 2017, p. 137.

⁷¹ Lucey, *Power Politics and Poor Relief*, p. 589.

⁷² Coleman, *The Irish Revolution*, pp. 5-6.

1912 would become the height of the Home Rule crisis. The IPP managed to convince a newly elected Liberal Government to pass the Home Rule Bill through parliament, although the Irish Parliament would have only limited powers. However, the House of Lords immediately exercised its right to veto the decision, which postponed Home Rule for another two years. Home Rule was a compromise which saw little devolved powers to an all-Ireland government. Nonetheless, these concessions triggered strong resistance in Ulster with its Protestant majority. Ulster Protestants feared that Home Rule would side-line them in a majority Catholic Irish parliament.⁷³

Ulster Unionists feared two aspects of home rule. Firstly, there was the constant fear of becoming a constant minority in a Catholic dominated south and secondly, economic hardship. The latter argument was based on Ulster's economic position in Ireland and the Empire. Ulster was industrialised and played an important role in Britain's ship-building industries.⁷⁴ Therefore, Ulster Unionists lobbied the Conservative dominated House of Lords, which after all managed to delay Home Rule for the time being. Additionally, the economically dominant position led north-eastern businessmen to an even more radical conclusion: They feared that in a devolved state their influence would dwindle and that they would have to subsidise the economically weaker Southern counties. The argument was simple: subsidies would lead to heavier taxation and thus threaten their economical position.⁷⁵ Sectarian motives merged with economic motives.

Irish Unionism was far from being homogenous, southern Unionists and northern Unionists had different means to articulate and follow their interests. The position of the former was weakened after the decline of the landed elites. Marie Coleman is clear about this situation: the southern Unionist's experience was used as an illustration by Ulster Unionists, which caused a superficially united opposition to Home Rule among all different strands in Ulster Unionism to avoid their Southern counterparts' fate.⁷⁶ This new form of Unionism had become rooted deeply in north-eastern Unionism. After political action failed to stop Home Rule, Ulster Unionists founded the Ulster Volunteer Force (UVF). Numbers of the UVF quickly reached up to 100,000 briefly after its establishment. Thomas Hennessey claims that this form of radicalism was based on the self-understanding of Protestant identity itself within Ireland:

⁷³ Ibid. pp. 7-8.

⁷⁴ Robert Lynch, *Revolutionary Ireland, 1912-1925* (New York 2015), p. 22.

⁷⁵ Ibid.

⁷⁶ Coleman, *The Irish Revolution*, pp. 7-8.

“For Irish Unionists the status of British subjectship was far more than a legal definition. It contained a deep emotional tie to the notion of a Britishness based upon a civic nationalism which married the state with national consciousness, viewing the British people as a community bound together by a common historical experience and mission, possessing a unique genius for the creation and preservation of constitutional liberty.”⁷⁷

This strong concept of belonging and identity further led to militarism and even plans for an armed rebellion.⁷⁸ Unfortunately, Hennessey fails to draw the connection between the emergence of the UVF and the rise of the Volunteers. Robert Lynch describes the UVF as a well-armed para-military force.⁷⁹ The liberal government was neither able to prevent the Ulster Volunteers from importing about 30,000 German rifles nor did the local military act against the ongoing armament of the UVF. Political negotiations between Carson and Redmond failed to establish compromise, and ultimately, the situation was not defused.⁸⁰

The IPP and Ulster liberals were put under enormous pressure to act. In 1913 radical Irish nationalism took matters into their own hand and under Eoin MacNeill, set up the Irish Volunteers to guard the achievements of the Home Rulers.⁸¹ To destabilise the situation further, Irish syndicalist trade-unionism militarised as well. After the 1913 Lock Out and James Larkin’s release from prison, he set up the Irish Citizen Army together with James Connolly, an Irish socialist leader.⁸² The ICA was not democratically organised, but under centralised control. At the same time Bonar Law, Conservative Party leader, lobbied openly in England and Scotland for supports for the UVF, radicalism had gone beyond the control of moderate influences.⁸³ Radicalisation was accompanied by misguided political action, as Sir Edward Carson pushed at first radically against Home Rule and later started pushing for partition.⁸⁴

Thus, the IRB and Irish syndicalism were mobilised and ready to fight. Conflict swelled between nationalists and Unionists, but the outbreak of the First World War prevented an outbreak of open hostilities. The IPP and Redmond tried to retain political control over the Volunteers, but their grip was loose.⁸⁵ The more radical IRB was already pulling the strings, because the Ulster Crisis had revived Fenianism. At breaking point, the First World War

⁷⁷ Thomas Hennessey, *Dividing Ireland: World War I and Partition* (New York 2005), p. 17.

⁷⁸ *Ibid.*, p. 22.

⁷⁹ Lynch, *Revolutionary Ireland*, p. 31.

⁸⁰ *Ibid.*, p. 31

⁸¹ Lynch, *Revolutionary Ireland*, pp. 29-31; Kelly, “Home Rule and its Enemies”, p. 597; Ruan O’Donnell, *16 Lives—Patrick Pearse* (Dublin 2016), pp. 70-75.

⁸² Ann Matthews, *The Irish Citizen Army* (Cork 2014), p. 10.

⁸³ O’Donnell, *16 Lives*, pp. 70-72.

⁸⁴ *Ibid.*, p. 72

⁸⁵ Hopkinson, *The Irish War of Independence*, pp. 13-14.

diverged attention away from Ireland and Redmond called the National Volunteers to assist Britain to prove their determination and loyalty. His idea was that Ireland, by joining the war, they would show Britain that Home Rule was deserved. However, the Volunteers split over the issue of the war, as Eoin MacNeill and about 10,000 volunteers formed a break-away group, the Irish Volunteers⁸⁶, which led to further tensions and radicalisation. The rump of the Irish Volunteers were under loose control of MacNeill and infiltrated by the IRB and Patrick Pearse.

2.2.2 The First World War and the Easter Rising

At the outset of the First World War Redmond's IPP propagated the idea of Ireland doing her part to sustain the British war effort against Germany. Redmond gave a vivid speech in Woodenbridge, calling Volunteers to take up arms:

“I say to you, therefore [...] your duty is two-fold I am glad to see such magnificent material for soldiers around me, and I say to you. Go on drilling and make yourselves efficient for the work, and then account yourselves as men, not only in Ireland itself, but wherever the firing line extends in defence of right, of freedom and religion in this war”.⁸⁷

Although, the call for arms was successful, the Volunteer movement immediately split over the issue.⁸⁸ By 1914 its membership had mushroomed to 150,000 members. In Ulster Unionist politicians and the UVF stood firmly behind the war effort but radical Republicanism was back on the agenda and opposed sending Irishmen to support the British.⁸⁹

The IRB, the Irish Volunteers and the ICA cooperated in secret, new and younger leaders took over. Patrick Pearse, became one leader of the radicalised Volunteers, he and others adhered to a stern anti-English nationalism, which was inspired by Wolf Tone's writings and the uprising of 1798.⁹⁰ Under the ever-watchful Dublin Metropolitan Police's (DMP) G-Division Volunteers and the ICA paraded through Dublin and other areas of the country. In early 1916 the IRB, Pearse and Plunkett together with the ICA, agreed to an armed uprising in Ireland.⁹¹ Irish separatists were arming themselves all over the country.

At first the public was in favour of the war effort, however public towards the war effort shifted dramatically after Gallipoli. At Gallipoli contingents of Dublin and Munster Fusiliers were

⁸⁶ Kelly, “Home Rule and its Enemies”, p. 598.

⁸⁷ The full speech can be found in the *Irish Independent*, 21 Sep. 1914.

⁸⁸ Chrissy Osborne, *Michael Collins Himself* (Cork 2003), pp. 12-13.

⁸⁹ Hopkinson, *The Irish War of Independence*, p. 2-3; Conor Mulvagh, *The Irish Parliamentary Party at Westminster, 1900-1918* (Manchester 2016), p. 118.

⁹⁰ O'Donnell, *16 Lives*, pp. 70-75

⁹¹ Ibid.

wiped out within hours.⁹² These high losses led to further radicalisation inside the Volunteer movement and estranged them further from the IPP and Home Rulers.⁹³ Military casualties, the lack of support and the Volunteer split marked the end of constitutionalism's dominant position in Irish nationalism. Thus, constitutionalists were disregarded as either misguided Irish men or denounced as "West Britons", by MacNeill's Volunteers.⁹⁴

The IPP leadership was oblivious of the imminent rebellion. The IRB had started to secretly organise an uprising in Dublin set for Easter Week. In 1916 the Volunteers decided to take nationwide action to establish Irish freedom, with the goal of Ireland gaining recognition as a party at peace negotiations after the war. The planning of the uprising was of a conspiratorial nature:

"The rising was planned secretly by the Military Committee of the IRB MacNeill was deliberately kept in the dark, and even many parts of the IRB were in ignorance of much of the planning. The insurrection only occurred after the collapse of a plan to bring in German arms, and, with a few minor exceptions, was confined to an occupation of prominent buildings in Dublin; the rebels won little public support at the time and displayed organisational and tactical ineptitude."⁹⁵

On Easter Monday, 24th April 1916, armed members of the Volunteers and ICA under direct command of Patrick Pearse occupied the General Post Office in Dublin and Pearse read out the proclamation of the Irish Republic. At the same time other positions were taken by the combined force, such as St. Stephen's Green and City Hall. Although, the British were taken by surprise, the rising failed after six days: a lack of communication and manpower, a massive influx of British troops, and British artillery bombardment quelled the uprising. In other areas of Ireland, including Cork, the rising did not even get off the ground. British counteractions, such as executions and internment turned public opinion against the IPP and British rule itself.⁹⁶

The ring-leaders were captured, many of them would become leading figures within the IRA, such as Michael Collins and Eamon De Valera. Collins was fortunate as he was moved to Frongoch prison, while De Valera and Harry Boland were imprisoned in Dartmoor Prison in England.⁹⁷ Eamon De Valera would later become one of the most prominent leaders of Sinn Féin. He was born in Manhattan on 14th October 1882. He was sent back to Ireland as a child

⁹² Mulvagh, *The Irish Parliamentary Party*, pp. 118-121.

⁹³ James McConnel, "'Après la guerre': John Redmond, the Irish Volunteers and Armed Constitutionalism, 1913-1915". In: *The English Historical Review*, No. 131 (553), 2016, p. 1446.

⁹⁴ Ibid.

⁹⁵ Hopkinson, *The Irish War of Independence*, p. 3.

⁹⁶ Ibid.

⁹⁷ Osborne, *Michael Collins Himself*, p. 13.

and participated in the 1916 uprisings. Afterwards he joined Sinn Féin, he was a politician and idealist, who would later try to negotiate funding from the Irish diaspora in America and after the 1918 general election, he would become President of the first Dáil.⁹⁸

Michael Collins was a different type of man. He was born on 16th October 1890 in Clonakilty Co. Cork.⁹⁹ As a young man, Collins had joined the IRB, back then still called the “Fenian Brotherhood” and worked as a boy-clerk in London from 1906 to 1916, but returned to participate in the Easter Rising.¹⁰⁰ After the rising he was imprisoned in Frongoch jail, where as Chrissy Osborne suggests, Collins and fellow Republican inmates, such as James J. Slattery, who would later be part of Collins’s squad, developed their guerrilla tactics.¹⁰¹

In brief, the IPP failed to contain physical-force nationalism. Separatist leaders, such as Michael Collins and Eamon De Valera, who had survived the Easter Rising were to become leading figures during the Anglo-Irish War and later in the Civil War as well. However, the developments during the First World War and even earlier throughout the 19th century laid the foundation for the split in nationalist ranks as they unveil that there never was a homogenous nationalist movement.¹⁰²

2.3 The Anglo-Irish War

2.3.1 Aims and *modus operandi*

The foundations for open conflict had been laid out during the Ulster Crisis, the Easter Rising and ultimately by the eruption of the conscription crisis of 1918.¹⁰³ The leaders and survivors of the Easter Rising were released and re-organised the Volunteers into the Irish Republican Army. The reasons for the Civil War must be sought here, in the Anglo-Irish War which lasted from 1919 to 1921.

The IRA relied on guerrilla tactics against British forces in Ireland, primarily the Royal Irish Constabulary (RIC). Although nationalist narratives try to assign the IRA an organised commando structure and try to depict the conflict as an all-Ireland uprising, historians Michael Hopkinson and Mary Coleman make it clear that the War of Independence was a highly

⁹⁸ Gabriel Doherty & Dermot Keogh, *De Valera's Irelands* (Cork 2003), p. 9.

⁹⁹ Vincent McDonnell, *Michael Collins. Most Wanted Man* (Dublin 2008), p. 5.

¹⁰⁰ Osborne, *Michael Collins Himself*, p. 13.

¹⁰¹ Ibid.

¹⁰² Kelly, “Home Rule and its Enemies”, pp. 590-597.

¹⁰³ Foster, “Res Publica na hÉireann”, pp. 20-42.

localised conflict, led by a decentralised guerrilla army against mainly British police forces.¹⁰⁴ Ernie O'Malley being an IRA commander during that period supports these findings in his memoirs of the Civil War.¹⁰⁵ O'Malley points out that many battalions only existed on paper, which includes the IRA's command-structure. Meanwhile, Britain was still suffering from the consequences of the First World War and faced many rebellions across the Empire.¹⁰⁶ The British were unwilling to engage in a whole scale conflict, anti-British sentiment following the conscription crisis in Ireland, and British handling of the Easter Rising, proved to be fertile ground for Sinn Féin and the IRA.

The IRA's main areas of operation were the province of Munster and Dublin City.¹⁰⁷ While political leadership was rather centralised in Dublin, the military structure was decentralised. On 21st January 1919 the First Dáil Eireann was convened in the Mansion House, all members of the first Dáil were Sinn Féiners who had run in the 1918 general election.¹⁰⁸ Eamon De Valera was arrested briefly before the Dáil met, hence Cathal Brugha was elected first president and Michael Collins, became Minister for Finance and the IRA's chief of intelligence. The Dáil executive created five departments; president, finance, home affairs, foreign affairs, and national defence. All ministers were elected by the Dáil and all legislative power was transferred to the national assembly, which acted as a shadow cabinet to the British administration.

The paramount subject of the Dáil was to gain international recognition for their claim of independence. The idea was simple, the Dáil tried to gain political recognition of the Republic, while the IRA acted as their military wing. However, the Dáil failed to achieve its objective to gain belligerent status during the Paris peace conference, which put the focus on the armed insurgency.¹⁰⁹ They had been convinced that US President Wilson's idea of nationhood and self-governance would then apply to Ireland as well.¹¹⁰ As a next step new elected Dáil president Eamon De Valera travelled to the US in 1919 and stayed there for over a year. Meanwhile Michael Collins and the famous *Squad*, a loyal group of IRA men under his direction started to assassinate British officials, RIC men, and alleged informers in Dublin.¹¹¹

¹⁰⁴ Hopkinson, *The Irish War of Independence*, pp. 9-12; Coleman, *The Irish Revolution*, p. 45

¹⁰⁵ O'Malley, *The Singing Flame* (Cork 2012), p. 23.

¹⁰⁶ O Ruairc, *The Anglo-Irish Truce*, pp. 33-36.

¹⁰⁷ Hopkinson, *Green Against Green*, p. 9.

¹⁰⁸ Coleman, *The Irish Revolution*, p. 45.

¹⁰⁹ Ibid., p. 50.

¹¹⁰ Foster, "Res Publica na hÉireann", pp. 20-42.

¹¹¹ Hopkinson, *The Irish War of Independence*, p. 9-10.

The beginning of the war was marked by an underestimation of Republican capabilities by the British, who regarded the Republicans as a minor threat.¹¹² The IRA campaign was limited to the south-west, mainly Munster, and Dublin. Other parts of the country saw only sporadic fighting.

General Neville Macready was weary of these developments and warned British Prime Minister Lloyd George several times about the growing influence of the Republicans in Cork, but the latter did not take these threats seriously and relied on the RIC to sort out the issue.¹¹³

“With neither a state of war nor martial law being declared by the British authorities in Ireland – martial law did come eventually in December 1920/January 1921 but applied only to eight counties in the southern-most part of the country – the military was confined largely to a supporting role, leaving the civil administration based at Dublin Castle heavily reliant on the enforcement powers of the Royal Irish Constabulary (RIC) in its efforts to curb the insurgent Irish nationalists.”¹¹⁴

Hence, until 1920 the IRA managed to gain supplies and implement commando structures, safe houses and acquire weapons. Anti-Sinn Féin sentiments grew among loyalists. The RIC, and the feared Auxiliaries, and the Black and Tans were brought in to quell the rebellion.¹¹⁵ The Auxiliaries were militarised mobile columns acting autonomously. The Black and Tans, were meant to reinforce the RIC, because their numbers were plummeting.¹¹⁶ The British did not wish to accept the IRA as a military organisation and kept on referring to them as a “Murder Gang”.¹¹⁷ The aim of the IRA during the Anglo-Irish War was to destabilise civil administration and to disrupt the functioning of British rule in Ireland. One efficient weapon was the Belfast Boycott, whose aim was to destabilise Ulster and harm the North East’s economic position and force the North into a united Ireland.¹¹⁸ The IRA initially relied on arm raids, the burning of RIC barracks and small-scale ambushes. In 1920 the situation would deteriorate.

On 21st January 1919, the armed phase of the War of Independence started with the Soloheadbeg ambush, coincidentally, the same day Dáil Eireann assembled for the first time.¹¹⁹

¹¹² O Ruairc, *The Anglo-Irish Truce*, p. 11.

¹¹³ Ibid., pp. 44-45.

¹¹⁴ John Ainsworth, “The Black & Tans and Auxiliaries in Ireland, 1920-1921: Their Origins, Roles and Legacy”. In: *Queensland Annual Conference of the Queensland History Teachers*, 2001, p. 1. Online: https://eprints.qut.edu.au/9/1/Ainsworth_Black_conf.PDF (seen July 16, 2019).

¹¹⁵ John Borgonovo, *Spies, informers and the 'Anti-Sinn Féin Society' the intelligence war in Cork City; 1919 – 1921* (Dublin 2007), pp. 22-24.

¹¹⁶ W.J. Lowe, “The War Against the R.I.C., 1919-1921”. In: *Eire-Ireland*, Vol. 37 (3-4), 2002, pp. 84-85.

¹¹⁷ O Ruairc, *The Anglo-Irish Truce*, pp. 11-12.

¹¹⁸ Coleman, *The Irish Revolution*, p. 93.

¹¹⁹ Hopkinson, *The Irish War of Independence*, p. 25.

However, after Soloheadbeg there were hardly any ambushes or gun raids until 1920, when the IRA launched its more active campaign (which is why Coleman puts the beginning of the war one year back, to 1920).¹²⁰ Collins's dual role made him notorious since he organised 'the Squad', an assassin squad in Dublin for hunting down British officers, G-Men and (alleged) spies.

Soloheadbeg shows how localised and decentralised IRA activities were. According to Seamus Robinson of the 3rd Tipperary Brigade, local IRA units acted on their own initiative. GHQ did not sanction the attack and Dáil Éireann condemned it initially, especially Arthur Griffith found it outrageous.¹²¹ The Catholic Church denounced the ambush as murder and newspapers wrote obituaries for the killed RIC men. To illustrate how disorganised the early days were, it is useful to look at an extract of Robinson's description of the ambush:

"The only man with whom I discussed fully the plan of campaign was Seán Treacy. Treacy was my Vice Commandant. He came to me in Kilshenane with his fiancée, May Quigley, shortly after Christmas 1918. After tea the two of us went out to the haggard where he told me of the gelignite that was due to arrive at Soloheadbeg quarry in two or three weeks time - he could not find out the exact date, which was kept under sealed orders. He wanted to know should we capture it. When I looked surprised that anyone should ask for such an obvious answer, he added that there would be from two to six R.I.C. guarding the cart, that they would be armed and that there was the possibility of shooting."¹²²

The entire operation was opportunistic, and GHQ was oblivious to the entire enterprise, or in Robinson's words when he was asked by others whether GHQ would sanction the ambush: "*It will be unnecessary so long as we do not ask for their permission. If we ask we must await their reply.*"¹²³

Soloheadbeg led to the first military deployment of British troops in Co. Cork. The *Cork Examiner* notes that British response was vigilant, raids started, two men were arrested, but had to be released soon after. The *Cork Examiner* called on Sinn Féin to abolish their abstentionist politics and return to the constitutional approach:

"In the meantime, there is danger from two sides. On one side there is the underground element which wants rebellion. It is small but desperate. The common-sense of the Sinn Féin leaders, like the common-sense of the country, must tell them that such a course

¹²⁰ Coleman, *The Irish Revolution*, p 67.

¹²¹ Seamus Robinson, BMH WS 1721, 1950, pp. 19-21. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1721.pdf> (seen July 16, 2019).

¹²² Ibid., pp. 21-22.

¹²³ Ibid. p. 22.

would be absolutely helpless. But there is the danger that the leaders might be rushed into a course which their consciences condemned, as happened in 1916.”¹²⁴

At the same time Sinn Féin’s political plan failed. The Allied victors of the First World War did not accept the Irish claim of nationhood, so the Dáil finally switched to military resistance. On 10th April 1920, the RIC boycott was issued, but early fighting was limited to the killing of DI Hunt in Thurles, and the assassination of Resident Magistrate J.C. Milling in Westport, Co. Mayo.¹²⁵ These assassinations, carried out in broad daylight, brought the conflict to international attention. Local newspapers still condemned the attacks, pointing out how well connected the victims were in their community.¹²⁶

The IRA’s situation in Dublin was about to improve as the DMP’s G-Division was weakened by the shooting policy enacted by Michael Collins. The shooting of D/I Redmond and the magistrate Alan Bell in Dublin, as well as the attacks on other G-men, shattered British intelligence efforts in Dublin. Redmond and Bell had tried to investigate IRA finances and the IRA intelligence network, which made them logical targets for the IRA.¹²⁷ At this stage of the conflict, British tactics were restricted: capture as many of the Dáil members as possible and prevent the Dáil from becoming operational. However, the police boycotts and small-scale ambushes in the South-West led to the evacuation of many exposed and rural RIC barracks, which boosted IRA morale and created “Republican” areas in the South-West.¹²⁸ It is fair to say that in autumn 1919 the RIC had pulled out of rural Munster and the barracks were soon burned down by local IRA units. Because of the limited scale of the conflict little action against the Republican attacks was undertaken by the British until 1920, which gave the IRA time to form and organise itself.

In Munster and Co. Cork the war finally got off the ground in 1920. Local IRA leaders, such as Liam Lynch, Tom Barry and Liam Deasy started to organise their Volunteers and finally engaged local British forces and the RIC in a guerrilla war. The first culmination of violence in County Cork was the Kilmichael ambush in November 1920, which still causes controversy among historians. The IRA was now better armed than the Volunteers had ever been before.¹²⁹

¹²⁴ “The Tipperary Tragedy”. In: *The Cork Examiner*, Jan. 24, 1919, p. 4.

¹²⁵ Hopkinson, *the Irish War of Independence*, p. 26.

¹²⁶ “The Tipperary Tragedy”. In: *The Cork Examiner*, 21 Jan. 1919, p. 4.

¹²⁷ Hopkinson, *the Irish War of Independence*, pp. 26-27.

¹²⁸ *Ibid.*, p. 27.

¹²⁹ Ainsworth, *The Black & Tans and Auxiliaries in Ireland*, pp. 5-6.

One week later, Bloody Sunday saw the death of a dozen British officers in Dublin, whose whereabouts had been uncovered by Michael Collins's intelligence network.¹³⁰ This shocked British leaders. General Nevil Macready, commander-in-chief of the British Army in Ireland, noted later in his memoirs that most victims were killed while still in their beds. He recalls seven dead officers, three ex-officers, two RIC members and two dead civilians. The entire events unfolded in a single day, during which the IRA raided eight houses.¹³¹ Macready is clear about the repercussions of Bloody Sunday, it led to martial law in Ireland.¹³² Reprisals followed suit. Black and Tans killed a dozen spectators in Croke Park, which Macready¹³³ justifies by claiming that the crowd fired first, however this accusation is wrong, which showed how bloody the war has become.¹³⁴

In 1950 James J. Slattery, a member of Collins's "Squad" recalled the shooting of one officer during Bloody Sunday. Lt. Mahon. He gave the number of Volunteers involved in the enterprise and he identified a total of eight men, two of them, Slattery himself and Tom Keogh. Both were members of Collins's notorious "Squad". Slattery and Keogh went upstairs, and as they began to enter McMahon's room, a nearby Auxiliary patrol became aware of what was going on and a firefight ensued in Lower Mount Street, which became known as the Battle of Lower Mount St. Quickly, Slattery and Keogh shot McMahon in his bedroom, climbed over a garden wall and escaped through the back garden.¹³⁵ Only one of the targets at 22 Lower Mount St. made it out alive, but Slattery could not recall his name. Bloody Sunday shows the remarkable precision on the side of the IRA. Squad members and Volunteers had only been informed the day before.¹³⁶

For this study of Cork, the Kilmichael ambush is important, as it displays the favourite modus operandi of the West Cork IRA. Under the command of Tom Barry, an ex-British soldier who had served in the First World War, and Michael McCarthy, Cork No. 3 Brigade, ambushed auxiliaries near Kilmichael. Jack Hennessey, a local IRA officer recalled the events later:

“Nearly all the Auxies had been wiped out. When I reached the road a wounded Auxie moved his hand towards his revolver. I put my bayonet through him under the ribs.

¹³⁰ Hart, *The I.R.A. and its Enemies*, p. 37.

¹³¹ Neville MacReady, *Annals of an Active life* (London 1924), pp. 507-508.

¹³² *Ibid.*, p. 510.

¹³³ *Ibid.*, p. 511.

¹³⁴ O Ruairc, *The Anglo-Irish Truce*, pp. 13-14; Ainsworth, *The Black & Tans*, pp. 4-5.

¹³⁵ James J. Slattery, BMH WS 0445, 1950, pp. 13-15. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0445.pdf> (seen July 16, 2019).

¹³⁶ *Ibid.* pp. 13-14.

Another Auxie tried to pull [a shot] on Jobs Lordan, who was too near to use his bayonet and he struck the Auxie with the butt of his rifle.”¹³⁷

The crew of the first lorry had been pinned down by crossfire after Tom Barry’s grenade had killed the driver. As the follow up lorry became aware of the ambush, the Auxiliaries disembarked and returned fire, but soon pinned down by IRA crossfire. A fierce fire-fight ensued and McCarthy, second in command, was shot dead, which made him one of the three IRA losses of that day.¹³⁸ According to several sources James Guthrie, the driver of the second lorry initially managed to escape from the ambush site. Unfortunately, as he made his way back to Macroom, he ran into two IRA men from Cork No. 1 Brigade. They did not hesitate and executed him on the spot, using Guthrie’s own revolver, which he had just surrendered to them. Charles Browne later recalled:

“Driver Guthrie - made his way under cover of darkness from the scene of the fight and, armed only with a revolver, retraced the way he had come from Macroom. At Droumcarra he was held up by two unarmed members of 'K' Company and shot with his own gun and buried at Annahala.”¹³⁹

Hennessey adds that Gurthie was knocked out and underlines that Gurthie had been unarmed while he was killed.¹⁴⁰ After the Civil War Guthrie’s relatives managed to reclaim his body:

“The Auxie was executed by the 1st Cork Brigade and his body buried in Annahala bog. The Auxie's name was Gutteridge [*sic!*]. The body lay in the bog until after the Civil War, when enquiries were started by the Auxie's relatives.”¹⁴¹

Browne offers a likely explanation, why the IRA did not take any prisoners, the IRA had to protect their own from the public eye. If Guthrie had made it out alive, they feared that he would have been able to identify the attackers and therefore feared British reprisals.¹⁴² Browne was right about his assumption, the very next day Auxiliaries went out and shot one man and burned down two houses as an immediate reprisal for the ambush.¹⁴³

¹³⁷ Jack Hennessey, BMH WS 1234, 1955, p. 6. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1234.pdf> (seen July 16, 2019).

¹³⁸ Ibid. pp. 5-6.

¹³⁹ Charles Browne, BMH WS 0873, 1953, p. 29. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0873.pdf> (seen July 16, 2019),

¹⁴⁰ Hennessey mistakenly calls Gurthie “Gutteridge“, Jack Hennessey, BMH WS 1234, 1955, p. 6. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1234.pdf> (seen July 16, 2019).

¹⁴¹ Ibid. p. 7.

¹⁴² “Charles Browne”, BMH WS 0873, 1953, p. 30. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0873.pdf> (seen July 16, 2019),

¹⁴³ Hart, *The IRA and its Enemies*, p. 33-34; Macready, *Annals of an Active Life*, pp. 511-512; O Ruairc, *The Anglo-Irish Truce*, p. 15. Until today Kilmichael causes controversy among historians, whether there was a false surrender by the Auxiliaries and why the IRA had killed the prisoners. For more detail Michael Hopkinson’s *The Irish War of Independence*; Peter Hart’s *The IRA and its Enemies*, Tom Barry’ *Guerrilla Days in Ireland*,

Kilmichael was a turning point for the Cork IRA, because it was the first successful large-scale ambush against the RIC (Auxiliary division). Moreover, Barry's tactics showed how effective guerrilla tactics against British units were and how to conduct them. Reprisals and martial law followed.

2.3.2 The War of Independence in Cork

During the War of independence, Co. Cork was divided into three Brigade Areas. Cork No. 1 Brigade (Mid-Cork and Cork City), Cork No. 2 Brigade (North Cork) and Cork No. 3 Brigade (West Cork). On the eve of the truce in July 1921, Cork No. 5 Brigade was established, taking over several coastal areas.¹⁴⁴ IRA organisation was organised according to geographical boundaries, which were usually respected during the War of Independence by local IRA units.¹⁴⁵

Kilmichael was a turning point for the British. Afterwards, martial law was declared in Munster, as spy-killings and ambushes had become more frequent. Cork City saw several assassinations of alleged spies, and the RIC presence was still strong. In West Cork tense fighting erupted in the mountainous terrain, throughout the entire War of Independence Co. Cork remained one of the main battlefields.¹⁴⁶ John Borgonovo underlines this in his study of spy networks in Cork City:

“During the War of Independence County Cork was the most violent county in Ireland, suffering the highest number of deaths. The county saw the largest armed encounters of the conflict, with some guerrilla actions drawing hundreds of participants. More police and military could be found in County Cork, and they suffered more fatalities than their counterparts anywhere else in the country. British counterinsurgency in Cork was violent and intense, with numerous Cork IRA Volunteers dying in military or police custody.”¹⁴⁷

Civilians in Cork were pressurised to choose sides or to keep a low profile. Too much involvement could be futile, Hart points out that every interaction with the RIC or the military could lead to the accusation of spying or being an informer.¹⁴⁸ Borgonovo makes it clear that this might as well have been the case, but that most of IRA targets in Cork were accurately

Meda Ryan's *Tom Barry: IRA Freedom Fighter*; David Fitzpatrick's (Ed.) *Terror in Ireland*. The main discussion converges around the justification for the killings.

¹⁴⁴ Andy Bielenberg & John Borgonovo, “Something of the Nature of a Massacre: The Bandon Valley Killings Revisited”. In: *Eire-Ireland*, 49 (3-4), 2014, p. 8.

¹⁴⁵ *Ibid.*, p. 9.

¹⁴⁶ Borgonovo, *Spies, informers and the 'Anti-Sinn Féin Society'*, pp. 7-8; Hart, *The IRA and its Enemies*, p. 275, and Michael Hopkinson's *The Irish War of Independence*, p. 75

¹⁴⁷ Borgonovo, *Spies, informers and the 'Anti-Sinn Féin Society'*, pp. 7-8; Hopkinson's *The Irish War of Independence*, p. 7.

¹⁴⁸ Hart, *The IRA and its Enemies*, pp. 295-296.

identified and that sectarianism appears to have played, if at all, a minor role. The IRA targeted Catholics and Protestants alike.¹⁴⁹ The IRA were well aware of the existence of the so-called 'Anti-Sinn-Féin Society'. Research shows that many different groups operated under that umbrella term, which encompassed mostly Auxiliaries and RIC men, but also loyalist civilians.¹⁵⁰ How active or organised loyalists in the area were cannot be established for certain, however what matters is that the IRA did believe that the threat of a loyalist spy-ring was real.¹⁵¹

After the assassination of Lord Mayor Tomas MacCurtain by RIC men, and Terence MacSwiney had died during a hunger strike in 1920, Sean O'Hegarty took over command of the Cork IRA. O'Hegarty acted violently and mercilessly against alleged spies, whom he blamed for the capture of MacSwiney and for the death of MacCurtain. The Cork IRA was assuming that the 'Anti-Sinn Féin society' posed a real threat and the claim was supported by Frank Busteed, a local IRA man.¹⁵² November 1920 saw a killing spree, which targeted alleged spies in Cork City. During the last months of 1920, from November to December, eight civilians were killed as alleged spies. In February 1921 the Cork IRA acted again openly and killed another seven suspected spies and marked them by pinning a card on their bodies reading; "Spies and Informers Beware."

The question to what extent the IRA were able to identify their targets accurately remains a controversial topic among historians. Peter Hart¹⁵³ points out that there was no real spy network, which is contradicted by Florrie O'Donoghue¹⁵⁴, Cork IRA intelligence officer, who claims that the greatest care was taken before an execution to verify that the accused was guilty, however this cannot be tested today, as the IRA burned or destroyed their transcripts of these trials.¹⁵⁵ Nonetheless a pattern is observable; if a civilian was suspected of spying he would be traced and observed, and tried by court martial. If the suspect was found guilty, he was eventually killed or expelled from the area. Nonetheless, Borgonovo concludes that there is a high probability that the IRA were probably efficient in identifying their targets.¹⁵⁶ Unlike

¹⁴⁹ Borgonovo, *Spies, informers and the 'Anti-Sinn Féin Society'*, p. 7.

¹⁵⁰ Ibid.

¹⁵¹ Ibid, p. 32, pp. 6-7.

¹⁵² Ibid. p. 32.

¹⁵³ Hart, *The IRA and It's Enemies*, pp. 295-297.

¹⁵⁴ Florence O'Donoghue, in: John Borgonovo, *Florence and Josephine O'Donoghue's War of Independence: A Destiny That Shapes Our Ends* (Dublin 2006), pp. 98-99.

¹⁵⁵ Borgonovo, *Spies and Informers*, p. 61.

¹⁵⁶ Ibid., p. 62.

Hart, Borgonovo concludes that there was no pattern of targeting ex-servicemen or Protestants. However, there was a significant number of these two groups who were killed in 1921.

After an IRA ambush at Dillon Cross, Black and Tans burned down Cork City centre in December 1920. At Dillon's Cross about six IRA men had prepared an ambush, and successfully targeted two lorries full of Auxiliaries.¹⁵⁷ As a reprisal, British forces burned Cork City Hall, the Carnegie Public Library, and the entire commercial district. Damages reached between 2 and 3 million pounds, putting more than 2,000 people out of work.¹⁵⁸ The burning of the city made local and international headlines. Even the *Irish Independent* raised the question whether this is the civilised warfare envisioned by PM Lloyd George.¹⁵⁹ At Dillon Cross one Auxiliary cadet had died and eleven more had been injured.¹⁶⁰ The clergy positioned itself against the local IRA and put the blame on the Republicans, and Bishop Daniel Cohalan issued an excommunication order to any IRA member who had participated in the ambush¹⁶¹, which alienated Cork IRA men from the clergy even more.¹⁶²

Cork City and County Cork saw purges of informers, Black and Tan raids, and reprisals. County Cork was exposed to enormous violence prior to the Truce, which eventually ended most of the bloodshed on 11 July 1921. The Truce had begun and preparations for war were immediately under way. The IRA now had the strong feeling that they had won the war against the British, because according to their narrative, the guerrilla wins if he does not lose.¹⁶³

¹⁵⁷ Sean Healy, BMH WS 1479, 1956, pp. 56-58. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1479.pdf> (seen July 16, 2019).

¹⁵⁸ "Devasted City". In: *The Irish Independent*, Dec. 13, 1920, p. 4.

¹⁵⁹ "The New Terrorism". In: *The Irish Independent*, Dec. 13, 1920, p. 4.

¹⁶⁰ "A Daring Cork Ambush". In: *The Irish Independent*, Dec. 13, 1920, p. 5.

¹⁶¹ "Bishop's Drastic Action". In: *The Irish Independent*, Dec. 13, 1920, p. 5.

¹⁶² Borgonovo, *Spies, informers*, p. 39.

¹⁶³ O Ruairc, *The Anglo-Irish Truce*, p. 15.

3. Violence During the Irish Civil War in Co. Cork

3.1 The Civil War in Cork and Strands in Research

3.1.1 *The cause of the Civil War*

In 1921 the truce period started in July and ended on 5th December when the Anglo-Irish Treaty was signed. The terms of the Treaty split the Republican movement. The IRA did not believe that the Truce would last and was already preparing for the resumption of war with the British. Therefore, it is no surprise that IRA units in Co. Cork started to gather war material and policed the area.¹⁶⁴ Ernie O'Malley recalls that he and others saw the Truce as a break to reorganise and rearm the IRA.¹⁶⁵ During the Truce, local IRA units would commandeer cars, horses, and arms. After the Irish delegation in London signed the Treaty, leading figures of the movement went to Dublin and summoned an IRA executive meeting. The Treaty split former comrades into groups, those who supported the Anglo-Irish Treaty and those who opposed it. This division is best illustrated by the narrow majority the Treaty had in Dáil Éireann, 64 in favour and 57 against.¹⁶⁶

The Treaty itself gave Ireland Dominion Status within the Commonwealth of Nations and established an Irish Free State, rather than an independent republic. Radical Anti-Treaty members opposed this idea of a Free State arguing that they had sworn to protect the Republic. They rejected the oath of allegiance, which was included in the Free State constitution:

“I (name) do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established, and that I will be faithful to H.M. King George V, his heirs and successors by law in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.”¹⁶⁷

Further splitting the Republican movement, the Free State would consist only of 26 counties, leaving six counties all but three of Ulster's counties under direct British rule, if the Northern Parliament would vote to stay in the UK, so Ulster left the Free State. Many reasons may explain why the Stormont parliament near Belfast voted to leave, but mainly Ulster unionists left out of fear of being a suppressed minority in a predominantly Catholic Free State.¹⁶⁸

¹⁶⁴ Borgonovo, *The Battle for Cork: July-August 1922* (Cork 2011), pp. 10-20.

¹⁶⁵ O'Malley, *The Singing Flame*, pp. 23-24.

¹⁶⁶ Bill Kissane, *The Politics of the Irish Civil War*, pp. 5-6.

¹⁶⁷ Anglo Irish Treaty, Art. 4. Online: <https://www.difp.ie/docs/1921/Anglo-Irish-Treaty/214.htm> (seen April 4, 2019).

¹⁶⁸ Kissane, *The Politics of the Irish Civil War*, p. 22; Hart, *The I.R.A. and its Enemies*, p. 280.

Therefore, it is no surprise that after the ratification of the Treaty and an ensuing six months period of ever rising tensions between the two nationalist factions, preparations for war were under way. At one point, as is pointed out by Ernie O'Malley, Republicans even planned to openly attack British forces in Ulster to avoid the outbreak of the civil war.¹⁶⁹

Current strands in research have identified two positions within the separatist camp, (1) those who viewed the Treaty as a stepping stone to a future Republic, and (2) those who openly opposed the agreement on the grounds that it did not create a legally binding Republic. Moreover, research by Gavin Foster indicates conflicting views of liberty as a plausible explanation for political resistance against the ratification.¹⁷⁰ These two strands need to be investigated thoroughly.

3.1.2 The general course of the Civil War in the Munster

Leaders on both sides of the argument tried to avoid the outbreak of a civil war, but ultimately the shelling of the IRA garrison in the Four Courts on 28th June 1922 marked the outbreak of the armed phase of the Irish Civil War. The war would last until the end of May in 1923. Before open fighting broke out, a stand-off between the Anti-Treaty IRA and pro-Treaty troops developed. Noteworthy, even during the Truce neither British forces nor the IRA had stopped carrying arms.¹⁷¹

Briefly after British troops were withdrawn from their barracks, local IRA units took over and stand offs between pro-Treaty and anti-Treaty groups ensued, as no agreement between the two camps seemed likely. This development was further fuelled by debates in the Dáil, and intra-IRA conflicts. The Munster IRA was largely anti-Treaty, which caused the Provisional Government to discuss how the province could be brought under control. Richard Mulcahy had become chief of staff of the IRA and Minister of Defence and in this function, he tried to bring in pro-Treaty troops into Limerick City under the command of Michael Brennan. Limerick was essential to both sides, because of the strategic importance of the city as transport hub and because Limerick was a centre of IRA arms production.¹⁷²

Liam Lynch effectively became the leader of the Anti-Treaty IRA and soon tried to establish a defensive line between Waterford and Limerick City, the so-called Republic of Munster.¹⁷³

¹⁶⁹ O'Malley, *The Singing Flame*, p. 110.

¹⁷⁰ Foster, "Res Publica na hÉireann", pp. 20-42.

¹⁷¹ John O'Callaghan, *Revolutionary Limerick: The republican campaign for independence in Limerick, 1913-1921* (Dublin 2010), p. 6.

¹⁷² O Ruairc, *The Battle for Limerick City* (Cork 2010), pp. 20-30; O'Malley, *The Singing Flame*, pp. 30-32.

¹⁷³ Niall C. Harrington, *Kerry Landing August 1922: An Episode of the Civil War* (Cork 1992), p. 193.

Although the IRA had superior numbers, they lacked ammunition, arms, and war material, however they were still better equipped and staffed than at any given point during the War of Independence.¹⁷⁴ Soon after the shelling and the fall of the Four Courts in Dublin, resistance in the capital faltered quickly, which enabled the government to turn its attention to the Munster Republic.¹⁷⁵ Although powerful and strong on paper, the IRA's situation on the ground was dire; the greatest part of the IRA's chief of staff were imprisoned, only Ernie O'Malley managed to escape. To make things worse for the Republicans, the Free State possessed artillery, provided by the British and popular support for the Republican cause was dwindling.¹⁷⁶

After the Four Courts was taken, the newly founded National Forces went on the offensive. Emmet Dalton, a former British officer, took charge of the Irish Free State Army.¹⁷⁷ The Republicans could not agree on a common and coherent strategy against the "Staters". One group around O'Malley urged Lynch to launch an offensive against the provisional government and reorganise the IRA for conventional warfare.¹⁷⁸ However Lynch, the acting chief of staff, favoured a defensive strategy, focussing on the defensive line Limerick-Waterford. Lynch's strategy was clear-cut: to stand ground in the south and re-engage in guerrilla warfare elsewhere in Ireland.¹⁷⁹ This strategy relied heavily on the IRA's ability to hold Limerick, Waterford, and Cork. Unfortunately for Lynch, Free State troops reacted quickly and moved into King John's Castle and other barracks in Limerick after the British had left their posts. Michael Brennan, commander of the 1st Western Division, pretended that he had superior numbers and arms to confuse Lynch. This was a bold bluff, his troops were ill-equipped¹⁸⁰, but Lynch fell for it. He failed to understand that he outgunned Brennan and that the national troops in Limerick were cut off from central communication lines. Brennan's contingent consisted of ill-motivated, non-local troops, which had been deployed, because Mulcahy wanted to avoid local allegiances. Thus, Michael Brennan's 1st Western Division and O'Hannigan's 4th Southern Division moved in and split IRA positions in two, by occupying the Custom House,

¹⁷⁴ Ibid., p. 194.

¹⁷⁵ Borgonovo, *The Battle for Cork*, pp. 5-7.

¹⁷⁶ O'Malley, *The Singing Flame*, pp. 172-174.

¹⁷⁷ Sean Boyne, *Emmet Dalton: Somme Soldier, Irish General, Film Pioneer* (Dublin 2014) [E-Book Chapter: The Advance on Cork], pp. 80-85.

¹⁷⁸ Ibid., p. 175.

¹⁷⁹ Kissane, *The Politics of the Irish Civil War*, p. 78.

¹⁸⁰ O Ruairc, *The Battle for Limerick City*, pp. 30-33.

the Courthouse, and St Mary's Cathedral, as well as Mary Street police barracks.¹⁸¹ Historian Padraig O Ruarc makes it clear that Liam Lynch had failed to act when he still had the chance:

“Lynch had made one crucial mistake when the IRA occupied Limerick; although they controlled all of the main bridges in the city, he had not ordered any guard to be placed on Athlunkard bridge and the Free State troops had taken it without a challenge. Brennan realised the strategic value of this bridge and immediately began using it to bring Free State reinforcements into Limerick from his divisional headquarters in Ennis, thirty-five miles away.”¹⁸²

On 21st July the city fell to the national troops and the fighting in Limerick was over, the semi-siege had lasted for nearly a month and ultimately the IRA retreated farther south. The loss of Limerick caused Lynch to resume guerrilla warfare. He was later to be killed in action by Free State troops in the Knockmealdown Mountains.¹⁸³

The IRA's situation in Cork City resembled the Limerick situation. The Cork IRA had been preparing for war since the start of the Truce, culminating in the seizure of the “SS Upnor”, carrying British arms.¹⁸⁴ The Cork IRA were facing another problem, many of the fresh recruits joined ranks during the Truce, which made them highly unreliable and they were therefore lacking fighting experience. Consequently, even the Cork IRA was not able to raise enough arms and reliable men to fight back. Borgonovo underlines this exceptional situation in Cork and to make things worse, Sean O'Hegarty O/C Cork No. 1 Brigade and Florrie O'Donoghue, his intelligence officer, had declared their neutrality. This further put a strain on the Republican war effort.¹⁸⁵

Limerick had been taken, National Forces under the command of General Dalton disembarked at Passage West, about seven miles from Cork City and another landing party landed at Youghal in East Cork. Free State troops were now moving quickly against the city.¹⁸⁶ During the battle of Cork civilians were subjected to reprisals. Panic buying was the norm and food was stockpiled, because the civilian population, feared another siege or even another burning of the city. As a result, civilian sentiment towards the Republicans deteriorated. Some civilians started to show open signs of dissent, such as the raising of an American flag to show disapproval of the Republicans, similar acts of disapproval could be seen across the entire

¹⁸¹ Ibid., p. 32.

¹⁸² Ibid. p. 33.

¹⁸³ Jamie Moynihan, *Memoirs of an old warrior: Jamie Moynihan's fight for Irish freedom 1916-1923* (Cork 2014), p. 123.

¹⁸⁴ Ibid. pp. 115-116; Borgonovo, *The Battle for Cork*, pp. 10-11.

¹⁸⁵ Borgonovo, *The Battle for Cork* p 11.

¹⁸⁶ Borgonovo, *The Battle for Cork*, p. 39; Jamie Moynihan, *Memoirs of an old warrior*, p. 112.

city.¹⁸⁷ Although the IRA commandeered food and supplies, newspaper reports about atrocities and the burning of the city centre proved to be wrong. The press exaggerated the alleged IRA terror.¹⁸⁸ On 10th August, the IRA began the evacuation of Cork City, and at around 7:30 p.m. National Army troops finally entered the city.¹⁸⁹ Within two months the Republicans had lost all major cities under their command, and now they were retreating to Macroom. By 22nd August, the Republicans had lost Macroom, Bantry, Clonakilty, Inchigeelagh, and Kinsale.¹⁹⁰

At the end of August 1922, the conventional phase of the Civil War in Co. Cork was over. However, the Free State was to receive major blow in Cork. On 22nd August 1922, Michael Collins was shot at Béal na mBlath. His death has led to controversy, the question remains why the convoy had stopped, or sometimes it is speculated that the gunner of one of the convoys armed cars, McPeake had misfired on purpose. But Hopkinson makes it clear that most of the speculations regarding Collins's death are based on circumstantial evidence and can hardly be proven.¹⁹¹ Collins ordered the convoy to stop although Emmet Dalton urged him to drive on. It cannot be established who fired, but Collins' death probably led to an even bitterer approach towards the war.¹⁹² Mulcahy reacted quickly and assumed overall command of the army and William Cosgrave was appointed chairman of the Provisional Government. The hardliners were now in command.¹⁹³

Although, the Republicans were beaten in their urban strongholds and Lynch's strategy had either failed or never unfolded, the war was far from over. The Republicans retreated to the countryside and formed Active Service Units and Flying Columns, the guerrilla phase of the war had started. Many atrocities took place during this period such as the Ballyseedy massacre in Co. Kerry or the court martialling of many Republicans by the Irish Free State Army on the one hand¹⁹⁴ and the burning of country-estates and the houses of pro-Treatyites on the other hand.¹⁹⁵ In Cork the IRA was demoralised. Lynch's tactical retreats had left the IRA intact in principle, but some of the force were not willing to fight. From September onwards Cork No. 1 Brigade was rather passive. During that period Tom Crofts, O/C Cork No. 1 Brigade was

¹⁸⁷ Borgonovo, *The Battle for Cork*, p. 40.

¹⁸⁸ Ibid. p.51.

¹⁸⁹ Ibid. p. 54.

¹⁹⁰ Hopkinson, *Green Against Green*, p. 164.

¹⁹¹ Ibid., p. 177.; Peter Cottrell, *The Irish Civil War 1922-1923* (Oxford 2008), p. 63.

¹⁹² Kissane, *The Politics of the Irish Civil War*, p. 65.

¹⁹³ Hopkinson, *Green against Green*, pp. 176-178; Kissane, *The Politics of the Irish Civil War*, p. 80.

¹⁹⁴ Moynihan, *Memoirs of an old warrior*, pp. 126-129.

¹⁹⁵ Clark, *Everyday Violence*, pp. 1-10.

constantly discussing the situation with Florrie O'Donoghue.¹⁹⁶ Commanded by Crofts, there was little more than small-scale ambushes and sniping endeavours. O'Donoghue and Sean O'Hegarty were leading the neutral IRA and tried to broker peace between the Provisional government and the Republicans¹⁹⁷, thus it is likely that Croft was willing to compromise.

Most initiatives were make-shift and arrests destroyed the command structure.¹⁹⁸ In September Tom Barry escaped from prison, formed a column, but left for Tipperary and Kilkenny. Meanwhile, Dalton lamented that his troops were disorganised and had started to commandeer goods and loot. This behaviour led to an increase in Republican support in late 1922.¹⁹⁹ In November Dalton finally left Free State command under odd circumstances. Some historians claim that he left because he disapproved of the execution policy of the Provisional Government²⁰⁰, but this appears unlikely because of his involvement in the killings of Republican prisoners.²⁰¹

Meanwhile, Cosgrave and O'Higgins took an even harder stance against the Republicans and on 27th September 1922, the Public Safety Bill was passed and enacted from 15th October 1922. That bill legalised military courts and gave them the power to sanction executions. Executions were legitimised by possession of arms, aiding, and abetting of attacks against government forces.²⁰² This in return led to a Republican counter-reprisal policy. The first executions took place on 17th November 1922, four IRA men were executed. In response the IRA executive agreed to execute all TDs who voted in favour of the Public Safety Act. On 7th December 1922, Sean Hales TD was shot dead and another TD wounded, by IRA men in Dublin. As a reprisal all four members of the IRA executive, who had been captured during the battle of the Four Courts, were executed on 8th December.²⁰³ All in all, 77 Republican prisoners were executed under the Public Safety Bill.²⁰⁴ The first and only execution in County Cork took place in 1923: William Healy.

¹⁹⁶ "Sworn Statement made before the Advisory Committee by Thomas Croft". In: MSPC, MSP34 1887, p.5. Online: <http://mspcsearch.militaryarchives.ie/detail.aspx> (seen July 16, 2019).

¹⁹⁷ Kissane, *The Politics of the Irish Civil War*, p. 138.

¹⁹⁸ Moynihan, *Memoirs of an old warrior.*, p. 202.

¹⁹⁹ Hopkinson, *Green Against Green*, p. 201.

²⁰⁰ Cottrell, *The Irish Civil War 1922-1923*, p. 57.

²⁰¹ Borgonovo, *The Battle for Cork*, p. 58.

²⁰² Moynihan, *Memoirs of an old warrior.*, p. 181.

²⁰³ Hopkinson, *Green Against Green*, p. 191; Kissane, *The Politics of the Irish Civil War*, p. 110.

²⁰⁴ David M. Doyle & Ian O'Donnell, "The Death Penalty in Post-Independence Ireland". In: *The Journal of Legal History*, Vol. 33 (1), 2012, p. 67.

In January 1923 Republican military organisation disintegrated. On 18th January 1923 Liam Deasy was arrested, and probably to avoid execution, signed a letter in which he called on the IRA to dump arms. Deasy's appeal demoralised many Republicans further, but the war although already lost, continued. In Cork most activities were confined to mountainous areas around Macroom and Bantry. One reason might be that the Free State garrison was relatively inactive, thus there was little need for a resurgence in Republican support. Another explanation is that the Cork IRA's commanders were aware of their situation. For example, Liam Deasy points out that he was already aware of imminent defeat in late August 1922, months before he was captured.²⁰⁵ Pension claims underline this picture. Dermot O'Shea who was a Volunteer in Cork No. 5 Brigade stated before the advisory board that his ASU saw no more fighting after December 1922.²⁰⁶ The Republicans in Cork were either on the run or involved in not much more than small-scale ambushes.²⁰⁷

Peace efforts begun to intensify after Deasy's arrest and appeal, which was refuted by Liam Lynch. Still, Deasy's call for the dump of arms had a profound effect on the Cork IRA.²⁰⁸ In February even Tom Barry tried to organise an executive meeting in order to stop the fighting. Mick Murphy conceded that the remaining active Republicans in Cork were like wandering sheep.²⁰⁹ The Cork IRA was neither able nor willing to continue the fight. After Liam Lynch was killed in action Frank Aiken was elected new Chief of Staff. Finally, on 24th May 1923, the Civil War came to an end with the order to "dump arms".²¹⁰

3.1.3 Violence in County Cork— The state of research

It is debated among historians how, who and why violence spread throughout the Irish Civil War. Eunan O'Halpin²¹¹ points out that the Free State was far from stable after the Treaty had been signed, thus extreme measures had to be undertaken to restore order.²¹² Moreover, there is consensus among historians that civic order had evaporated. Therefore, the logical reason for the eruption of violence in Cork is the absolute break-down of law and order. However, the Irish Free State itself is often seen as a perpetrator rather than a victim of violence by some

²⁰⁵ O'Malley, *The Men Will Talk to Me*, pp. 184-185.

²⁰⁶ "Sworn Statement made before the Advisory Committee by Dermot O'Shea". In: MSPC, MSP34 9820, p. 3. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R2/MSP34REF9820DERMOTOSHEA/WMSP34REF9820DERMOTOSHEA.pdf (seen July 16, 2019)

²⁰⁷ Hopkinson, *Green Against Green*, pp. 238-240

²⁰⁸ Kissane, *Politics of the Irish Civil War*, p. 112.

²⁰⁹ Hopkinson, *Green Against Green*, p. 240.

²¹⁰ Ibid., pp. 256-257.

²¹¹ O'Halpin, *Defending Ireland: The Irish State and its Enemies since 1922* (Oxford 1999), p. 2.

²¹² Ibid.

historians. For example, Peter Hart claimed in his controversial chapter “Taking it out on the Protestants” that the nascent Irish Free State did little to protect its Protestant minority.²¹³ This paper tries to investigate how current strands of research view violence during the Irish Civil War and how it was legitimised, by politicians and by combatant.

In principle, the political elite was split along two lines, those who supported the Treaty and those who opposed it.²¹⁴ It is often forgotten that Sinn Féin was not a homogenous movement. For example, Arthur Griffith saw the entire armed struggle as counter-productive and preferred negotiations with the British to fighting.²¹⁵ This rather unstable consensus among rivaling Sinn Féin factions eroded quickly as soon as the Treaty emerged as a result of the negotiations with the British. Considering the effect of the Oath of Allegiance, the effect of language and rhetoric must not be side-lined or ignored in this study of violence in Co. Cork. For example, pro-Treatyites and anti-Treatyites led a fierce propaganda battle over the ownership of the title “Republican”.²¹⁶ In the end, the anti-Treaty side secured ownership over the title, but the struggle in the political sphere was not separated from the military effort on the ground.

Gavin Foster tried to identify different strands in Irish republicanism and link them to pre-existing strands in Irish nationalism.²¹⁷ Initially Home Rulers led the political field and tried to promote a constitutional perspective, however, as soon as the Treaty emerged, Home Rulers sided automatically with the Treaty side, but they did not have any kind of political leverage in the debate.²¹⁸ The original constitutional brand of Irish politics had ceased to command overall influence in Irish politics, only the Labour party survived and re-emerged as an electoral force in the third Dáil.²¹⁹ But the Labour party never managed to regain the political leverage it had held prior to the War of Independence.²²⁰ Parties and alliances remained stable and the Irish main parties emerged later out of the Sinn Féin split. After Collins’ and Arthur Griffith’s death Cosgrave and O’Higgins became civilian leaders of the pro-Treatyites and Richard Mulcahy

²¹³ Hart, *The I.R.A. and its Enemies*, pp. 273-292.

²¹⁴ Kissane, *Politics of the Irish Civil War*, pp. 5-6.

²¹⁵ Richard English, *Ernie O’Malley IRA Intellectual* (Oxford 1998), p. 9; Kissane, *The Politics of the Irish Civil War*, p. 205; Foster, “Res Publica na hEireann”, p. 26

²¹⁶ Foster, “Res Publica na hEireann?”, p. 20.

²¹⁷ Ibid.

²¹⁸ Senia Pasetta, “Ireland’s Last Home Rule Generation: The Decline of Constitutional Nationalism in Ireland, 1916-30”. In: Mike Cronin & John M. Regan (eds.), *Ireland: The Politics of Independence* (Dublin 2010), pp 25-26.

²¹⁹ Kissane, *The Politics of the Irish Civil War*, p. 129

²²⁰ Adrian P. Kavanagh, “An End to ‘Civil War Politics’? The Radically Reshaped Political Landscape of Post-Crash Ireland”. In: *Electoral Studies*, No. 38, 2015, p. 72.

replaced Collins as commander in chief.²²¹ These three men later became founding members of Cumann na nGaedheal, which after electoral losses was re-founded as Fine Gael. Peter Cottrell claimed that Cosgrave, O'Higgins and Mulcahy saw the anti-Treaty IRA as traitors, who never truly wanted to cede control to a civil government. The anti-Treaty Sinn Féin faction remained paralysed and chose to prolong Sinn Féin's policy of abstentionism, but ultimately re-engaged in political life under De Valera's leadership as Fianna Fáil.²²² Fianna Fáil managed to mobilise the Republican electorate and overthrow the pro-Treaty in the election of 1932, by reinventing the former anti-Treaty party as a broad social alliance for change.²²³

Historians are clear about the electoral consequences and the pressure put on parties, but little research has been done into motives and strands within the different pro- and anti-Treaty camps. The main split was clarified, but what exactly drove the opponents and proponents to cast their votes? Foster claims that there was a climate of fear, which drove many TDs to vote for the Treaty.²²⁴ This was not an abstract fear, which Anne Dolan describes in her article on terror and fear. She claims that British civil servants, politicians, and police officers were scared even when opening their post-boxes, a climate of fear had surrounded Dublin.²²⁵ The British ultimatum injected a wide part of the TDs with fear: A fear of all-out war with the British. This fear was not abstract, words had an effect. The reluctant members of the Irish delegation in London succumbed to this very fear and ultimately signed the Treaty.²²⁶

The role of fear alone would justify an investigation of the Treaty debates. Additionally, there was the question of true liberty. Foster concludes that those who opposed the Treaty were not zealots but part of a different Republican tradition, who simply rejected the Treaty, because any constitutional or political settlement concluded under duress was illegitimate and against the Republican concept of liberty.²²⁷ The British threat of war became a red lantern and unacceptable pre-condition for these Republicans, because any decision made under duress was contrary to their beliefs. Moreover, de Valera argued that the future constitution of the Free State, would be illegitimate, because it was to be written under dictated pre-conditions.²²⁸

²²¹ Cottrell, *The Irish Civil War*, p. 55.

²²² John M. Regan, "The Politics of Utopia: Party Organisation, Executive Autonomy and the New Administration". In: Cronin & Regan (eds.), Ireland: *The Politics of Independence* (Dublin 2010), pp. 32-33.

²²³ Richard Dunphy, "The Enigma of Fianna Fail". In: Mike Cronin & John M. Regan (eds.), Ireland: *The Politics of Independence* (Dublin 2010), p. 72.

²²⁴ Gavin Foster, "Res Publica na hEireann?", p. 26

²²⁵ Anne Dolan, "The shadow of a great fear": Terror and Revolutionary Ireland". In: David Fitzpatrick (Ed.), *Terror in Ireland* (Dublin 2012), pp. 34-45.

²²⁶ Gavin Foster, "Res Publica na hEireann?", p. 26

²²⁷ Ibid., p. 27.

²²⁸ Ibid., p. 31.

Strikingly, all these lines of argument did not consider any form of compromise. Therefore, Foster argues that different views of liberty ultimately led to the Treaty split. To build upon this line of argument, this paper study strives to add an empirical study of the different justifications for their votes offered by Cork TDs, while also considering physical-force arguments.²²⁹

John Borgonovo has investigated the Treaty Debate from a Cork perspective.²³⁰ He shows that the Cork IRA was critical of politicians and Sean O’Hegarty told the two Cork City TDs that a “yes” vote would equal treason. The IRA tried to obstruct the debate:

“During the Dáil debates, the IRA obstructed pro-Treaty lobbying, destroying pamphlets and confiscating Chamber of Commerce signature books. When city Sinn Féin clubs gathered to elect delegates to the party’s pivotal Ard Fheis, IRA Volunteers packed the meetings to elect anti-Treaty representatives. At one branch meeting, IRA leader Dan ‘Sandow’ O’Donovan reportedly secured his election by warning that no pro-Treaty delegate ‘would leave Cork alive’.”²³¹

While Borgonovo analyses the IRA position, he does not analyse Cork TD’s different positions. This study will try to fill this void.

In his comprehensive study of the Civil War Michael Hopkinson makes little mention of violence against ordinary citizens, Republicans, or members of the National Forces in Cork.²³² Still, he underlines that from August 1922 the guerrilla phase of the Civil War had begun, which saw most atrocities of the conflict. Additionally, he is highly critical of the newly founded National Army:

“Even a well-disciplined and trained army would have faced major problems dealing with guerrilla warfare. The pro-Treaty troops were looked upon as outsiders in many localities and rapidly lost any initial popularity when bills were not paid, and they appeared to be living off the locality. Sympathy could easily swing back to local Republicans.”²³³

Hence, it is evident that the Free State held only superficial control over vast areas in Cork. Outside of towns National troops were hardly present, thus leaving a policing and security vacuum. Unfortunately, little attention has been paid to the policing situation in Cork after the outbreak of the Civil War. Exceptions to this include John Borgonovo’s *Republican Courts, Ordinary Crime, and the Irish Revolution*, where he describes that after British withdrawal

²²⁹ Ibid., p. 31.

²³⁰ Borgonovo, *The Battle for Cork*, pp. 12-16.

²³¹ Ibid., p. 13.

²³² Hopkinson, *Green against Green*, pp. 169-173.

²³³ Ibid., p. 173.

from an area, Republican police would take over from the RIC and Dáil Courts were established soon after.²³⁴ However, similar studies for the Civil War are rare. One exception being Eunan O’Halpin’s *Defending Ireland*, where he fills the gap to some extent and describes counter-terrorist policing in the Free State. However his study is more concerned with policing laws, and the establishment of the Civic Guard and *An Garda Síochána* than the effects in communities. Hence, there are few studies which provide a thorough analysis of the policing vacuum in Co. Cork and the effect of its absence. Nonetheless, current strands in research agree that the weak state, the lack of a civilian executive force and the absence of judiciary of the Free State were factors in outbreak of crime and violence during the Civil War.²³⁵ The Provisional Government was facing civil unrest, crime, and the break-down of an old administrative system, while at the same time struggling to establish a prison system, a court system and a civil administration.²³⁶

Studies on violence usually focus on a very limited geographic location or on a singular event. Among these is Andy Bielenberg’s and John Borgonovo’s study of the Bandon Valley killings²³⁷, or Thomas E. Fitzgerald’s *The Execution of Spies and Informers in West Cork*.²³⁸ There is indeed a controversy and debate among historians about the efficiency of the IRA’s intelligence network, which has also been debated and analysed by John Borgonovo in his work *Spies and Informers and the ‘Anti-Sinn Féin Society’*.²³⁹ Different strands in research take different positions. For example, Peter Hart claimed that as soon as the War of Independence had ended, IRA men started to chase down alleged spies and informers in so called 11th hour attacks. Moreover, he claims that the IRA intelligence network was inefficient, and that loyalists and unionists in Southern Ireland did not provide sufficient intelligence to the British. John M. Regan steps in and criticises Hart. Regan points out that British forces regarded West Cork as an exception, because loyalists provided intelligence in that area.²⁴⁰ Other critics of Hart are Andy Bielenberg and John Borgonovo.²⁴¹

²³⁴ John Borgonovo, “Republican Courts, Ordinary Crime, and the Irish Revolution”. In: Margo de Koster, et al. (eds.): *Justice in Wartime and Revolutions: Europe 1795-1950* (Brussels 2012), p. 51.

²³⁵ Regan, “The Politics of Utopia”, pp. 31-32.

²³⁶ Hopkinson, *Green Against Green*, pp. 138-139.

²³⁷ Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, pp. 17-18.

²³⁸ Thomas E. Fitzgerald, “The Execution of ‘Spies and Informers’ in West Cork, 1921”. In: David Fitzpatrick, *Terror in Ireland* (Dublin 2012), pp. 181-193.

²³⁹ Borgonovo, *Spies, Informers and the ‘Anti-Sinn Féin Society’*, p. 33

²⁴⁰ John M. Regan, *Book Review: The IRA at War 1916-1923*. Online: reviews.history.ac.uk/review/416 (April 25, 2019).

²⁴¹ Bielenberg & Borgonovo, “Something of the Nature of a Massacre”, p. 17.

In 1999 Hart published *the I.R.A. and its enemies*, which has since been fiercely debated among historians.²⁴² Especially, the chapters *Taking it out on the Protestants*, and *Spies and Informers*, causes controversy.²⁴³ In *Taking it out on the Protestants*, Hart claims that during the Truce, IRA men went on a killing spree after one of their local leaders had been killed while trying to commandeer a car from the Hornibrook family. All present male members of the Hornibrook's household were executed after an alleged court-martial. Within three days, thirteen civilians were allegedly killed by IRA units, hence the term "the Bandon Valley Massacre". Peter Hart alleged a sectarian motive, but John M. Regan and Bielenberg/Borgonovo refute this, while David Fitzpatrick takes a neutral stance and underlines that Hart might have used too lucid and vivid language, but that his claim that there was a sectarian element at work in some parts of the IRA cannot be entirely dismissed.²⁴⁴ Stephen Howe summarised the debate surrounding sectarianism in the IRA, which has become a debate about Irish national narratives themselves. He argues that some historians dismiss any sectarian motive to save the national narrative of the revolution itself.²⁴⁵

Another recent study of violence during the Civil War comes from Gemma Clark. She arrives at conclusions similar to those of Peter Hart. Clark identifies sectarian motives for the destruction of property in the Irish Free State.²⁴⁶ Her study deals with the situation in the counties Limerick, Tipperary, and Waterford.²⁴⁷ She herself admits that her sources are incomplete and problematic and that they are not always fully reliable. Both authors, Hart and Clark, hardly use any Republican sources, which is often criticised among other historians.²⁴⁸ However, Clark is one of the first historians who uses a clear methodology and approach towards the social and economic effects the Civil War and tries to conceptualise the development of violent acts against minorities. Her findings were perforce provisional but she openly admits that the publication of Military Pension Files might shed further light on violence and community in revolutionary Ireland.²⁴⁹

²⁴² John M. Regan, "The Bandon Valley Massacre as a Historical Problem". in: *The Journal of the Historical Association*, No. 97 (325), 2012, pp. 70-98.

²⁴³ Niall Whelehan, "The Irish Revolution, 1912-1923". In: Alvin Jackson (Ed.), *The Oxford Handbook of Modern Irish History* (Oxford 2014), pp. 628-629.

²⁴⁴ David Fitzpatrick, "Ethnic Cleansing, Ethical Smearing and Irish Historians". In: *History*, No. 98 (329), 2013, pp. 139-140.

²⁴⁵ Stephen Howe, "Killing in Cork and the Historians". In: *History Workshop Journal*, Vol. 77 (1), 2014, pp. 170-178.

²⁴⁶ Gemma Clark, *Everyday Violence*, pp. 197-198.

²⁴⁷ *Ibid.*, p. 8.

²⁴⁸ Howe, "Killing in Cork and the Historians", pp. 170-175.

²⁴⁹ Clark, *Everyday Violence*, p. 197.

Another study outside the boundaries of Co. Cork is Michael Murphy's "Revolution and Terror in Kildare". He argues that the Kildare IRA was largely inactive during the "Tan-War", the British presence was strong and only Jim Dunne's column was active. During the Civil War violence suddenly erupted, because of Dunne's resistance to the Treaty. However, Murphy unveils that public support for the Republican cause dwindled quickly, because of the sudden outbreak of violence and destruction in a community where both phenomena had been scarce during the Tan War and after the Truce. Murphy includes Free State atrocities as well as IRA attacks and ambushes. Moreover, he also points towards the reactions of civilians to violence and makes it clear that the ongoing conflict led to a decline in public support for the anti-Treaty cause.²⁵⁰ Murphy's brief study is uniquely comprehensive, because it tries to contribute to the debate surrounding violence and terror during the Civil War from various perspectives. He includes the element of late IRA reprisals against former RIC men, civilians and alleged informers and tries to unveil the role local commanders played in the eruption of violence during the Civil War. Unfortunately, his study is short, thus leaving room for further research endeavours.

Most studies on violence during the War of Independence focus on Co. Cork. Especially the Bandon Valley killings, which have also been called the "Bandon Valley Massacre", "Dunmanway Murders" or the "Bandon Valley Controversy". Peter Hart started the controversy by claiming that the West Cork IRA was driven by sectarian violence and therefore targeted Protestants.²⁵¹ John M. Regan and others make it clear that this was an isolated event. A comprehensive response to the Bandon Valley massacre came from John Borgonovo and Andy Bielenberg. In their article, they dissect every one of the 13 killings which took place after the Truce. Apart from vast amount of studies surrounding the Bandon Valley killings, few studies on violence in Cork during the Truce and Civil War have been conducted. Hopkinson focuses mainly on military developments and political failures; deaths of individuals are hardly discussed by him. Regan makes it clear that the study of the Bandon Valley killings can never be completed by a singular master narrative, because sources are scarce and the perpetrators have never been identified.²⁵² Moreover, Regan challenges Hart's narrative of the absence of an informer network in Cork:

²⁵⁰ Michael Murphy, "Revolution and Terror in Kildare". In: David Fitzpatrick (Ed.), *Terror in Ireland* (Dublin 2012), pp. 194-204.

²⁵¹ Hart, *The I.R.A and its Enemies*, p. XX.

²⁵² Regan, "The Bandon Valley Massacre", pp. 96-97.

“The Record does not prove that there was any organized ‘conspiracy’ as such, but it does identify a network of informers, presumably coordinated by British military intelligence, and exceptional, we are told, in its context. The Record also indicates that the killings of some loyalist informers were connected to a British intelligence officer’s inability, alongside the army’s, to prevent these from happening.”²⁵³

Regan’s findings correlate with more recent works, such as Borgonovo’s *Spies and Informers*, where Borgonovo shows that IRA intelligence was reliable and that in Cork City a profound and solid network of informers existed among the Unionist and Protestant population. In this sense, the killings of civilians during the Civil War must be revisited as well, to find out whether those were informers or not, regardless of religion. More cases need to be identified to establish a correlation between simple sectarian motives and death rates.

Another aspect, which has been covered in recent studies is the sudden drop in numbers of Protestants in the nascent Free State. In his 2005 book, Peter Hart claims that during the Irish Civil War Protestants were driven out of Southern Ireland.²⁵⁴ The problem with Hart’s findings is that he only looks at absolute numbers. Even historians, such as David Fitzpatrick, who are supportive of Hart, point out that there is little evidence for an IRA initiated ethnic cleansing of Protestants during the Civil War.²⁵⁵ He arrives at the conclusion that the conceived exodus might have been the result of a change in migration policies. After the lifting of World War related migration restrictions, the flow of migrants soon reached pre-war levels.²⁵⁶

David Fitzpatrick investigated only Methodists and their numbers, but assumes that other Protestant populations behaved similarly.²⁵⁷ Fitzpatrick concludes that the main source of the Protestant malaise in the nascent Irish Free State was not excess migration but failure to enrol new members, presumably as a consequence of low fertility and nuptiality, exacerbated by losses through mixed marriage and conversion. If any campaign of ‘ethnic cleansing’ was attempted, its demographic impact would have been fairly minor.²⁵⁸ Thus, Fitzpatrick and Regan agree that during the Irish Civil War there was no sectarian expulsion of Protestants from the Irish Free State. These findings are also supported by Andy Bielenberg, who investigated the decline of Church of Ireland members in the Irish Free State.²⁵⁹ However,

²⁵³ Ibid., p. 80.

²⁵⁴ Hart, *The I.R.A. at War* (Oxford 2005), pp. 225-228.

²⁵⁵ David Fitzpatrick, “Protestant Depopulation and the Irish Revolution”. In: *Irish Historical Studies*, Vol. 38 (152), 2013, pp. 643-670.

²⁵⁶ Ibid.

²⁵⁷ Ibid., pp. 658-669.

²⁵⁸ Ibid.

²⁵⁹ Andy Bielenberg, “The Emigration of Southern Irish Protestants During the Irish War of Independence and the Civil War”. In: *Past & Present* No. 218, 2013, pp. 230-232.

Clark finds that this was not true for the landed gentry, upper middle classes, and ex-servicemen, who soon left Ireland for England.²⁶⁰ The flight of this group is well documented, while the reasons are still open to debate. Foster unveils another aspect, which neither Hart, Fitzgerald nor Regan cover, IRA migration. Like Protestants, Republicans started migrating again after the end of the First World War. The IRA executive regularly tried to enforce an anti-migration policy, but still many left.²⁶¹

Terror and fear as a result of the Civil War are scarcely investigated. One interesting exception is a series of brief studies edited and published under the patronage of David Fitzpatrick: *Terror in Ireland*. In the introduction Fitzpatrick uses a broad definition of terror, defining terror as any kind of act, which contains sustained and systematic attempts to cause fear and intimidation in a community with the goal of destabilising a state or community.²⁶² In his introduction, he defends Peter Hart and his attempt to reconstruct the dynamics of war and revolution in Cork. Moreover, he makes it clear that moralities and agendas must not play a role in the dissection of events.²⁶³ For example, Brian Hanley revives Hart's terminology and claims that the old IRA in Cork was engaged in "sectarian slaughter".²⁶⁴ Considering the effects of violence and war, whether one likes to call them acts of terror or not is only a moral question, it is clear that a thorough study of violence of the Civil War cannot ignore the effects daily acts of violence and close range assassinations had on the perpetrators and victims alike. For example, Anne Dolan points out that witnesses of Bloody Sunday in Dublin and members of the squad later both suffered from PTSD. The line between perpetrator and victim becomes blurred if this perspective is applied.²⁶⁵ Therefore, the acts of Squad members must be scrutinised thoroughly to understand their actions during the Civil War.

Until now, little attention has been given to Free State violence and atrocities. One exception is Breen T. Murphy's doctoral thesis, which investigates the policy of execution employed by the Free State government.²⁶⁶ Murphy uses written accounts by contemporaries and

²⁶⁰ Clark, *Everyday Violence*, p. 203.

²⁶¹ Gavin Foster, "No 'Wild Geese' this Time?: IRA Emigration after the Irish Civil War". In: *Eire-Ireland*, Vol. 47 (1&2), 2012, pp. 102-105.

²⁶² David Fitzpatrick, "Introduction". In: Fitzpatrick (Ed.), *Terror in Ireland* (Dublin Lilliput 2012), pp. 4-5.

²⁶³ Ibid., p. 5.

²⁶⁴ Brian Hanley, "Terror in Twentieth Century Ireland". In: Fitzpatrick (Ed.), *Terror in Ireland* (Dublin 2012), p. 13.

²⁶⁵ Dolan, *Terror and Revolutionary Ireland*, p. 29.

²⁶⁶ Breen T. Murphy, *The Government Executions Policy During the Irish Civil War 1922-1923* (Maynooth 2010), pp. 2-3. Online:

[http://mural.maynoothuniversity.ie/4069/1/The_Government's_Executions_Policy_During_the_Irish_Civil_War_1922_-_1923_\(Breen_Murphy_-_62129007\).pdf](http://mural.maynoothuniversity.ie/4069/1/The_Government's_Executions_Policy_During_the_Irish_Civil_War_1922_-_1923_(Breen_Murphy_-_62129007).pdf) (seen July 16, 2019).

Republican sources. These accounts are then used to identify the effects on the Republican military campaign. For Cork he found out that the shooting of prisoners caused discomfort among the National troops in the area.²⁶⁷ The Cork IRA reacted and posted warnings against National Troops, by threatening to avenge any execution in the area.²⁶⁸ Murphy claims that national troops did not shoot prisoners in Cork regularly, because they wanted to use them as hostages: IRA men were taken hostage and later the division O/Cs were blackmailed to either surrender or face the execution of prisoners. This policy demoralised local IRA columns and was used across Ireland.²⁶⁹ For this study, it is important that Murphy identifies only one execution in Co. Cork during the Civil War – that of William Healy.²⁷⁰ Murphy sheds light on the results and effects of Republican and Free State executions and prisoner treatments. Current strands in historiography disagree whether the execution policy led to the resignation of Emmet Dalton.²⁷¹ This study will try to identify further executions and further reprisals. Until now, there is only a limited number of studies of informal executions in any part of Ireland.

Overall, there are three strands in research, one that claims that violence was military only; the end justifies the means, so to say. The other strand claims that sectarianism did play a massive role, while the third strand argues that a case-to-case study is necessary to identify the motivations of the IRA and the Free State. This study will try to shed light on individual cases in a strictly localised study of violence in Co. Cork, and dissect gendered violence, identify reprisal killings and executions, and attempt to reconstruct the political discourse promoted by Cork TDs.

3.2 The Treaty Split and Policing Failures in County Cork

3.2.1 Cork's TDs and the Treaty debate

“This matter has been put to us as the Treaty or war. I say now if it were war, I would take it gladly and gleefully, not flippantly, but gladly, because I realise that there are evils worse than war, and no physical victory can compensate for a spiritual surrender.”²⁷²

²⁶⁷ Murphy, *The Government's Executions Policy*, p. 83.

²⁶⁸ *Ibid.*, pp. 148-149.

²⁶⁹ *Ibid.*, pp. 170-172.

²⁷⁰ *Ibid.*, p. 225.

²⁷¹ Cottrell, *The Irish Civil War*, p. 57; Boyne, *Emmet Dalton*, p. 112; Hart, *The I.R.A. and its Enemies*, p. 122.

²⁷² Mary MacSwiney, quoted in: “Treaty Debate”, In: *Dáil Éireann debate* - Wednesday, 21 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1926-11-12-21/2/> (seen November 19, 2018).

On 7th January 1922 the Second Dáil approved the Anglo-Irish Treaty, which triggered the Irish Civil War and shaped Irish politics for decades. This chapter analyses the positions and stances taken by Cork TDs during the debate. The TDs represented different constituencies and had all been elected in the 1920 general election (see Figure 2 on the following page). This study attempts to fit them into three categories, physical-force nationalist stances, radical Republicans, and pragmatists. These positions are derived from Gavin Foster’s study and Bill Kissane’s analysis of Civil War politics, as pointed out in the previous chapter. Noteworthy, the second Dáil was elected under the Government of Ireland Act (1920) and all Sinn Féin TDs were returned unopposed at elections the following year.²⁷³

Michael Collins’s position has been worked out by several studies. Hopkinson and Kissane conclude that he was driven by the idea that the Treaty was a stepping-stone to the freedom to establish a Republic later.²⁷⁴ Questions were raised whether the debate should be held in a private or public setting. D. R. Kent, Sinn Féin, and Collins were supportive of a public debate, while Patrick O’Keeffe, who had participated in the Easter Rising, was in favour of private sessions, however the public motion passed.²⁷⁵ Briefly before the Dáil assembled, Liam De Róiste, who had smuggled arms for the IRA, and other Cork TDs, received a threat by Cork No. 1 Brigade’s leadership. The IRA pointed out that a vote in favour of the Treaty was treason.²⁷⁶ Immediately, Mary MacSwiney, sister to Terence MacSwiney and founding member of Cumann na mBan,²⁷⁷ tried to downplay the issue:

“The distinction made this morning [by the 1st southern HQ] was, I take it, that we were elected definitely for a Republic and in consequence our constituents are at perfect liberty to tell us what they think. We are told that the First Southern Division sent up to Headquarters a demand for the rejection of the Treaty proposal. It was for the Headquarters to say whether that was exceeding their powers; secondly, we were told it was our duty to accede to this demand; that to act otherwise would be treason to the Republic.”²⁷⁸

²⁷³ Kissane, *The Politics of the Irish Civil War*, pp. 29-35.

²⁷⁴ Kissane, *The Politics of the Irish Civil War*, p. 29; pp. 35-36; Hopkinson, *Green Against Green*, p. 12.

²⁷⁵ “Treaty Debate”. In: *Dáil Éireann debate* - Wednesday, 14 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-14/3/> (seen Dec. 26, 2018).

²⁷⁶ Hopkinson, *Green Against Green*, p. 13.

²⁷⁷ Ann Matthews, *Renegades: Irish Republican Women* (Cork 2010), p. 72.

²⁷⁸ “Speech given by Mary MacSwiney.” In: *Dáil Éireann debate* - Wednesday, 14 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-14/3/> (seen Dec. 26, 2018).

Cork Borough	Mary MacSwiney
	Donal O'Callaghan
	James Joseph Walsh
	Liam de Róiste
Cork East and North-East	Séamus Fitzgerald
	Thomas Hunter
	David Rice Kent
Cork Mid, North, South, South East and West	Michael Collins
	Daniel Corkery
	Seán Hales
	Seán (John) Hayes
	Seán MacSwiney
	Seán Moylan
	Seán Nolan
	Patrick O'Keeffe

Figure 2: Second Dáil Cork TDs according to constituencies.²⁷⁹

MacSwiney went on to elaborate that the IRA merely expressed their opinion and did not threaten to shoot TDs. Donal O'Callaghan, Lord Mayor of Cork, refuted her line of argument and reminded her that this was not an expression of opinion, but a real threat. This again raises the question whether threats changed the outcome of the vote. It is possible that the threat might have caused the opposite. For instance, O'Callaghan made it clear that he saw this vote as a vote of his own conscience and that his vote would not be influenced by the IRA. D. R. Kent was another TD to realise the contagious atmosphere and made it clear that the time had come to take sides.²⁸⁰ Kent further elaborated that it was necessary to present an united front against the enemy, and not let the Treaty tear the movement apart. Sean MacSwiney, Mary MacSwiney's brother and Cork No. 1 Brigade Q/M, agreed with her and went a step further accusing TDs who claimed that the IRA threatened to shoot TDs were liars.²⁸¹ His claims were

²⁷⁹ 2nd Dáil Cork TDs. Self-drawn table, based on Appendix 19, Oireachtas.ie.

<https://www.oireachtas.ie/en/members/tds/?tab=constituency&term=%2Fie%2Foireachtas%2Fhouse%2Fdail%2F2&constituency=%2Fie%2Foireachtas%2Fhouse%2Fdail%2F2%2Fconstituency%2FCork-MSPC-North-South-South-East-and-West> (seen Dec. 13, 2018).

²⁸⁰ David R. Kent's speech in "Dáil Treaty Debate". In: *Dáil Éireann debate* - Wednesday, 14 Dec 1921.

Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-14/3/> (seen Dec. 26, 2018).

²⁸¹ Ibid.

sternly refuted by J.J. Walsh, who pointed out that that he had also received threats.²⁸² In brief, the army evidently attempted to intimidate TDs, which strengthens the argument that the IRA was not under control of the Dáil.²⁸³ Hence, the importance of rhetoric cannot be dismissed.

During the first day of the debate the threat issued by the IRA dominated Cork TDs statements. It was obvious that TDs such as Kent and De Róiste called for disciplinary measures against the army, while Mary MacSwiney tried to play the issue down. MacSwiney's position is in accordance with a radical Republican and physical-force ideology, because she and her brother down-played threats of violence and they regard compromise as treason. One possible explanation for their radical approach is that their brother Terence MacSwiney had died on hunger strike while in custody.²⁸⁴

After fierce debates on the opening day, members of the Dáil attempted to sort out major issues in private sessions from 15th until 19th December 1921. During these private sessions De Valera proposed Document Number 2, which called for external association. The idea was that Ireland would become a Republic and leave the Empire, while still remaining associated to the Empire. This would include a common head of the Association, namely the king.²⁸⁵ However the proposed never became a real alternative, because the British had already rejected such an idea.²⁸⁶

In the debate on 19th December the different camps hardened their attitude. Collins called for acceptance of the Treaty and urged his colleagues to work with it.²⁸⁷ In response, Mary MacSwiney called the entire parliament into question, by interrupting Collins, as he refers to a “parliament” rather than “a Dáil”. Her argument is based on the nationalist-republican narrative. Both MacSwineys rejected the Treaty, because they did not consider it an “Irish” document. Additionally, Sean MacSwiney pointed out that the war was not over, a truce was at place, and he made clear that the “South” was prepared to resume fighting if necessary:

“The war is not won yet. This is only a period of truce. That is what we had always impressed on us in the South so as not to let ourselves get soft, and I hope we have not

²⁸² Ibid.

²⁸³ Hopkinson, *Green Against Green*, p. 41.

²⁸⁴ English, *Ernie O'Malley*, p. 15.

²⁸⁵ Coleman, *The Irish Revolution*, p. 152.

²⁸⁶ Kissane, *The Politics of the Irish Civil War*, p. 54.

²⁸⁷ “Dáil Treaty Debate”. In: *Dáil Éireann debate* - Monday, 19 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-19/2/> (seen Dec. 26, 2018).

done so. He also said if we are going to go into the Empire, let us go in with our heads up. We cannot, and we never intended to go into it at all.”²⁸⁸

In line with the radical Republican idea of liberty, Sean MacSwiney proclaimed that no one who has sworn an oath to the Republic could support the Treaty, because that would constitute treason.²⁸⁹ To further fuel the debate the MacSwineys attempted to discredit the press, by claiming that the press are pressuring anti-Treaty TDs to accept the terms of the Treaty. Mary MacSwiney stated: “May I ask the Minister for Publicity whether the Press understand they are here by the courtesy of both sides to act impartially”²⁹⁰ and her brother added, “The Press of the country, as we know, is against us; it always has been.”²⁹¹ Collins mocked the anti-Treaty side, by stating that that despite his speeches having not been fully printed in the press, he had no grievances against newspapers.²⁹²

The debate on 19th December, unveiled further dissent. For instance, the oath to the Republic is identified as a dominant theme for the MacSwineys. Sean MacSwiney underlined that the army has not won the war, but that a truce was in place. This again implicitly points towards a possible militant position. Moreover, the press was criticised, as being partial, by siding with the pro-Treaty side of the argument. Pro-Treaty TDs from Cork, such as Michael Collins, called for a vote of conscience by each TD and used public support expressed by the Church and the press as an argument in favour of the Treaty.²⁹³ Collins pointed out repeatedly that the danger of renewed fighting with Great Britain was a reality. The theme of war and peace is dominant in his line of argument.

On 20th December, the question of independence as granted by the Treaty was raised. Sean Hayes, the editor of the “Southern Star”, took a stance which closely resembled Collins’s, however he declares that democratic representation had to be reintroduced. He draws his legitimacy from his own democratic mandate:

“I believe, and in this matter I speak particularly for the district which I represent, that is the constituency of West Cork; I speak for these people, perhaps about 17,000, and I

²⁸⁸ “Sean MacSwiney’s speech”. In: *Dáil Éireann debate* - Monday, 19 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-19/2/> (seen Dec. 26, 2018).

²⁸⁹ Ibid.

²⁹⁰ “Sean MacSwiney’s speech”. In: *Dáil Éireann debate* - Monday, 19 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-19/2/> (seen Dec. 26, 2018).

²⁹¹ “Mary MacSwiney’s question to Michael Collins”. In: *Dáil Éireann debate* - Monday, 19 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-19/2/> (seen Dec. 26, 2018).

²⁹² “Michael Collins’ reply to Mary and Sean MacSwiney”. “Mary MacSwiney’s question to Michael Collins”. In: *Dáil Éireann debate* - Monday, 19 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-19/2/> (seen Dec. 26, 2018).

²⁹³ *Dáil Éireann debate* - Monday, 19 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-19/2/> (seen Dec. 26, 2018).

am prepared to say that the majority of these people would accept this Treaty, and, whatever I may think personally of it, I feel that it is my duty to give expression to their views.”²⁹⁴

Here it is clear that the democratic dilemma of the Second Dáil was not an abstract theme, but reality. The Dáil had been elected under the Government of Ireland Act (1920), but neither of the sides were in favour of a referendum.²⁹⁵ Therefore TDs had to either guess public opinion or derive it from newspaper claims. To solve the Dáil’s dilemma Hayes called for a regional and localised referendum:

“I throw out the suggestion that if this great issue was placed before the people in, say, two constituencies in Ireland, and have the views of the people there upon it, and if you agree to accept their decision, it might save us a lot of trouble. I suggest the two constituencies of East Clare and South Cork.”²⁹⁶

However appealing Hayes’ proposition might seem, no majority for such a motion existed in the Dáil at that time. On 21st December, D. R. Kent became the next Cork TD to resume the physical force narrative. He justified his rejection of the Treaty by drawing up a military master narrative. In his opinion the loss of life in the fight for an independent republic, which developed out of the early stages of the Sinn Féin movement, made it impossible for him to support any settlement with Great Britain other than a republican.²⁹⁷ This picture of blood sacrifice is in stark contrast to the democratic solution proposed by Hayes, which closely resembled a constitutionalist idea. Mary MacSwiney followed Kent’s argument and claimed that the Treaty did not represent the “fruit of those who have died for Ireland.”²⁹⁸

Questions of principle and terminology dominated anti-Treaty arguments. For instance, Mary MacSwiney questioned the term “Southern Parliament” in the Treaty as a means to further push for a republic, going as far as claiming that the sitting assembly was the assembly of the Republic and not the Parliament of “Southern Ireland” as established under the Government of Ireland Act.²⁹⁹ Almost immediately she was reminded that the current Dáil was elected under a British Act of Parliament, however she defended her position by stating that the situation was

²⁹⁴ “Speech given by Sean Hayes”. In: *Dáil Éireann debate* - Tuesday, 20 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-20/2/> (seen Dec. 28, 2018)

²⁹⁵ Hopkinson, *Green Against Green*, pp. 36-40; Bill Kissane, *The Politics of the Irish Civil War*, p. 59.

²⁹⁶ “Speech given by Sean Hayes”. In: *Dáil Éireann debate* - Tuesday, 20 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-20/2/> (seen Dec. 28, 2018)

²⁹⁷ “Speech given by David R. Kent”; “Speech given by Sean Hayes”. In: *Dáil Éireann debate* - Wednesday, 21 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-21/> (seen Dec. 28, 2018).

²⁹⁸ “Speech given by Mary MacSwiney”. In: *Dáil Éireann debate* - Wednesday, 21 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-21/> (seen Dec. 28, 2018).

²⁹⁹ Ibid.

a necessary evil in order to avoid Southern Unionist's rise to power.³⁰⁰ Throughout the debate she further hardened her stance, by proclaiming that "I will be their first rebel under their so-called Free State, that they will have the pleasure or the pain, as it pleases them, of imprisoning me as one of their first and most deliberate and irreconcilable rebels."³⁰¹ She endorsed the importance of freedom of choice and that places her on the radical Republican side.

To summarise, the debate on 21st December marked the division of the Sinn Féin movement into radical republicans and constitutionalist republicans, with Mary MacSwiney becoming the key-supporter of radical Republicanism amongst Cork TDs. Sean Moylan, Cork No. 2 Brigade O/C, was by far the most outspoken proponent of physical-force nationalism during the debates. In his speech he defined the Treaty as the return of British rule in Ireland:

"We rule the land by the force of our own laws, our own judicature, our own executive. We're independent— we are a Republic. Approve of this Treaty, and you re-establish and re-intrench the forces and traditions of the Pale behind the new frontier—the frontier of Northern Ireland."³⁰²

Furthermore, he called for the expulsion of unionists and loyalist from Ireland:

"If there is a war of extermination waged on us, that war will also exterminate British interests in Ireland; because if they want a war of extermination on us, I may not see it finished, but by God, no loyalist in North Cork will see its finish, and it is about time somebody told Lloyd George that."³⁰³

He claimed that the Republic proclaimed in 1916 was still in place and that it had to be defended. Contrary to Sean MacSwiney he argued that the war had been won.³⁰⁴

De Róiste supported the Treaty because he considered it a prolongation of already existing Sinn Féin tactics: Exploit English legislation for Irish means:

"If I wanted to make debating points I could say like others we were all compromisers in 1918, we were all compromisers in 1920, we are all compromisers now, and not alone compromisers but opportunists; for we all availed of the opportunities given us under English legal forms to create this assembly itself."³⁰⁵

His speech showed both paradigms of the Treaty division. On the one hand, the IRA has threatened him with an unpleasant end and at the same time, others, from his constituency have

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² Ibid.

³⁰³ "Speech given by Sean Moylan". In: *Dáil Éireann debate* - Thursday, 22 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-22/2/> (seen Dec. 28, 2018).

³⁰⁴ Ibid.

³⁰⁵ Ibid.

questioned the necessity of a debate, since general opinion was already in favour of the Treaty. Thus, De Róiste followed a constitutionalist position.

Cork's pro-Treaty TDs argued that the Treaty was going to provide a framework from which a future independent Republic could be established. Moreover, it would eventually end war and bring peace, which they claimed was in the nation's best interest. These TDs legitimised their position by explaining that they are not compromising their principles, rather they are using the old nationalist tactic of abusing English law whenever possible for Ireland's interest.³⁰⁶

After the Christmas recess, the debate resumed on 3rd January 1922. On that day, Donal O'Callaghan only became the second Cork TD to demand a plebiscite:

"The people of Cork have the right to decide that, and I here and now suggest, and I regret it has not been suggested earlier, that the people of the country ought to be given a deciding voice in this question. My position is probably, in this matter, the position of many other members of the Dáil. I have no desire to record a vote if the people who sent me here desire it to be otherwise; but if a vote be taken, and no other means be provided the electorate, I certainly, as an individual, cannot cast my vote in any but one way."³⁰⁷

Like O'Callaghan and Hayes, Seamus Fitzgerald, Cobh Republican politician and IRA man, attempted to gain insights from his constituents. During the Christmas recess he claimed to have talked to the general public and the IRA. Additionally, he also identified three different positions:

(1) Loyalists and other constitutional nationalists in his constituency, whom he referred to as "those who were always against us", who were in support of the Treaty

(2) those who accept the Treaty as a compromise

(3) the IRA, whom he referred to as "those who bore the brunt of the fight during the past two or three years", who were against the Treaty.³⁰⁸

Fitzgerald's speech confirms current strands in research.³⁰⁹ His line of argument against the Treaty was that it would put an end to national sovereignty and thus undermine Irish freedom, and his stance can be identified as radical republican.

³⁰⁶ Foster, "Res Publica na hÉireann?", pp. 20-21.

³⁰⁷ "Speech given by Donal O'Callaghan". In: *Dáil Éireann debate* - Tuesday, 3 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-03/2/> (seen Dec. 28, 2018).

³⁰⁸ "Speech given by Seamus Fitzgerald" In: *Dáil Éireann debate* - Wednesday, 4 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/1922-01-04/2/> (seen Dec. 28, 2018).

³⁰⁹ Hopkinson, *Green Against Green*, pp. 40-41; Coleman, *The Irish Revolution*, pp. 106-107.

J.J. Walsh in return stated that because the public supported the Treaty, every TD was obliged to act according to the will of his constituents. For Walsh, the will of the people became the paramount motive to act as a politician³¹⁰, which is in line with a broader definition of public representation. He neglected the circumstances of the vote, which sets him aside from radical republicans such as the MacSwineys.³¹¹ Daniel Corkery, IRA commander and mid-Cork TD, is another proponent of the physical-force wing:

“We have heard a lot here of the alternative to this Treaty— terrible and immediate war. Well, I have the honour of representing Mid-Cork in this Dáil, and I think this guerrilla warfare was started in Mid.-Cork; I believe the first lorry was attacked in Mid.-Cork; the people have been with us all the time up to the Truce and they never flinched though they often heard the angry crack of the rifle and machine gun. The people down there do not want war, but they are not half as much afraid of war as the people from other counties who have not fired a shot yet. I am against this Treaty.”³¹²

Dan Corkery was convinced that, if necessary, Co. Cork will rise and that a resumption of fighting would only lead to further freedom. Others, notably, Sean Nolan agreed. Nolan claimed that the general public cannot be trusted on the issue of liberty, pointing out that in 1916 the public mood was in favour of constitutional solutions and Home Rule. In his opinion the Treaty did not offer true liberty and that the common foe, implicitly referring to England, would reunite the national movement.³¹³ Similarly, Thomas Hunter, another participant of the Easter Rising,³¹⁴ refused to vote for the Treaty, arguing that he ran on a Republican ticket and that the Treaty would mean the destruction of the already existing Republican government. Therefore, he could never recognise the Government of George V of England in either internal or external associations.³¹⁵ Hunter’s brief speech indicates that he can also be safely identified as part of the republican anti-Treaty camp, because he does not refer to physical force resistance, but rather to a democratic mandate.

Sean Hales, an IRA commander who was later shot by members of Dublin No. 1 Brigade, supported the Treaty.³¹⁶ Hales only stated his reasons in private sessions and refused to speak

³¹⁰ “Speech given by J.J. Walsh”. In: *Dáil Éireann debate* - Wednesday, 3 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-03/2/> (seen Dec. 28, 2018).

³¹¹ Foster, “Res Publica na hÉireann?”, pp. 20-21.

³¹² Speech given by Daniel Corkery”. In: *Dáil Éireann debate* - Saturday, 7 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-07/2/> (seen Dec. 28, 2018).

³¹³ “Speech given by Sean Nolan”. In: *Dáil Éireann debate* - Saturday, 7 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-07/2/> (seen Dec. 28, 2018).

³¹⁴ Michael Walker, BMH WS 0139 (1948), p. 3. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0139.pdf> (seen July 16, 2019).

³¹⁵ “Speech given by Thomas Hunter.” In: *Dáil Éireann debate* - Saturday, 7 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-07/2/> (seen Dec. 28, 2018).

³¹⁶ Michael Hopkinson, *Green Against Green*, p. 191.

in public. Nonetheless, transcripts from the private session held on the 17th December 1921 contain his speech. He supported the Treaty to “beat England at her own game”³¹⁷, he correctly understood that the Empire was under duress and faltering. This notion and wording places him in the constitutional wing of Sinn Féin.³¹⁸ Patrick O’Keeffe joined this line of argument and pointed out that the Treaty was the chance to re-build an Irish nation and to revive the Irish language itself.³¹⁹

This analysis shows that the Treaty split ran deeply between Cork TDs. Daniel Corkery, Sean Moylan, Thomas Hunter, and Seamus Fitzgerald, who were all IRA members, voted against the Treaty. With only Sean Hales and Michael Collins supported the Treaty, despite their affiliation to the military. Overall, six Cork TDs voted in favour of the Treaty, Sean Hales, Michael Collins, J.J. Walsh, Liam de Róiste, Patrick O’Keeffe, and Sean Hayes. These six men followed closely a constitutional perspective by claiming that the Treaty was a stepping-stone to achieve further freedom in the future. Neither of these favoured a re-engagement in a war with Great Britain, nor did any of these six raise the question of duress. Therefore, this six TDs are part of the neo-constitutional wing of Sinn Féin.

Nine Cork TDs rejected the Treaty. Their motives varied. For instance, Mary MacSwiney did issue several calls to arm, though not as a means to achieve freedom, but to reject a Treaty which was signed under duress. Her motive was that the Treaty did not present a compromise between equals rather it would bring the return of British dominance over Ireland and its politics. The same line of argument can be identified in the speeches given by Donal O’Callaghan, Seamus Fitzgerald, Sean Nolan, and Thomas Hunter (see Table 2 for an illustration of the votes).

³¹⁷ “Speech given by Sean Hales”. In: *Dáil Éireann debate* - Saturday, 17 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-17/1/?highlight%5B0%5D=se%C3%83%C2%81n&highlight%5B1%5D=hales> (seen Dec. 28, 2018).

³¹⁸ “Speech given by Sean Hales”. In: *Dáil Éireann debate* - Saturday, 17 Dec 1921. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1921-12-17/1/?highlight%5B0%5D=se%C3%83%C2%81n&highlight%5B1%5D=hales> (seen Dec. 28, 2018).

³¹⁹ “Speech given by Patrick O’Keeffe”. In: *Dáil Éireann debate* - Saturday, 7 Jan 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-07/2/> (seen Dec. 28, 2018).

The Treaty Vote: Cork TDs

For (6)	Seán Hales
	Michael Collins
	James Joseph Walsh
	Liam de Róiste
	Patrick O'Keeffe
	Seán Hayes
AGAINST (9)	Donal O'Callaghan
	Daniel Corkery
	Mary MacSwiney
	Séamus Fitzgerald
	Seán MacSwiney
	Seán Moylan
	Seán Nolan
	David Rice Kent
	Thomas Hunter

Figure 3: How Cork TDs voted on the Treaty.³²⁰

However, not all who rejected the Treaty used a different understanding of liberty as a motive, as suggested by Foster.³²¹ At least three of the 15 Cork TDs represented the physical-force wing of Irish nationalism. The most out-spoken physical force nationalist was Sean Moylan, who hoped to overthrow the British and even threatened to exterminate loyalists. His position can probably be derived from the fact that he was Cork No. 2 Brigade O/C and staff officer of the First Southern Division.³²² Other proponents of this strand include Dan Corkery. In contrast, Sean MacSwiney took a hybrid position, where he used the liberty theme, while underlining in his speeches the need to end the Truce by force if necessary. Similar to Moylan, he also served in the IRA as a commander.³²³ Like Mary and Sean MacSwiney, D. R. Kent constructed a military narrative. However, unlike them, he placed more emphasis on the idea of the military sacrifice for freedom rather than the concept of

³²⁰ Dáil Eireann debate—Saturday, 7 Jan. 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-01-07/2/> (14 Dec. 2018).

³²¹ Foster, “Res Publica na hEireann?”, pp. 41-42.

³²² Sean Moylan, BMH WS 0838, 1953, pp. 270-276. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0838.pdf> (seen July 16, 2019).

³²³ According to Dan McCarthy, he was Q/M in Cork No. 1 Brigade. See: Dan McCarthy, BMH WS 1697, 1957 p. 3. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1697.pdf> (seen July 16, 2019).

liberty itself. Therefore, this study places D.R. Kent into the physical-force anti-Treaty camp. Considering the analysed speeches and statements during the debate, it is evident that a physical-force wing existed in the Dáil, as well as a radical republican and a constitutional-republican position as proposed by Foster.

3.2.2 The police and rule of law in Cork

The political stalemate manifested itself in different ways, one of them being the break-down of law and order. The RIC had been disbanded soon after the Treaty was ratified, however the political classes were attempting to avoid civil war and neglected security policies. Therefore, it is important to understand the implications of the collapse of the civilian police force in Ireland. As soon as the Civil War erupted, the Provisional Government had to re-establish civilian administration in Co. Cork. This chapter will cover this particularly neglected part of the history of the Irish Civil War in Co. Cork.

As the Civil War erupted, there was no official court system in place and Co. Cork lacked any functional policing system. By 1922 civic order had eroded.³²⁴ During the same year the Treaty was ratified, however there was no functioning police force outside of Dublin.³²⁵ Additionally, the IRA campaign combined with the Sinn Féin campaign of abstentionism, had managed to shut down the British civil and criminal court systems, which had been replaced by the Dáil Courts. In 1919 one of the first decrees of the newly set up Dáil Eireann was to establish an arbitration court system.³²⁶ However, regular meetings within these courts had ceased before the outset of the Civil War and struggled to function even in Republican strongholds such as Co. Cork during the War of Independence.³²⁷ To counter act this vacuum the Free State set up a special investigation unit, the Criminal Investigation Department (CID) to re-establish state power.

In his study of Dáil Courts in Cork City, John Borgonovo points out that the Republican court system in Cork was highly efficient and managed to function longer than in the rest of Munster. Dáil Courts oversaw disputes regarding land-grabbing, petty crime and other criminal cases from 1920 onwards.³²⁸ These Republican courts, as they were officially called, were used to

³²⁴ Borgonovo, *Republican Courts, Ordinary Crime, and the Irish Revolution*, p. 51.

³²⁵ O'Halpin, *Defending Ireland*, p. 2.

³²⁶ Statement of the Acting President—Arbitration Courts. In: Dáil Eireann debate Jun 17, 1919. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1919-06-17/11/> (seen Feb. 9, 2019).

³²⁷ Borgonovo, *Republican Courts*, p. 62.

³²⁸ Dáil Eireann debate, 29 Jun 1920, Decrees—Courts of Justice and Equity and Criminal Jurisdiction. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1920-06-29/25/> (seen Feb. 9, 2019).

destabilise British civil government. Most court hearings were held in English and British Common Law was used as a reference, thus establishing a close tie and continuity to the British legal system.³²⁹ The dismantling of the British court system was easily achieved, because the IRA targeted court buildings, using arson. Moreover, jurors had boycotted British courts and claimants refused to recognise British authorities. However, in late 1920 the British started to suppress Dáil Courts. These were an easy target for the British, because court meetings were held in public and hearings were announced beforehand. Whether the claimants attended Republican courts voluntarily must be questioned. Justice Cahir Davitt offers deeper insights into the events:

“On account of "the disturbed state of the country" the Assize and County Courts sat in courthouses sandbagged for defence and guarded by British military. Litigants began to desert them for the Republican Courts, and soon I was hearing from solicitors the unwelcome news that certain cases in which they had sent me briefs had been "transferred" to the Republican Courts and there disposed of without my assistance.”³³⁰

In addition to the “disturbed state” the IRA set up road-blocks and prevented litigants from appearing at British held courts.³³¹

Republican courts were initially held in municipal buildings. Behind this act of defiance lay the idea that legitimacy was constituted by representation. However, by 1921 courts had to operate more covertly. The British backlash disabled the Republican court system from functioning, so that by the time the Truce had come into force, no judiciary system was operational in Ireland.³³² The rule of law in rural Ireland had virtually collapsed. However, briefly after the Civil War erupted on Jun 28, 1922, Dáil Courts came to an end. Beforehand the Dáil Courts started to order restitutions of seized and commandeered property, which was extremely controversial and led to in-fighting and threats against judges.³³³

In 1922 the Free State government dissolved the Dáil Courts and re-instated the British judicial system, however this time under Irish auspices.³³⁴ One practical reason was that the existence of two judicial systems probably caused further confusion. In this sense the Provisional

³²⁹ Borgonovo, *Republican Courts*, pp. 50-61.

³³⁰ Cahir Davitt, BMH WS 0993, 1954, p. 26. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0993.pdf> (seen July 16, 2019).

³³¹ Ibid., p. 27.

³³² Hopkinson, *Green against Green*, pp. 7; 140.

³³³ Kevin O'Sheil, BMH WS 1770, Section 8, 1959 p. 1066-1067. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1770%20Section%208.pdf> (seen July 16, 2019).

³³⁴ Ibid., p. 1069; A detailed accord of the workings and cases of the Dáil Courts can be found in ibid. (BMH WS 1770, 1959).

Government abolished the Republican Courts in favour of the former British judicial system.³³⁵ According to James Casey, the Provisional government shut the Dáil Courts down to prevent Republicans from abusing them against the Provisional Government. For instance, on 19th July 1922, Judge J. Crowley decreed that George Plunkett's habeas corpus case had to be heard. Plunkett had been arrested alongside others in the Four Courts and his father attempted to end his imprisonment. Immediately, the Minister of Home Affairs rescinded the decree, which had established the Dáil Court system. However, Judge J. Crowley took no notice and held the session. This was based on the strong belief that the Republic had been established in 1916, as such rendering orders by the Free State illegal. However, Crowley's attempt failed, due to the Dáil Court system being ultimately dissolved on 30th October, 1922, by ministerial decree.³³⁶ The reason for the quick action against the court system was most likely that the Republican supreme court would have been a possibility for IRA prisoners to appeal against their arrests. In his study, Casey argues that the government's decision was probably illegal under Republican law, however this did not deter the Provisional Government, who argued that they acted under duress and in a state of war.³³⁷ Cahir Davitt summarised the government's line of argumentation, as stated in the case of Erskine Childers:

“Counsel for the State, in resisting the motion, based their case upon the broad proposition that the country was in a state of civic strife and armed rebellion; and that, in such circumstances, the Government was legally entitled to defend itself and to oppose force by force. It had a natural as well as a legal right to use its armed forces to suppress rebellion and restore order, and it was a legal principle well recognised and established that the Civil Courts would not interfere with or seek to control, the Government's military forces in their task of suppression as long as such a state of armed rebellion continued.”³³⁸

To prevent a total collapse of law and order, arbitration courts were still allowed to be held, they only ended in 1923. The *Cork Examiner* was overly critical of the events that took place in Co. Cork, as burglaries, petty crime, and cattle theft had become frequent occurrences during the Civil War.

Not only had the court system disintegrated, the police were also in disarray. The RIC, as has been mentioned before was put under pressure and unable to carry out its duty.³³⁹ By 1920 the

³³⁵ Cahir Davitt, BMH WS 0993, 1954, p. 102. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0993.pdf> (seen July 16, 2019).

³³⁶ James Casey, “Republican Courts in Ireland 1919-1922”. In: *Irish Jurist* Vol. 5 (2), 1970, pp. 339-340.

³³⁷ Ibid., p. 340.

³³⁸ Cahir Davitt, BMH WS 1751, 1959, p. 44. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0993.pdf> (seen July 16, 2019).

³³⁹ Hart, *The I.R.A. and its Enemies*, p. 77.

RIC was confined to its barracks, morale was low and re-enforcements and recruitment had nearly stopped. Only the infamous Auxiliaries and the Black and Tans were active policemen. Additionally, military support was limited to the arresting of suspects and regular patrol-duty was reduced to an absolute minimum.³⁴⁰ To maintain at least some operation ability, the RIC evacuated two-thirds of its barracks until spring 1920, afterwards the RIC was mainly concentrated in towns and cities. One should note that, the RIC were not an ordinary police force, it was organised along military lines, armed with rifles and lived in barracks.³⁴¹ Borgonovo³⁴² points out that this police force, while it had been operational was highly efficient and was most important for information gathering, but the force failed to function properly as soon as the most violent phase of the War of Independence erupted, as RIC men had become the main targets for IRA ambushes and attacks, so that when the Truce began, the RIC was already dysfunctional outside its strongholds in urban centres.³⁴³

In IRA controlled areas the Republicans had set up an alternative police force, the so-called Republican Police in an attempt to restore order to the county. Although the Republican Police was efficient and well-established in rural areas and carried out police duties successfully³⁴⁴ it consisted of ordinary IRA men.³⁴⁵ Despite its deep connection and roots within the IRA the Republican police carried out ordinary police duties, as pointed out by Frank Neville, who was Q/M in the 1st Bandon Battalion:

“Our police ensured that public houses closed at the proper times, collected. fines imposed by the Republican Courts, arrested prisoners for civil offences and carried out as well as possible, under the circumstances of the times, normal police duties.”³⁴⁶

Police duty was not always welcomed by those who had to do it. For instance, Michael Donoghue, IRA member, was critical of police duty, because it was carried out in public and identified individuals directly with the Republican movement, which made covert operations more difficult for those involved. In his witness statement he saw police work more as “a spectacular gesture for propaganda purposes to show the Volunteer forces of the Irish

³⁴⁰ Hart, *The IRA and its Enemies*, pp. 74-77; Coleman, *The Irish Revolution*, pp. 87-88.

³⁴¹ Kevin Sheil, BMH WS 1770, Section 8, 1959, pp. 870-872.

³⁴² Borgonovo, *Republican Courts, Ordinary Crime, and the Irish Revolution*, p. 51.

³⁴³ Coleman, *The Irish Revolution*, pp. 68-69; Michael Hopkinson, *Green against Green*, p. 52.

³⁴⁴ Borgonovo's *Republican Courts, Ordinary Crimes and the Irish Revolution* for a detailed account on how the Republican Police operated during the War of Independence period.

³⁴⁵ Frank Neville BMH WS 0443, 1950, p. 14. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0443.pdf> (seen July 16, 2019).

³⁴⁶ Ibid.

Republican Government protecting property and maintaining order in vivid contrast to the disorder and vandalism of the British forces who had run amok.”³⁴⁷

Although the Republican police had provided security and order, there is merit to O’Donoghue’s criticism, because there were propaganda elements that cannot be neglected. However, as soon as British counter insurgency started, Republican Police returned to their IRA duties, because its members were IRA men, sometimes even recruited from ASUs. The Republican police force was operating alongside the RIC and sometimes even British authorities would cooperate with the Republicans. The withdrawal of Republican policemen destabilised Dáil Courts as well, because their rulings could not be enforced.³⁴⁸

As the Anglo-Irish Treaty had been signed, it was quickly decided that the RIC had to be dissolved. One major issue was that the old RIC was highly centralised and operated on military lines, which had alienated the force from its communities.³⁴⁹ After the Dublin Castle administration faded, the RIC were swiftly dissolved and the IRA took over police duties for the time being. It is noteworthy that the chief of the Irish Republican Police had resigned, which left the country without any police force during the Truce period.³⁵⁰ To counter this, the Provisional Government established the CID and the Civic Guard. Both forces were armed and had their own distinctive uniforms. However, the newly founded Civic Guard was never fully functional, as the force was under-armed, under-staffed and also insufficiently funded. Moreover, the Civic Guard lacked morale and the outbreak of the Civil War made them a natural target for the anti-Treaty IRA.³⁵¹

To obtain a full picture of the Civic Guard it is necessary to understand that it had been established along the lines of the old RIC. Former RIC members were allowed to join, and the Guard were armed at the beginning. Additionally, former RIC men were given higher salaries, despite IRA men have been given first preference during the recruitment process. Michael Staines TD was appointed to organise the force after the RIC was officially disbanded on 22nd February 1922 and the Civic Guard’s formation was announced on 8th March 1922 in national

³⁴⁷ Michael O’Donoghue, BMH WS 1741, part I, 1952 p. 101. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1741%20PART%201.pdf> (seen July 16, 2019).

³⁴⁸ Kevin O’Sheil, BMH WS 1770, Section 8, 1959, pp. 905-6. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1770%20Section%208.pdf> (seen July 16, 2019).

³⁴⁹ Lowe, “The War Against the R.I.C.”, pp. 81-85.

³⁵⁰ Derek Sheils, “The Politics of Policing Ireland 1919-1923”. In: Clive Emsley & Barbara Weinberger (eds.), *Policing Western Europe: Politics, Professionalism, and Public Order, 1850-1940*, (Westport 1991), pp. 145-148, 150-155.

³⁵¹ Ibid., p. 151.

newspapers.³⁵² In his study, Brian McCarthy argues that the Provisional Government underestimated the difficulties and the distrust of the general population and Republican police recruits towards former RIC and DMP members of the force.³⁵³ Soon a protest committee was organised and Patrick Brennan, a pro-Government police officer, agreed to meet the committee. The Provisional Government had failed to grasp that the anti-Treaty IRA had already infiltrated the force and attempted to destabilise the Civic Guard from within, as thus undermining the Provisional Government's position,³⁵⁴ Only in 1923 the Garda Síochána was established, which was to be unarmed and, unlike the Civic Guard, excluded RIC men. Garda Síochána were to be embedded in their local communities in contrast to the centralised Civic Guards, which were to be closely related to the RIC.³⁵⁵ However this did not happen until the main hostilities had ceased in 1923.

In May 1922 the Civic Guard launched a mutiny in Kildare and raided the armoury. Ernest Blythe recalled the events later:

“According to the report that reached the Government, Staines behaved with singular ineptitude. It was stated that on parade he had referred to the rumours of insubordination, had pointed the duty of the Guards to obey their officers and the Government, and then had asked those who were not prepared to act as he had indicated to step forward two paces. Pandemonium broke loose and, as stated, Staines and the officers who were with him were driven out of the camp.”³⁵⁶

Many mutineers later defected to the anti-Treaty IRA. In September 1922 Staines resigned and Kevin O'Higgins appointed Eoin O'Duffy as new commissioner. Although O'Duffy managed to form a moderately functioning police force, under his watch the Civic Guard often abused their powers and due to its organisation on RIC lines, the general public and the National Army never fully believed that the Civic Guard was not just the prolongation of the RIC.³⁵⁷ O'Duffy's most important and also most successful reform was the disarmament of the Civic Guard, which at the one hand exposed them to local Republican units, while on the other hand broke the continuity to the RIC.³⁵⁸

So a policing vacuum effectively lasted until 1923, when *An Garda Síochána* were finally established as a modern police force. Because of the absence of law enforcement and a

³⁵² “Irish Civil Guard—Scheme complete”. In: *The Cork Examiner*, March 8, 1922, p. 5.

³⁵³ Brian McCarthy, *The Civic Guard Mutiny*, (Cork 2012), pp. 28-30.

³⁵⁴ *Ibid.*, pp. 31-32.

³⁵⁵ O'Halpin, *Defending Ireland*, pp. 5-7.

³⁵⁶ Ernest Blythe, BMH WS 0939, 1954, p. 150.

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0939.pdf> (seen July 19, 2019).

³⁵⁷ *Ibid.*, pp. 82-83.; O'Halpin, *Defending Ireland*, p. 6.

³⁵⁸ O'Halpin, *Defending Ireland*, p. 9.

judiciary, rural areas of Ireland and cities had to establish private police forces, like in Cork City during the Civil War. After the Republicans had been defeated Cork merchants established their own Civic Patrol, who put an end to looting and vigilantism.³⁵⁹

After the fall of all major cities in Co. Cork, the IRA ceased their policing altogether and carried out justice by court-martial, whether they were sanctioned by commanding officers or not. Throughout the War of Independence, the IRA court-martialled alleged spies, informers, and criminals alike. For instance, Daniel “Gunner” Coffey was tied to the church gates of Bandon for larceny,³⁶⁰ as it has been discovered by D.J. Collins, who had investigated Coffey’s fathers claim for an army pension. Additionally, the newspaper *Skibbereen Eagle* mentions that on 29th October 1921 three men were tied to the church gates in Bandon in connection to a local robbery in town.³⁶¹ Therefore, it can be concluded that tying others and IRA men up at churches was a common form of punishment. A similar incident occurred at St. Francis Church, Grattan Street, Cork City; where a man was tied up and a sign pinned to his breast, which related him to a train robbery.³⁶² In both cases the police rescued the men. These cases were not limited to Co. Cork, as another incident was reported in Belfast,³⁶³ and another one in Nenagh, Co. Kerry. The *Evening Herald* described that a label was posted over the alleged robber reading: “Warning—Convicted Robber—(Signed) I.R.A.”.³⁶⁴

In accordance with newspaper reports, as well as Coffey’s army pension claim, it can be derived that the IRA practiced vigilantism. Additionally, the fact that the men who were tied to church gates were commonly found around in morning hours, typically around 8 AM indicates that the court-martialing took place during the night before. This is in line with Hart’s description of an IRA court.³⁶⁵ To fully understand the workings of IRA court-martials it is helpful to study Maria O’Donovan’s, Cumann na mBan member, Military Service Pension (MSP) as it offers a deeper insight into the Republican movement throughout the Irish

³⁵⁹ Borgonovo, *The Battle for Cork*, pp. 54-59.

³⁶⁰ “D. J. Collin’s written statement”. In: MSPC, W1D13. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R1/1D13DenisCoffey/W1D13DenisCoffey.pdf (seen July 16, 2019).

³⁶¹ “Chained to Church Railings at Bandon”. In: *Skibbereen Eagle*, Oct. 29, 1921, p. 2.

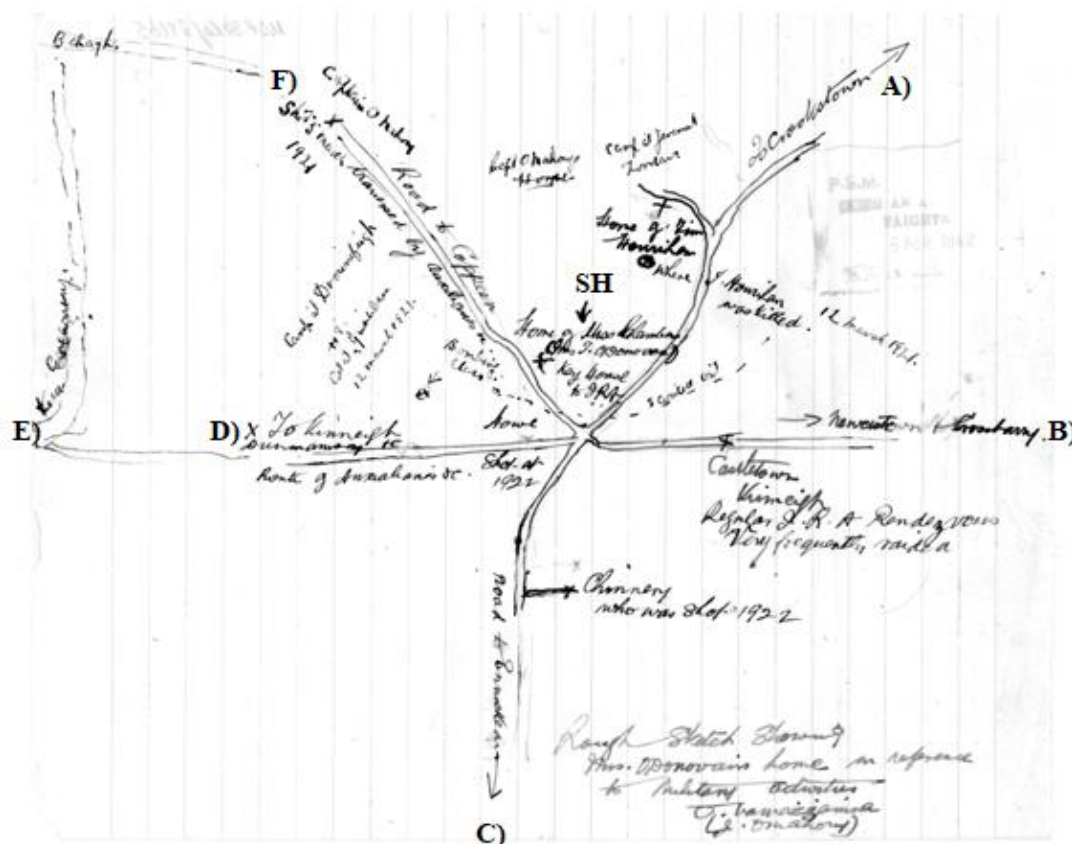
³⁶² “Strange Cork Incident—Man Bound and Chained: Tied to Church Railing”. In: *The Cork Examiner*, Aug. 1st, 1921, p. 4.

³⁶³ “Tied to Railing—Belfast Wrongdoer’s Penalty”. In: *The Cork Examiner*, Oct. 10, 1921, p. 5.

³⁶⁴ “A Warning”—Young Nenagh Man Tied to Gate Outside Church”. In: *Evening Herald*, Sep. 26, 1921, p. 1.

³⁶⁵ Hart, *The I.R.A. and its Enemies*, pp. 270-273.

Revolution. As a member of Cumann na mBan she provided shelter and assistance to the IRA, while also being active in the tracking of alleged spies and informers.³⁶⁶



SH	Position of Maria O'Donovan's house
A)	Road to Crookstown
B)	Road to Castletown & Newton/Crossbarry
C)	Road to Enniskeane
D)	Road to Kinneigh/Dunmanway
E)	Road to Behagh
F)	Road to Coppeen

Figure 4: Rough sketch showing the position of Maria O'Donovan's safe house.³⁶⁷

In July 1921 Maria O'Donovan also provided room for IRA courts, where she was catering for the entire battalion staff and the men to be court-martialled in her private home.³⁶⁸ This modus

³⁶⁶ “Hand-Written Statement by Jeremiah Mahoney”. In: MSPC, MSP34 28665. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/MSP34REF28665%20Maria%20O'Donovan/MSP34REF28665%20Maria%20O'Donovan_.pdf (seen July 16, 2019).

³⁶⁷ “Hand-Written Statement by Jeremiah Mahoney”. In: *Ibid.*

³⁶⁸ “Appeal of Maria O’Donovan Ref. No. 28665/A3. In: *Ibid.*; “Typed Statement by Mrs. Thomas O’Donovan, Behagh, Dunmanway.” In: *ibid.*, p. 2.

operandi closely resembles Peter Hart's description of the court-martialing of the Hornibrooks, who were tortured for the shooting of IRA command O'Neill and were brought to court in a secret location, identified by witnesses as "*hill country*".³⁶⁹

Jeremiah O'Mahony, a local IRA member, drew up a map which shows that O'Donovan's house was located in a rural area, directly at the intersection of four roads leading to Coppeen, Castletown, Kinneigh and Enniskeane (see Figure 4, p. 62).³⁷⁰ Whether or not her house was used for the court martialing of the Hornibrooks cannot be established, however there is a high probability that the man who was tied to the church gate of St. Francis Church, Cork City³⁷¹, was actually tried in Maria O'Donovan's house. The man was found on 31st July 1921, which correlates with the court held in July in Maria Donovan's dwellings. Overall, these cases illustrate that the absence of a judiciary system and police force had led to high crime rates throughout the Civil War in Co. Cork.

To counteract the insurgency, Michael Collins established the CID, which was based in Oriel House. CID men were recruited from Michael Collins's "Squad" and headed by Pat Moynihan.³⁷² In the meantime a similar body was established in Cork City, "the Plain Cloth Squad" (or "City of Cork Police Force"), which was later absorbed into the "Cork Civic Patrol".³⁷³ In his study, O'Halpin makes it clear that the CID was not fit for purpose, because its core members were former IRA intelligence officers, whose main duty in the fight against the British had been to assassinate targets, not to impose law and order³⁷⁴:

"An army officer commented in 1924 that 'the very nature of their work before the truce had 'left them anything but normal... if such a disease as shell-shock existed in the IRA... the first place to look for would be amongst these men [the Squad]'.³⁷⁵

Another hindering factor was that the CID intertwined with military intelligence services, as such it never became a civilian police force. Throughout the Civil War, members of the CID tortured, shot prisoners and their suspects died in custody: "Oriel House" was accused of spreading terror rather than order.³⁷⁶ One possible explanation for these developments is the

³⁶⁹ Hart, *The I.R.A. and its Enemies*, pp. 280-281.

³⁷⁰ Map provided by "Jeremiah O'Mahony". In: MSPC, MSP34 28665. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R6/MSP34REF28665%20Maria%20O'Donovan/MSP34REF28665%20Maria%20O'Donovan_.pdf (seen July 16, 2019).

³⁷¹ "Strange Cork Incident—Man Bound and Chained: Tied to Church Railing". In: *The Cork Examiner*, Aug. 1st, 1921, p. 4; "Tied to Church Railings". In: *The Irish Independent*, Aug. 1, 1921.

³⁷² O'Halpin, *Defending Ireland*, pp. 2-4.

³⁷³ *Ibid.*, p. 4.

³⁷⁴ *Ibid.*, pp. 10-11.

³⁷⁵ *Ibid.*, p. 12.

³⁷⁶ *Ibid.* pp. 13-14.

premature death of Collins. Michael Hopkinson³⁷⁷ and Eunan Halpin point out that the death of Collins probably caused many of the government's violent responses, as Cosgrave and O'Higgins appear to have used force and violence more freely against their former comrades than Collins might have had in their place.³⁷⁸

To illustrate the role of the Civic Guard in Cork this study relies on articles from *the Freeman's Journal*, *the Cork Examiner*, and *the Irish Independent*. Violence, behaviour, and modes of operation are derived from newspaper articles. Importantly, the *Cork Examiner* was under direct control of the anti-Treaty IRA from the beginning of the Civil War until the re-taking of Cork City in August.³⁷⁹ Therefore, the *Cork Examiner* became the carrier of the Republican counter-narrative as opposed to the national press. Early *Cork Examiner* articles depict the Civic Guard's activities as a prolongation of the disbanded Auxiliaries and RIC. For instance, it is claimed that while the Civic Guard allegedly raided a guest house, it insulted the present guests and arrested the landlady at gun point. Moreover, the leaders of the raiding party allegedly spoke with thick English accents, which would be an indication that the Guards were former Auxiliary cadets or even Black and Tans.³⁸⁰ On 31st July, another article from the Republican controlled *Cork Examiner* article suggests that former RIC men who had joined the Civic Guard were not screened properly and never resigned from the RIC.³⁸¹ However, the presence of former Auxiliaries or even Black and Tans is unlikely. Brian McCarthy's research shows that preference "A" recruits were former IRA men, only then preference "B" recruits, former RIC men, were selected. Before they were allowed to join the Guard, former RIC men had to undergo a check of character by local pro-Treaty IRA brigade officers,³⁸² which is reflected in the make-up of the newly founded Civic Guard. Ninety-four per cent of the initial Civic Guard recruits had an IRA background, which leaves only six per cent former RIC men.³⁸³ If McCarthy's numbers are taken into account, the claim that English men were present during the raid of the public house in Blackrock, Co. Cork, must be dismissed as Republican propaganda.

After the Civic Guard mutiny, guards were usually unarmed and posted in isolated areas and barracks, along the lines of the RIC, which made them vulnerable and often easy targets for the

³⁷⁷ Hopkinson, *Green Against Green*, p. 179.

³⁷⁸ Ibid.; O'Halpin, *Defending Ireland*, p. 19.

³⁷⁹ Borgonovo, *The Battle for Cork*, p. 24.

³⁸⁰ "Southern Situation". In: *The Cork Examiner*, July 12, 1922, p. 5.

³⁸¹ "R.I.C. in Civic Guards". In: *The Cork Examiner*, July 31, 1922, p. 2.

³⁸² McCarthy, *The Civic Guard Mutiny*, p. 26.

³⁸³ Ibid., p. 27.

IRA. For instance, on 16th July 1922, anti-Treaty IRA men commandeered a Civic Guard car in Castletownbere, kicked out the driver and then rounded up the local Guards from their barracks. As the guards were unarmed, they were not able to fend off the attackers. As the guards were disarmed the IRA continued to round up the local pro-Treaty IRA and even neutral IRA members. The *Evening Herald* identified a man called Dwyer as the IRA leader; however, this study could not definitely identify who “Dwyer” might have been. In the end National troops had to be sent in to restore order in town, which illustrates the fragile peace.³⁸⁴ The functionality of the Civic Guard was limited to areas held by National Troops, where the guards did manage to impose law and order.³⁸⁵

Although progress had been made on the ground, it was not until October 1922 that the Civic Guard would start operating in Cork City. Therefore, National Forces returned stolen and looted goods³⁸⁶, because of the state of emergency the guards were not dispatched. In October 1922, commanding officers were sent from Dublin to supervise the privately run Civic Police in Cork City, which had been established after IRA had evacuated its positions.³⁸⁷ From November onwards³⁸⁸, the Guard was finally dispatched Cork City, Clonakilty, Bandon, Youghal, Cobh and Middleton.³⁸⁹ In the meantime, newspaper articles indicated that until then petty crime and burglaries were on the rise, which had been amplified by the absence of law enforcement,³⁹⁰ as policing was still conducted only by the National Forces in non-pacified areas. The dispatchment of the guards eased the situation, but still criminality surged throughout Cork. It is noteworthy that unlike National Troops, hardly any Civic Guard member was targeted by the anti-Treaty forces in Co. Cork. Only isolated incidents, such as hold-ups were reported by local news-papers.³⁹¹ For instance, in April 1923, Civic Guards in Youghal were held up by masked men and robbed.³⁹² While activities against the Civic Guard happened rarely in Co. Cork, attacks in neighbouring County Kerry never truly stopped until the end of the Civil War.³⁹³

³⁸⁴ “The Freebooters”. In: *The Evening Herald*, July 24, 1922, p. 2.

³⁸⁵ “Cork Civic Guard”. In: *The Cork Examiner*, July 31, 1922, p. 6.

³⁸⁶ “Payment of Civic Guard”. In: *The Cork Examiner*, Sep 26, 1922, p. 3.

³⁸⁷ “Cork Civic Police”. In: *The Cork Examiner*, Oct. 12, 1922, p. 5.

³⁸⁸ “Civic Guard for Cork”. In: *Freemans Journal*, Nov. 9, 1922, p. 5.

³⁸⁹ “Expected Arrivals Today”. In: *The Cork Examiner*, Nov. 9, 1922, p. 5.

³⁹⁰ “The Civic Guard”. In: *The Cork Examiner*, Nov. 10, 1922, p. 4.

³⁹¹ “Civic Guards held up”. In: *The Cork Examiner*, Dec 27, 1922, p. 4.

³⁹² “Holds-up in Youghal”. In: *The Cork Examiner*, April 9, 1923, p. 4.

³⁹³ “Official report”. In: *The Cork Examiner*, April 28, 1923, p. 7.

As for the CID, it is evident that reported abuses of power of Oriel House were not Republican propaganda.³⁹⁴ Although, the CID was scarcely present in Co. Cork, the later Garda Specials, which had absorbed the CID would still raid places in 1924, searching for Republicans as far outwards as County Cork. Hold-ups and internment did not stop with the Civil War Timothy Buckley O/C Macroom Battalion later recalled:

“Towards the end Of 1924, a force of C.I.D. searched my father's lands and houses about five times. They were looking for an arms dump. They found an old rifle which I did not know was there. I was arrested and taken to Cork gaol for ten days, before being tried and released.”³⁹⁵.

In brief, as law enforcement was already difficult, two rivalry judiciaries existed along-side one another; the yet to be established Free State judiciary, which was based on the British legal system, and the Republican judiciary, which consisted of the Dáil Courts. This complex legal landscape, alongside military police, and the rather ineffective Civic Guards, led to an ongoing state of lawlessness in Co. Cork. Therefore, especially rural Ireland was exposed to violence, it was only in November 1923 that the Civic Guards started to operate.

3.3. Executions, Reprisals, and Imprisonment

“Blood will suffer blood to die in hunger, but blood will not suffer blood to be spilled. We have got to the stage here in Ireland when we will suffer blood to be spilled, if it is spilled hotly and we find now that we are shocked because blood has to be spilled in cold blood. We are faced with eradicating from the country the state of affairs in which hundreds of men go around day by day and night by night, to take the lives of other men.”³⁹⁶

3.3.1 Executions and reprisal killings in Cork

As pointed out earlier, the executive and judicature of the Free State were still to be established, and the Republicans had not the resources to cater for prisoners. Moreover, a state of lawlessness existed, paired with an armed insurgency. This led to a situation in which the newly established National Army was conducting basic police services and operating prisons. These circumstances led to situation in which violence and abuse had become the norm. This chapter investigates individual cases of violence and killings, by the Free State and the IRA.

³⁹⁴ For evidence readers should consult Ernest Blythe's witness statement (BMH WS 0939, 1954, p. 171) <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0939.pdf> (seen July 19, 2019).

³⁹⁵ Timothy Buckley BMH WS 1674, 1957, pp. 9-10. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1674.pdf> (seen July 16, 2019).

³⁹⁶ Richard Mulcahy, then Minister of Defence, reacts to outrage in the Dáil after four men were executed. In: Dáil Eireann debate, Nov 17, 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-11-17/13/?highlight%5B0%5D=cork&highlight%5B1%5D=prison> (seen March 11, 2019).

It is estimated that more than 150 prisoners and detainees died while being detained, or while allegedly evading capture throughout the Civil War, additionally between November 1922 and May 1923 the Free State officially executed seventy-seven anti-Treaty IRA men.³⁹⁷ However, it has to be distinguished between officially sanctioned state-executions and the indiscriminate shooting of prisoners. This study has identified four cases in which Free State prisoners were shot while in custody: Sean O'Donoghue, James Buckley, Jeremiah Casey, and Timothy Kenefick. Most of these men were killed before emergency legislation was passed, which renders them problematic from a Free State perspective, only William Healy's execution was sanctioned by the state. Moreover, this chapter explores the aftermath of William Healy's execution and identifies two civilian deaths, who were killed by the IRA in response to Healy's execution.

On March 13, 1923 William Healy, an anti-Treaty IRA member, was executed by firing squad in Cork County Goal.³⁹⁸ Healy was born in 1901, his exact birthdate being unknown, but his baptism certificate survives. The *Cork Examiner* notes that Healy had been arrested after an attack "on a house in Blarney Street", Cork City.³⁹⁹ Healy's execution was no singular event, as it was part of six other executions, which happened on the same day in other prisons in Ireland. To understand why Healy was chosen from the bulk of prisoners, more than 12,000 IRA men were interned during the Civil War, it is necessary to investigate the circumstances of Healy's arrest.

Healy had joined the Volunteers in 1918⁴⁰⁰ and served until his death in 1923. Healy's father, Maurice Healy, states that before the War of Independence his son worked as cattle dealer for Mr. Sullivan, Kalleen, Blackpool⁴⁰¹ and briefly for Messrs Goldings, Cork City. Apart from that Healy had been helping out on the family farm. His death had profound economic effects on his family, since it was agreed that William Healy was to inherit his uncle's estate by will or marriage to another family member. However, as Healy was executed in jail, the agreement

³⁹⁷ Mary Rogan, *Prison Policy in Ireland: Politics Penal-Welfarism and Political Imprisonment* (Taylor 2011), pp. 23-24.

³⁹⁸ "William Healy". In: MSPC, DP 4295. Online:

http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP4295%20William%20Healy/DP4295%20William%20Healy.pdf (seen July 16, 2019).

³⁹⁹ "Attack at Blarney Street". In: *The Cork Examiner* 14 March 1923, p. 5.

⁴⁰⁰ "Written statement by Sean Moylan" and "William Healy's Death Certificate". In: MSPC, DP 4295.

Online:

http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP4295%20William%20Healy/DP4295%20William%20Healy.pdf (seen July 16, 2019)... Moylan gives the date of Healy's joining the Volunteers as 1917.

However, John O'Leary and the official death certificate set it at 1918.

⁴⁰¹ Ibid.

was never to be realised, which left his family worse off.⁴⁰² At his death Healy was probably 22-23 years old, of which he had spent more than four years in the Volunteers. Healy was a Volunteer, a country boy, who for unknown reasons decided to join the anti-Treaty IRA, the official cause of his death was a haemorrhage and shock caused by multiple gunshot wounds.⁴⁰³

Healy was part of Cork No. 1 Brigade, which makes Tom Crofts his O/C and central Cork his native battalion area⁴⁰⁴. At one occasion, Healy broke both of his arms and saw action in Limerick City, Co. Waterford, and Co. Cork. On the 9th March 1923, Healy and other unidentified Volunteers tried to burn down a house in Blarney Street, but Healy was the only one arrested when National Troops intervened. The *Cork Examiner* gives further detail on the attack and reports that around 08:15 AM the Republicans had not attacked any given house, it was the house of a Mrs. Powell: Michael Collins's sister. A National Army officer named Scott, who happened to look after her that day, was shot in the arm, but still managed to interrupt the attempted burning of the house, which had already been drenched in gasoline.⁴⁰⁵ Considering these events it is very likely that Healy was chosen for execution because of the particulars of the arson attack. If it had been another house of a less prominent Free State figure, it is very likely that he would have been only imprisoned, as higher ranking officers had been arrested earlier.⁴⁰⁶

After Healy had been executed, noteworthy events unfolded. After the executions Republicans launched reprisals in Cork, of which two incidents were directly related to the execution of Healy: the killing of Ben McCarthy and the assassination of William G. Beale. McCarthy was a sixteen-year-old boy from Ardagh, Bantry. According to *the Cork Examiner*, McCarthy had been abducted at 4 AM from his family home and was found dead the next morning by National Forces with a note pinned to his body, which relates his death to the executions: "Convicted spy. Shot as reprisal for our comrades who were executed during the weekend."⁴⁰⁷ Although of young age, McCarthy was not chosen by chance and this supported by leading IRA figures. Ted O'Sullivan, O/C Co. No. 5 Brigade supports the idea that McCarthy had been helping the Free State identifying IRA men: "He [McCarthy] used to show the Free State the houses so

⁴⁰² "Report No. 3". In: Ibid.

⁴⁰³ "Verification of Death", DP Ref. No. D31H. In: Ibid.

⁴⁰⁴ "Written Statement by Florence O'Donoghue". In: Ibid.

⁴⁰⁵ "Cork Sensations". In: *The Cork Examiner*, March 9, 1923, p. 5.

⁴⁰⁶ "William Healy". In: MSPC, DP 4295. Online:

http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R6/DP4295%20William%20Healy/DP4295%20William%20Healy.pdf (seen July 16, 2019).

⁴⁰⁷ "Youth Shot Dead". In: *The Cork Examiner*, March 20, 1923, p. 5.

that they could raid them so our lads shot him on Patrick's Day 1923 without sanction."⁴⁰⁸ O'Sullivan's remarks confirms the note pinned to the youth's body and put McCarthy's death in the tradition of reprisal killings. However, unlike during the War of Independence, it is evident that IRA units would no longer court-martial alleged spies, as McCarthy was shot without sanction, which might indicate that Hart's assumptions that the IRA would not always identify their targets thoroughly is not entirely incorrect.

Another incident can be related to Healy's death. On 17th March 1923, William G. Beale, a Protestant Cork businessman, was walking home in Cork City, when unknown gunmen shot him down and left him dying on the street.⁴⁰⁹ Although, the gunmen managed to escape, *the Cork Examiner* claims that the men stated "*this is if for Healy*", one day later Beale succumbed to his wounds.⁴¹⁰ Historian Gerard Murphy describes Beale as a member of the YMCA, whose brother later claimed that he knew of no reason for the killing of W.G. Beale, however the Beales were a prominent Cork Protestant family, and Free State supporters, but Murphy states that there is no proof which relates Beale to any alleged spy ring.⁴¹¹ However, contrary to Murphy's conclusion there evidence exists from BMH witness statements that the IRA assumed that the Cork City branch of the YMCA was part of a spy ring, a claim supported by Jeremiah Keating, intelligence officer of 2nd battalion, Cork No. 1 Brigade. He alleged that a "Charles Beale", also member of the local YMCA, was caught with information on members of the Cork No. 1 Brigade and subsequently shot as a spy.⁴¹² Patrick Collins, part of the same company as Keating, claims that Charles Beale's papers also contained a list of local spies and informers, who were all involved with the local YMCA.⁴¹³ It is not known whether W. G. Beale was on that list, but this would explain why he was picked out as he would have been an easy but also suitable enough target for Healy's comrades. Neither witness statements nor military pension files offer evidence for a religiously motivated killing and Murphy's hypothesis of an involvement of the Gray brothers, Cork IRA men, is only based on the fact that their dwellings were in proximity to the scene of events. The killing of Beale shows that the Cork YMCA was

⁴⁰⁸ O'Malley, *The Men Will talk to me!*, pp. 157-158.

⁴⁰⁹ Ibid., p. 158.

⁴¹⁰ "Mr. W. G. Beale Dead". In: *The Cork Examiner*, March 21, 1923, p. 4.

⁴¹¹ Gerard Murphy, *The Year of Disappearances: Political Killings in Cork, 1921-1922* (Dublin 2011), Chapter 18 [E-Book].

⁴¹² Jeremiah Keating, BMH WS 1675, 1957, pp. 8-9. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1657.pdf> (seen July 16, 2019).

⁴¹³ Patrick Collins, BMH WS 1707, 1957, pp. 7-8. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1707.pdf> (seen July 16, 2019).

indeed targeted by the IRA for alleged spying activities.⁴¹⁴ Therefore, W.G. Beale's death was most likely a reprisal killing and not motivated by sectarianism, as claimed by Murphy.

To sum up, two possible reasons can be derived to answer the question why Healy among others was chosen to be executed. Firstly, the general policy of the Free State Government to use force and execution to quell the uprising and secondly, it is safe to assume that the attempt to burn Michael Collins's sister's house triggered an even harsher reaction as usual. This incident would have made him a logical target for a reprisal killing. That sixteen-year-old Ben McCarthy was targeted for allegedly providing information to the Free State and William G. Beale for spying on the IRA supports the thesis that executions stirred violence and led to counter violence by the anti-Treaty IRA, who was prepared to avenge their own even in later stages of the conflict, rather than quelling opposition.

Long before the first official executions took place, the National Army was engaged in the unofficial killing of prisoners. This study has reviewed several cases in the Military Service Pension Collections (MSPC) which qualify as unofficial executions. One of these unofficial killings was the death of Timothy Kenefick. Kenefick was born in 1894, his age at the time of death was 27, he left behind a two-year old daughter and a pregnant wife. He did not live to see his son, who was born two weeks after he was shot.⁴¹⁵ His body was found in a field near Coachford, Co. Cork and he was buried two days later in a field close by.⁴¹⁶ The last time he had been seen alive was during his arrest by Free State forces, when he was locked up in a caged lorry.⁴¹⁷ The circumstances of his death gained prominence, because a local coroner, J.J. Horgan held an inquest which found that Kenefick's death classified as "wilful murder".⁴¹⁸ Labour TD Tomas de Nogla referred to the inquest and forwarded a written question to then Minister of Defence, Richard Mulcahy, in the Dáil:

"To ask the Minister for Defence whether he is aware that at an inquest held by Coroner J.J. Horgan, at Mr. Gilligan's house, Coachford, Co. Cork, on Monday, 11th September, 1922, into the circumstances of the death of Timothy Kenefick, the verdict was: "Wilful murder of Timothy Kenefick by National troops at Nadrid, Coachford, Co. Cork, on 8th September, 1922," and whether any attempts have been made to bring the guilty

⁴¹⁴ Hart, *The I.R.A. and its Enemies*, pp. 299-300.

⁴¹⁵ Certificates of Baptism for "Catherine May Kenefick" and "Timothy Kenefick Jr." In: MSPC, DP 7329.

Online:

http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP4295%20William%20Healy/DP4295%20William%20Healy.pdf (seen July 16, 2019).

⁴¹⁶ "Shot near Coachford". In: *The Cork Examiner*, Sep. 13, 1922, p. 4.

⁴¹⁷ "A Mystery". In: *Southern Star*, Sep. 30, 1922, p. 7.

⁴¹⁸ "Dáil Questions". In: *Southern Star*, Oct. 28, 1922, p. 6; "Dáil Eireann Long List of Questions on the Paper To-Day". In: *Evening Herald*, Oct. 18, 1922, p. 2.

ones to justice; and whether any compensation will be given to the widow of the deceased.”⁴¹⁹

About a week and a half later de Nogla received a written response in which Mulcahy claimed that the jury was compromised by “Irregulars” (i.e. the IRA) and, therefore, unable to hear the opposition case, and therefore no perpetrators were charged with Kenefick’s murder.⁴²⁰ Apart from newspaper reports Republican Jamie Moynihan recalls in his memoirs that John “Jock” McPeake witnessed Kenefick’s arrest:

“He [McPeake] had also been present at Coachford in September 1922 when Captain Timothy Kenefick (*sic!*), who had been on the run in Baile Mhúirne, was captured near Dripsey while travelling to his mother’s funeral in Cork. Kenefick was tied up, put into a caged truck and taken to Rooves Bridge, where he was shot dead.”⁴²¹

Moynihan’s version of events is supported by the findings of the local inquest according to which on 8th September 1922, Timothy Kenefick was travelling unarmed and alone down the road near Coachford, when a National Army lorry approached him, halted, and subsequently arrested him. As the lorry later passed through Coachford, locals saw that Kenefick was “all bleeding and battered.”⁴²² When the lorry returned to Coachford it was empty and Kenefick’s body was later found in a ditch, disfigured beyond recognition.⁴²³ If Moynihan’s account, as well as the coroner’s inquiry, are taken into consideration it is evident that Timothy Kenefick was tortured and later killed while in Free State custody. John Borgonovo shed further light onto the events surrounding Kenefick’s death, as he points out that Emmet Dalton was present during the arrest and the murder.⁴²⁴ Borgonovo’s findings are also supported by Peter Hart, who makes it clear that Kenefick’s death enraged local IRA men.⁴²⁵ However, there is no evidence that Squad members were involved in Kenefick’s death, as Hart claims.⁴²⁶ However the presence of Emmet Dalton would imply that his later resignation from active duty was not

⁴¹⁹ Tomas de Nogla T.D., Dáil Questions—Co. Cork Inquest, 18 Oct. 1922. Online:

<https://www.oireachtas.ie/en/debates/debate/dail/1922-10-18/18/?highlight%5B0%5D=kenefick&highlight%5B1%5D=kenefick> (seen Jan. 1· 2019)

⁴²⁰ Richard Mulcahy, then Minister of Defence, written reply to Coachford (Co. Cork) Inquest, 1 Nov. 1922. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1922-11-01/30/?highlight%5B0%5D=kenefick> (seen Jan. 10, 2019).

⁴²¹ Jamie Moynihan, *Memoirs of an old warrior*, p. 117. (Moynihan also claims that McPeake was present at Dublin Hill and incorrectly states that two men were executed. However only one man was shot there, i.e. Sean O’Donoghue).

⁴²² “Note Regarding the Death of Captain Timothy Kenefick at the Hands of Free State Soldiers, Including the Verdict of His Inquest”. In: Joseph McGarrity Papers, 1789-1971, MS 17, 654/6/30.

⁴²³ Ibid.

⁴²⁴ Borgonovo, *The Battle for Cork*, p. 58.

⁴²⁵ Hart, *The IRA and its Enemies*, p. 122.

⁴²⁶ Ibid.

only out of protest against execution policies or misconduct on behalf of his soldiers, but the executions he witnessed might have had an impact on his decision.

The next unofficial execution in Cork took place eight days later. On 16th September James Buckley, a 45-year-old volunteer from Macroom was killed while in Free State custody.⁴²⁷ James Buckley had joined the volunteers in 1919 and remained member of 7th Battalion, Cork No. 1 Brigade. During the Civil War he took the anti-Treaty side and his death certificate reads *“shot dead by F.S. Forces at Clondrohid, Co. Cork, on the 16th September, 1922, while a prisoner.”*⁴²⁸ Before the war Buckley had been working as a farm labourer and Con Meany described him as an old man and member of the local Fenian Brotherhood,⁴²⁹ which is an indicator that he had been active longer before the 1919-1922 period. Timothy Buckley, O/C Macroom Battalion. Cork No. 1 Brigade described the incident, which led to James Buckley’s death to the BMH:

“My next engagement was with an enemy raiding party at Gortnalicka. This fight took place in the early morning, and we forced the enemy to withdraw, but they captured one of our lads - James Buckley, aged about forty-one years. Later that day, they shot him, and threw his body into a hole where a land mine had been exploded during the engagement.”⁴³⁰

James Buckley’s service certificate supports Timothy Buckley’s description. Buckley had been shot at close range and furthermore, received several gunshot wounds inflicted by Free State troops.⁴³¹ Charles Browne (local IRA commander) provided further details on Buckley’s death. According to his hand written statement for the Army Pension Board, Buckley was on sentry duty near Carrigaphooka bridge, Clondrohid, which shows that Buckley had been present when the landmine exploded.⁴³² Dan Corkery confirms this, as he described that Buckley had been captured shortly after several Free State troops were killed by this mine explosion, which also explains what kind of “hole” Buckley’s body has been dumped in.⁴³³ However, Corkery’s

⁴²⁷ Timothy Buckley, BMH WS 1674, 1957, p. 9. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1674.pdf> (seen July 16, 2019).

⁴²⁸ “James Buckley’s Service Certificate”, A.P. 54, p. 1-2. In: MSPC, DP888 James Buckley. Online:

http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP888%20James%20Buckley/DP888%20James%20Buckley.pdf

⁴²⁹ Cornelius Meany, BMH WS 0787, 1953, p. 2. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0787.pdf> (seen July 16, 2019).

⁴³⁰ Ibid., pp. 9-10.

⁴³¹ See “Certified Copy of Entry in the Register Book of Deaths”, No. 1.992, No. 162 “James Buckley”. In: MSPC, DP888 James Buckley. Online:

http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP888%20James%20Buckley/DP888%20James%20Buckley.pdf (seen July 16, 2019).

⁴³² “Hand-Written Statement by Charles Browne”. In: Ibid.

⁴³³ “Hand-Written Statement by Daniel Corkery”. In: Ibid.

statement contradicts claims made by historian Dominic Price who claimed that Buckley was dragged out of a prison cell, brought back to the mine crater and then shot. Corkery makes it clear that Buckley was shot right after being captured.⁴³⁴

So far it has been established that Buckley was on sentry duty during a mine explosion and killed after being captured. The reason for this harsh response can be derived from local newspaper reports in the *Cork Examiner*.⁴³⁵ According to these accounts, Free State troops tried to defuse the mine, however, it was booby trapped, as a Mills bomb had been placed underneath. As the National Troops tried to employ their standardised procedure of mine removal the mine exploded.⁴³⁶ Six men died immediately, but Tom Keogh, who was part of Collins's Squad, survived the initial blast, but both of his legs were broken, he lost one of his feet, just underneath the ankle and sustained several severe burns.⁴³⁷ Although he was rushed to a hospital Keogh, later died of his wounds.⁴³⁸ Prior to the Civil War he had participated in the execution of British officers during "Bloody Sunday".⁴³⁹

Given the circumstances and the gruesomeness, according to the *Cork Examiner* body parts were spread all over the place, the immediate execution of an enemy sentry does not surprise. However, the execution of Buckley and the ensuing fire-fight with the anti-Treaty IRA is not noted in the press.⁴⁴⁰ Still, Timothy Buckley's BMH statement and Dan Corkery's details make it clear that the entire operation, including the mine, was part of an ambush set by the IRA. Buckley was unfortunate, as he was on sentry duty and immediately arrested on the spot. The event shows that members of the Squad were indeed willing to execute prisoners, as they were in command of the party who shot Buckley, but Price fails to provide the context of the shooting, and his account of Buckley being taken out of a cell to be shot, is contradicted by Republican sources.

The third unofficial execution in Co. Cork was commemorated on 28th September 1923, a huge crowd, which consisted of locals, a Cumann na mBan contingent, and a dispatch of IRA

⁴³⁴ Dominic Price, *We bled together: Michael Collins, The Squad and the Dublin Brigade* (Dublin 2017), p. 301.

⁴³⁵ Timothy Buckley, BMH WS 1674, 1957, p. 9. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1674.pdf> (seen July 16, 2019).

⁴³⁶ Ibid., p. 9.

⁴³⁷ "Macroom Sensation. Road Mine Explodes". In: *The Cork Examiner*, Sep. 18, 1922, p. 5.

⁴³⁸ Ibid.

⁴³⁹ Sean O'Sullivan, BMH WS 0426, 1950, pp. 4, 9-10. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0426.pdf> (seen July 16, 2019); Thomas Young, BMH WS 0531, 1951, p. 10. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0531.pdf> (seen July 16, 2019); Joe Leonard, BMH WS 0547, 1957, pp. 3-5. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0547.pdf> (seen July 16, 2019).

⁴⁴⁰ "Macroom Sensation. Road Mine Explodes". In: *The Cork Examiner*, Sep. 18, 1922, p. 5.

Volunteers gathered at the Shanrahan graveyard to commemorate the death of Sean O'Donoghue, acting O/C of Cork No. 1 Brigade.⁴⁴¹ O'Donoghue had joined the Cork Volunteers alongside Florence O'Donoghue and befriended him.⁴⁴² Sean O'Donoghue's service record unveils that he had served throughout the War of Independence, during which he commanded the Dillon's Cross ambush. After the shelling of the Four Courts he joined the anti-Treaty side, but on 20th September 1922, he was arrested but he managed to escape custody. On an exceptionally cold September afternoon⁴⁴³ he and other IRA members sought refuge in a house near Dublin Hill, where they were surprised by a Free State patrol. In the ensuing events O'Donoghue was killed, the official statement read "killed in action". Thanks to the public inquiry after his death it is possible to reconstruct the circumstances of his death.

The *Southern Star* published a detailed account of the inquiry into O'Donoghue's death. The post-mortem unveiled that O'Donoghue's death was caused by gunshot wound, which must have been inflicted from close-range, which constitutes a direct contradiction to the official cause of death.⁴⁴⁴ Additional evidence comes from Seamus Collins, a local Volunteer, who was had been captured alongside O'Donoghue and further evidence comes from other witnesses who testified at the inquiry. Collins claimed that he and O'Donoghue were surprised by a Free State patrol, while seeking refuge in the above-mentioned safe house, and other witnesses claimed that more IRA men were seeking refuge there. The National Troops had probably surprised an IRA meeting. The IRA and the Free State troops engaged in a brief exchange of fire, but soon the IRA retreated. For reasons unknown Collins and O'Donoghue crawled up to the farm wall, rather than following the general retreat and soon surrendered with their hands up, which has been confirmed by two female witnesses during the inquiry.⁴⁴⁵ While the bulk of the Free State detachment tried to track the remaining IRA group down, Collins and O'Donoghue were locked-up in a military lorry.

Inside the lorry two soldiers started to kick the prisoners and beat them with a revolver. The beating inflicted a heavy bleeding wound on Collins's head.⁴⁴⁶ O'Donoghue shook his head

⁴⁴¹ "Late Comdt. Sean O'Donoghue, Ballygiblin, Mitchelstown". In: *The Cork Examiner*, Oct. 8, 1923, p. 2.

⁴⁴² Borgonovo, *Florence O'Donoghue's War of Independence*, p. 26.

⁴⁴³ Daily Weather Report, 28 Sept. 1922. In: *Meteorological Office, Daily Weather Reports*, (London 1922), pp. 2-4.

⁴⁴⁴ "Dublin Hill Tragedy". In: *Southern Star*, Oct. 28, 1922, p. 3.

⁴⁴⁵ "Two Soldiers to be Court-martialled". In: *Freemans Journal*, Oct. 23, 1922, p. 6.

⁴⁴⁶ "Dublin Hill Tragedy", In: *Southern Star*, Oct. 28, 1922, p. 3.

and might have been laughing as indicated by one of the soldiers who held them captive. Seamus Collins testified:

“This man ran down and asked him what was he laughing at, saying ‘I will give you plenty to laugh at in a minute.’ I was whipping my head with a handkerchief to try and stop the bleeding.⁴⁴⁷ I heard the first shot, and I looked at Sean and saw blood on his face.”⁴⁴⁸

Collins was shocked: “He [O’Donoghue] was in the same position, with a half scared look in his eyes, looking up at the man who shot him.”⁴⁴⁹ This study was not able to ascertain why the army patrol did not shoot Collins as well, but his survival and the fact that O’Donoghue’s family sued the state, offers this rare glimpse in to how the Free State treated its prisoner or what it could mean if a prisoner was “shot while trying to escape.” As his mother later filed a DP claim, the official cause of death was given as: “Deceased was captured by F[ree] S[tate] forces and placed in a lorry. While in their custody he was shot dead on 28th Sept. 1922 in the vicinity of Dublin Hill Cork.”⁴⁵⁰

O’Donoghue’s mother claimed that Capt. Timothy J. Murphy was involved in the killing of her son, and repeatedly claimed in her DP application. However, this study did not find evidence for T.J. Murphy’s involvement in the killing,⁴⁵¹ as the soldiers who participated in the shooting were paraded before Collins during the inquiry, he did not identify Murphy as a perpetrator. However he did identify two unnamed Free State soldiers, a Volunteer and a Sergeant. It is likely that Murphy was among those soldiers who were still engaged in a fire fight with the remainder of the anti-Treaty IRA party.⁴⁵² Additionally, a failed attack on the lorry, which might have been an attempt to free the prisoners was launched immediately, however Free State forces managed to fight the attackers off.⁴⁵³ On account of O’Donoghue’s killing, two soldiers were arrested, but this study could not establish whether the accused were actually charged or not, but T.J. Murphy was cleared of any misconduct.. The death of Sean Donoghue resonated for a long time in the Republican movement.⁴⁵⁴ As the Army Pension

⁴⁴⁷ The *Southern Star* as well as the *Freemans Journal* describe that Collins had sustained a blow to the head, which caused a bleeding.

⁴⁴⁸ “Dublin Hill Tragedy”. In: *Southern Star*, Oct. 28, 1922, p. 3.

⁴⁴⁹ “Dublin Hill Tragedy”. In: *Southern Star*, Oct. 28, 1922, p. 3.

⁴⁵⁰ “Sean O’Donoghue’s Service Certificate” A.P. 54. In: In: MSPC, DP 367. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP3627%20Sean%20O'Donoghue/DP3627%20Sean%20O'Donoghue.pdf (seen July 16, 2019).

⁴⁵¹ “Written letter by Mrs. O’Donoghue”, pp. 2-3. In: Ibid.

⁴⁵² “Two Wounded”. In: *The Cork Examiner*, Sept. 29, 1922.

⁴⁵³ Ibid.

⁴⁵⁴ Sean Healy, BMH WS1479, 1956, pp. 56-58. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1479.pdf> (seen July 16, 2019).

Board investigated his killing, his mother's allowance was raised, because of the exceptional circumstances of his death.⁴⁵⁵

Peter Hart describes that members of the squad were involved in the killing of an IRA prisoner near Macroom, for which this study has identified two possible victims, the beforementioned James Buckley and volunteer Jeremiah Casey, who was killed at Gortnalicky.⁴⁵⁶ Casey, killed on 5th December 1922, and was only 19 years old.⁴⁵⁷ His body was found on the roadside three miles from Macroom.⁴⁵⁸ Prior to the Irish Revolution Casey had been a butcher's assistant.⁴⁵⁹ According to the service certificate on file, Casey joined the IRA in 1920 and sided with the anti-Treaty IRA during the Civil War. He was part of Cork No. 1 Brigade, 7th battalion, "B" Company, and served under the command of Daniel Corkery.⁴⁶⁰ Later during the Civil War, Timothy Buckley was in charge of the 7th battalion.⁴⁶¹ Casey's original death certificate read "killed by gunshot wounds".⁴⁶² During the inquiries into his death the Army Pension Board requested further details about Casey's death⁴⁶³ and due to the investigations the cause of death was later given as "deceased was in the custody of Free State Forces at the time."⁴⁶⁴ The exact nature of his death is hard to identify. His Battalion O/C, Timothy Buckley, later recalled an incident as he was given his testimony in front of the BMH. On the 6th December, 1922, the 7th Battalion attacked Free State forces in Ballyvourney. The same evening Free State troops raided Gortnalicky:

"They opened fire from a distance on Daniel Casey who was alone in the district and was armed with a rifle. Casey was wounded and, when the officer in charge of the Free State forces reached the wounded man, he (the officer) shot him through the heart. This

⁴⁵⁵ "Written letter by Mrs. O'Donoghue", pp. 2-3. In: MSPC, DP 367. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP3627%20Sean%20O'Donoghue/DP3627%20Sean%20O'Donoghue.pdf (seen July 16, 2019).

⁴⁵⁶ Hart, *The IRA and its Enemies*, p. 122.

⁴⁵⁷ "Written Statement by Daniel Corkery". In: MSPC, DP 1603, Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP1603%20Jeremiah%20Casey/2RB569%20Jeremiah%20Casey.pdf (seen July 16, 2019).

⁴⁵⁸ "Memorial Parade". In: *The Cork Examiner*, Dec. 10, 1923, p. 10.

⁴⁵⁹ "Official Report on Mother's dependency". A.P. 16. Report Ref. No. 52/APB/324(a). In: MSPC, DP 1603, Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP1603%20Jeremiah%20Casey/2RB569%20Jeremiah%20Casey.pdf (seen July 16, 2019).

⁴⁶⁰ "Jeremiah Casey's Service Certificate", Ref. No. 52/APB/324 A.P. 54. In: Ibid.

⁴⁶¹ Timothy Buckley BMH WS 1674, 1957, p. 10. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1674.pdf> (seen July 16, 2019).

⁴⁶² "Certified Copy of Entry in the Register Book of Deaths in Ireland", issued on 7 May 1933". In: MSPC, DP 1603, p. 1-2. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP1603%20Jeremiah%20Casey/2RB569%20Jeremiah%20Casey.pdf (seen July 16, 2019).

⁴⁶³ Ibid.

⁴⁶⁴ "Jeremiah Casey's Service Certificate", Ref. No. 52/APB/324 A.P. 54. In: *ibid.*

officer's name was Conlan. My sister and my wife were the first people to reach the dead man.”⁴⁶⁵

Buckley might have had the wrong name, however the date is a close match and the place and circumstances of Casey's death, leave little room for doubt that Buckley described the killing of Jeremiah Casey. Additionally, he names a potential perpetrator, “Conlan”. It is likely that the Free State officer he was referring to was Peadar Conlon, First World War veteran and later Longford IRA man.⁴⁶⁶ Conlon was present at two other controversial incidents in September 1922. Firstly, he was leading a Free State flying column on 16th September 1922 at Carrigaphooka Bridge, where he was probably present when Tom Keogh was killed by a mine explosion, which links him to Timothy Buckley's death, who had been shot in response to Keogh's death.⁴⁶⁷ Moreover, he and Frank O'Friel led the assault on Cronin's cottage where two IRA men died under controversial circumstances.⁴⁶⁸

Two more Cork cases are left open for discussion: Ian Mackenzie-Kennedy, called “Scottie” and James Molony. During the naval landing of National Army troops near Cork, Mackenzie-Kennedy and Molony had barricaded themselves in Cronin's cottage.⁴⁶⁹ The official Free State account claims that the two men refused to surrender and were shot subsequently, while Republicans claim that the two had emerged out of the cottage with their hands up. Sean Boyne points out that Jamie Moynihan later gave an interview in which he pointed out that Mackenzie-Kennedy had died fighting, as Emmet Dalton alleged later.⁴⁷⁰ However, in his memoirs Jamie Moynihan does not mention a fight to the death:

“Ian and his two Republican comrades defended the little house from the Free State troops. A convoy of soldiers attempted to storm the house, throwing grenades into the building and injuring the brave Scotsman and one of his comrades, Jim Maloney, as they escaped from the house. Republicans on the scene said afterwards that both men were killed as they walked from the cottage with their hands up, cut in two by machine-gun fire. A local doctor, Dr Lynch, later found their bodies thrown across the lane, in what he described as ‘a lake of blood’.”⁴⁷¹

It is not known who the other Republican witnesses were, without these statements, which might have shed light on the subject, it cannot be established beyond doubt whether the two men classify as unofficial executions, but it is probable that they were killed after surrendering.

⁴⁶⁵ Timothy Buckley, BMH WS 1674, 1957, p. 10. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1674.pdf> (seen July 16, 2019).

⁴⁶⁶ Borgonovo, *The Battle for Cork*, p. 38

⁴⁶⁷ “Macroom Sensation. Road Mine Explodes”. In: *The Cork Examiner*, Sep. 18, 1922, p. 5.

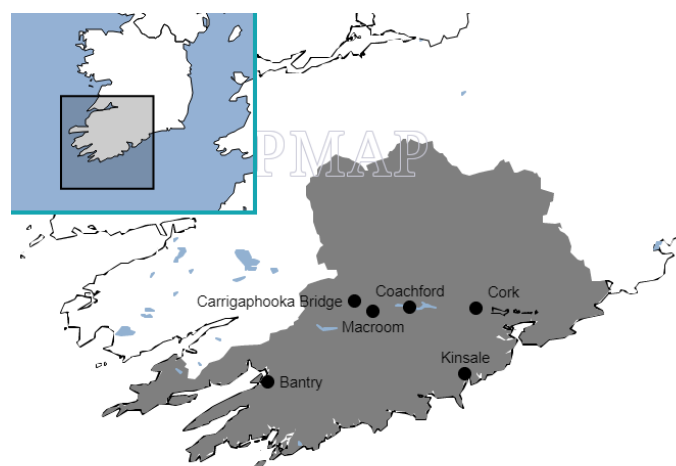
⁴⁶⁸ Cottrell, *The Irish Civil War*, p. 55.

⁴⁶⁹ Boyne, *Emmet Dalton* [E-Book Chapter: The Advance on Cork].

⁴⁷⁰ Ibid.

⁴⁷¹ Moynihan, *Memoirs of an old warrior*, p. 124.

Additionally, neither Mackenzie-Kennedy's nor James Maloney's relatives filed for DP allowances. However, the two men who commanded the attackers at Cronin's cottage, Frank O'Friel and Peadar Conlon, who was later linked to the death of Jeremiah Casey, were both associated with the shooting and mistreatment of prisoners.⁴⁷²



Name	Cause of Death	Place of Death	Date of Death
W.G. Beale	Shot as reprisal for W. Healy's execution by anti-Treaty IRA	Cork City	17 th March 1923
James Buckley	Shot while in F/S Custody	Carrigaphooka Bridge	16 th Sep. 1922
Jeremiah Casey	Shot after surrender, by F/S soldiers	Gortnalicky, Macroom	5 th Dec. 1922
William Healy	Executed by F/S	Cork Goal, Cork City	9 th March 1923
Timothy Kenefick	Shot while in F/S custody	Coachford	8 th Sep. 1922
Ben McCarthy	Shot by anti-Treaty IRA	Bantry	17 th March 1923
Sean O'Donoghue	Shot while in F/S custody	Dublin Hill, Cork City	28 th Sep. 1922

Figure 5: Unsanctioned killings and executions in Co. Cork (self-drawn table and map).

Overall, most prisoners were shot in the Clondrohid, Macroom area in September 1922 (see Figure 5 above for geographic locations of executions and killings). Outside this time frame,

⁴⁷² O'Malley, *The Men Will talk to Me*, pp. 140-143; Timothy Buckley BMH WS 1674, 1957, p. 10. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1674.pdf> (seen July 16, 2019).

only Jeremiah Casey was shot by Free State forces. This study did not identify other unofficial executions, and until March 1923 there appears to be hardly any IRA activity with regards to reprisal killings. However, after Healy's execution there was a sudden outbreak of violence on Saint Patrick's Day 1923, which saw the assassinations of Ben McCarthy and W. G. Beale.

3.3.2 State violence in Cork's prisons

While many studies deal with the Free State's execution policy and IRA violence, few studies investigate prison violence in Cork prisons during the Civil War period. Notably, Hart and Clark fail to mention prison experiences in their studies of the Irish Civil War. Other studies such as Eunan O'Hallpin's work on the prison and justice system, elaborates in more detail on imprisonment and Hopkinson remarks that the situation in Irish prisons deteriorated as the Civil War lengthened. Laura McAtackney's study on female prisoners, Mary Rogan's work on prison policy and especially, Margaret Ward's *Unmanageable Revolutionaries: women and Irish nationalism* open up the gendered perspective on internment during the Civil War.⁴⁷³ Studies unveil that during the Civil War the Curragh was turned into a military prison and was overcrowded as Limerick Jail. Overall, historians agree that internment was characterised by over-crowded prisons and the abuse and mistreatment of prisoners.⁴⁷⁴ It will be argued that the lack of a consistent prison policy and overcrowding led to harsh treatments and eventually the death of prisoners.

One famous Republican who gave details of his experience of being imprisoned by the National Army in Cork was Ted O'Sullivan. O'Sullivan was beaten and tortured after being captured on 1st June 1923, nearly a month after the Civil War had stopped. During the Civil War Ted O'Sullivan had succeeded Gibb Ross as Cork No. 5 Brigade O/C. O'Sullivan later told Ernie O'Malley⁴⁷⁵ that he had been beaten and mistreated by Frank O'Friel in a Guard's station in Castletownbere, Co. Cork. According to his testimony, O'Friel beat him with a rifle butt and a hammer and that he had received several blows to the head, which resulted in permanent damage to his hearing and sight. Furthermore, they grabbed him by the testicles and threatened to castrate him.⁴⁷⁶ Once again the case was made public by Labour TD Tomas de Nogla, who

⁴⁷³ Laura McAtackney, *Gender incarceration and power relations during the Irish Civil War (1922-1923)*, Aarhus University (unpublished Working Paper). Online: https://www.academia.edu/20304941/Gender_incarceration_and_power_relations_during_the_Irish_Civil_War_1922-1923 (seen March 10, 2019), pp. 1-10; Mary Rogan, *Prison Policy in Ireland*; Margaret Ward, *Unmanageable Revolutionaries: women and Irish nationalism*, (Dublin 1995).

⁴⁷⁴ Hopkinson, *Green Against Green*, pp. 138-139.

⁴⁷⁵ O'Malley, *The Men Will talk to Me*, pp. 140-143.

⁴⁷⁶ Ibid.

asked the Minister of Defence, whether it was true that Ted O'Sullivan had been beaten and mistreated while in custody. William Cosgrave, then President of the Executive Council, denied the allegations and claimed that O'Sullivan had tried to escape and sustained his injuries in the process.⁴⁷⁷

The graphic descriptions and details given by O'Sullivan in his interview with Ernie O'Malley is not a singular event of prisoners in Free State custody. Available sources from the MSPC support O'Sullivan's statements, and discount Cosgrave's version of the events. Although O'Sullivan admits that he tried to attack O'Friel, he claims that he tried to defend himself after he had already been beaten with a hammer and was bleeding from his ears.⁴⁷⁸ Thus, the sequence of events as described by O'Sullivan differs greatly from the official version as he was already in custody and in a guardroom when the abuse started.⁴⁷⁹

Further support for O'Sullivan's narrative comes from Sean O'Driscoll, who gave a written statement in his favour. He described in great detail O'Sullivan's wounds and injuries and points out that these were a result of him being beaten with a hammer and severe kicking by national troops. These resulted according to O'Driscoll in "terrible head and body injuries".⁴⁸⁰ O'Driscoll points out that no doctor was called in Cork Gaol and that O'Sullivan did not receive any kind of medical treatment while in custody. The absence of a doctor is not supported by O'Sullivan himself, who recalled that he had been examined by an army doctor, but received no treatment, as he was left in his cell, with severe injuries.⁴⁸¹ Liam Deasy, O/C of the First Southern Division, supported the statements in the same manner⁴⁸² and does not contest O'Sullivan's and O'Driscoll's description of the events in the guard room. Thomas Reidy, another Republican prisoner, described O'Sullivan's arrival in Cork Gaol:

"[I] examined [him] in a cell in the presence of some more prisoners and found marks all over his body as a result of a severe beating up. His head and cheek were black and bruised, also his neck was quite stiff, his shoulders and arms were discoloured and badly bruised, also his back and ribs were badly marked."⁴⁸³

⁴⁷⁷ Dáil Éireann debate, Jun. 22, 1923. Online: <https://www.oireachtas.ie/en/debates/debate/dail/1923-06-22/6/> (seen Feb. 21, 2019).

⁴⁷⁸ O'Malley, *The Men Will talk to Me*, p. 141.

⁴⁷⁹ "Written Statement of Ted O'Sullivan". In: MSPC, W1RB 5265. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R3/MSP34REF2092TedOSullivan/W1RB5265TEDO'SULLIVAN.pdf (seen July 16, 2019)

⁴⁸⁰ "Written Statement by Sean O'Driscoll", AP 50 -3, p. 2. In: Ibid.

⁴⁸¹ "Written Statement of Ted O'Sullivan". In: Ibid.

⁴⁸² "Written Testimony of Liam Deasy", AP 50 -3. In: Ibid.

⁴⁸³ "Hand-written letter by Thomas Reidy". In: Ibid.

The official service certificate supports Reidy's description, and underlined the fact that O'Sullivan had been beaten with a hammer and rifles after his capture. Prior to the Civil War O'Sullivan was only suffering from muscular rheumatism, which was diagnosed while he was in RIC custody by a doctor called Jas. Cotter.⁴⁸⁴ O'Sullivan did identify his tormentors as Frank O'Friel and Hannon, but one man, the person who probably saved his life, a "Ryan" cannot be identified. Ryan stepped in to protect O'Sullivan, who claimed Ryan committed suicide after the Civil War.⁴⁸⁵ Unfortunately, this study did not manage to identify "Ryan".

While it is safe to assume that many prisoners were mistreated, this study could only identify one prisoner to die during prison riots: Patrick Mangan. Mangan was a Lismore, Co. Waterford IRA man, who was captured after joining the anti-Treaty IRA. His death was reported in different newspapers, including the *Cork Examiner* and the *Southern Star*⁴⁸⁶. The first report in the *Cork Examiner* describes that disturbances occurred in Cork Gaol after prisoners had smashed their cells and doors. After over an hour of bargaining and no sign that the prisoners would return to their cells, the guards opened fire.⁴⁸⁷ A military inquiry was immediately held and claimed that the sentry gave the prisoners ample warnings and that Mangan defied each of them. At noon Lieut. Hurley gave the order to fire, and witness Lieut. Casey claims that the witness fell to the ground after one volley of shots had been fired.⁴⁸⁸

Both newspaper articles describe that two prisoners were wounded, but, and this is important the military inquiry neither investigated nor mentioned the second prisoner, which unveils an inconsistency in the official accounts of events.⁴⁸⁹ It claims that first the prisoners revolted, then a hard-core group led by Mangan did not clear the yard and refused to return to their cells, and that this refusal led to shots being fired. James Brennock, an inmate of Cork Gaol, offers an alternative narrative of the events. Firstly, he states that the previous mass-escape of 39 prisoners had aggravated the mood of the sentries, hence they were behaving more aggressively than usually. According to him, Patrick Mangan was called out by the guard and put his head

⁴⁸⁴ "Ted O'Sullivan's Service certificate". In: Ibid.

⁴⁸⁵ Ted O'Sullivan, in Ernie O'Malley, *The Men Will Talk to Me*, p. 142; Statement of Ted O'Sullivan, in WDP 10632. In his interview with Ernie O'Malley O'Sullivan points out that he was left for dead, and that only Commandant Ryan did not take part in the beating. Moreover, this "Ryan" held rank in the army, but cannot be identified.

⁴⁸⁶ "Gaol disturbances". In: *Southern Star*, Sep. 30, 1922, p. 6.

⁴⁸⁷ "Disturbances at Cork Gaol". In: *The Cork Examiner*, Sep. 25, 1922, p. 5.

⁴⁸⁸ Ibid., p. 5.

⁴⁸⁹ Ibid., p. 6.

out of his cell and received two direct hits, one in the head, the other one through the heart.⁴⁹⁰

Another witness, Seamus MacCoss adds another detail:

“Another prisoner on the opposite side was struck by a piece of gas piping which was burst by the bullet [which had been fired on a prisoner who had stuck his head out, according to witness] and shouted that he was shot. Mangan as [prison wing] O.C. rushed out to his assistance and was shot through the neck and also in the heart. I was not in that wing, but I heard the shooting and afterwards saw him dead.”⁴⁹¹

MacCoss’ version is further supported by Seamus Fitzgerald, who was V/C of the IRA prisoners in Cork Gaol. After the war Fitzgerald served as a Fianna Fáil senator from 1934 to 1936.⁴⁹² His storyline follows MacCoss’ version to the letter, as he stated that Mangan went downstairs to protest against the shooting when he was fatally wounded by shots fired by the sentries.⁴⁹³ There is supportive evidence for MacCoss narrative, as Fred Crowley, another witness, claimed that a wounded men, called “Cross”, who could not be identified by this study, was wounded downstairs⁴⁹⁴, which is exactly where Mangan went when he was shot as stated by Fitzgerald. The official inquiry is further refuted by the official service certificate issued on March 9, 1936, which supports the MacCoss and Fitzgerald narrative and also makes it clear that it was prisoner “Cross”, and not Mangan who put his head out of his cell, and who was wounded by a stray bullet or pipe fragment.⁴⁹⁵

All these statements make it clear that the official version of the events that led to the fatal shots fired at Mangan are inconsistent. If all narratives are combined a different narrative emerges: Mangan was one of the ring leaders of the prison uprising. However, unlike the version stated in official accounts Mangan did return to his cell as did most prisoners after warning shots were fired. However, one prisoner, a Volunteer named “Cross”, dared to look out of his cell after the final warning had been issued and was wounded either by a stray bullet or a gas-pipe hit by a bullet. Mangan rushed downstairs to assist the wounded and was shot twice, once at the shoulder and one shot went through the neck, entering two inches over the

⁴⁹⁰ “Written Statement by James Brennock”. In: DP 2RB 613. In: MSPC, DP 2RB 613. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP4295%20William%20Healy/DP4295%20William%20Healy.pdf (seen July 16, 2019).

⁴⁹¹ “Written statement by Seamus MacCoss”. In: *ibid.*

⁴⁹² Entry: Seamus Fitzgerald in Oireachtas. Online: <https://www.oireachtas.ie/en/members/member/S%C3%A9amus-Fitzgerald.D.1921-08-16/> (seen March 3, 2019).

⁴⁹³ “Written Statement by Seamus Fitzgerald T.D. senator”. In: DP 2RB 613. In: MSPC, DP 2RB 613. Online: http://mspcsearch.militaryarchives.ie/docs/files//PDF_Pensions/R6/DP4295%20William%20Healy/DP4295%20William%20Healy.pdf (seen July 16, 2019).

⁴⁹⁴ “Written Statement by Fred Crowley T.D.” In: DP 2RB 613. In: *Ibid.*

⁴⁹⁵ “Patrick Mangan’s Service Certificate”, p. 2. In: *ibid.*

right collar bone.⁴⁹⁶ The death of Mangan is the only reported shooting of a prisoner in a Cork prison.

While the male experience of interment receives much attention, the fate of female prisoners is rarely mentioned. However, the Civil War was the first time that female Republicans were interned in large numbers. Members of Cork's Cumann na mBan were mistreated and often abused while in custody. The Cumann na mBan were the first nationalist organisation to vote against the Treaty.⁴⁹⁷ The female Volunteers easily qualify as the logistical network of the revolution and were especially important for the anti-Treaty side during the Irish Civil War because they provided food, shelter and medical care for men on the run, this is supported by Ernie O'Malley.⁴⁹⁸ Florrie O'Donoghue elaborates that Cumann na mBan were responsible for intelligence, courier work and gun-running during the War of Independence.⁴⁹⁹ During the Civil War these activities continued and the Free State focused on Cumann na mBan women, who were easy targets, because their covert structure was well known to their former comrades. So, the Free State attempted to crush the organisation and its networks. In her working paper on the Cumann na mBan, Laura McAtackney focuses on Kilmainham Gaol and this chapter now explores the experience of imprisoned Cumann na mBan members in Cork's penitentiary institutions.⁵⁰⁰

Nellie McArdle, née Connolly, and her experiences during the Irish revolution provides a female perspective of imprisonment and internment. According to her MSP application, Nellie McArdle joined the Cumann na mBan in 1917 and spent most of her time with organisational duties. Her file confirms the findings of McAtackney, since she describes in detail how she collected information, reported on enemy movements and also provided shelter for men on the run, a contribution McAtackney claims has often been neglected.⁵⁰¹ On 23rd March 1923 McArdle was arrested at her work-place, Cork Mental Institution, by Free State troops on the grounds of providing shelter for the IRA. McArdle offers a vivid description of imprisonment:

⁴⁹⁶ "Gaol Disturbances". In: *The Cork Examiner*, Sep. 26, 1922.

⁴⁹⁷ Ward, *Unmanageable Revolutionaries*, pp. 171-172.

⁴⁹⁸ O'Malley, *The Singing Flame*, pp. 122; 169; 175.

⁴⁹⁹ Borgonovo, *Florence and Josephine O'Donoghue's War of Independence*, p. 71.; O'Malley, *The Men Will Talk to Me*, p. 123;

⁵⁰⁰ McAtackney, "Gender incarceration", pp. 5-7.

⁵⁰¹ "Nellie McArdle's Hand-Written Statement". In: MSPC, MSP34 32857. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R7/MSP34REF32857%20Nellie%20McArdle/MSP34REF32857%20Nellie%20McArdle.pdf (seen July 16, 2019).

“I was arrested at the Cork Mental Hospital and taken to the County Jail. I was in solitary confinement for 2 day (sic!) without food or bedding. I was on ten days hunger strike for political treatment after a month in Cork Jail.”⁵⁰²

Unlike men, female prisoners were usually denied political status, but the treatment of female prisoners was equally violent. McArdle continued:

“The treatment which my fellow prisoners and I got was anything but human. We were awakened from our sleep by the Military firing around our cells. One evening whilst out at exercise the Military came along with water hoses and hosed us until we became unconscious (two fellow prisoners & myself). They tore us by the hair and fired on us, locked up for two days without food or drink.”⁵⁰³

After a month in prison she and fellow female prisoners were transferred to Mountjoy Prison. She and the others were awoken at midnight and had to board a decommissioned coal boat, during this process they were neither told where the journey was going nor were the prisoners given reasons for their transfer. As a further means of torture, the military guards forced the prisoners to remain in the pouring rain after some time had elapsed, they were brought downstairs, locked up and told that the ship was sinking.⁵⁰⁴ Female prisoners tried to improve their conditions by going on hunger strike, which in return led to more mistreatment and worsening imprisonment conditions.⁵⁰⁵ Although not interned in Cork, but in Donegal, Eithne Coyle, provides supportive evidence in her MSP application. At first Coyle was confined to a military Barrack and was then moved to Mountjoy prison:

“By way of punishment for our resistance to the overcrowding and to the menial tasks we refused to do, Páidin O’Keeffe, the deputy governor, arrived one night with a troop of soldiers and took away beds, stools, boxes that we had fitted up as dressers &c., broke and kicked our delph leaving us only with mattresses on the floor. As it was winter, the weather was bitterly cold and it is astonishing that any of us survived the hardship. Some of the girls, especially the country girls, were afterwards sent to an early grave from T.B., stomach and nerve trouble as a consequence of this experience. There was a grand bunch of Kerry girls there, and an awful lot of those died early.”⁵⁰⁶

Female prisoners, 400 in total, were exposed to mistreatment and were moved to Mountjoy and attempts to gain political status failed. Nellie McArdle’s written statements unveil that female prisoners in Cork were not treated differently from other interned women in Ireland. Apart from imprisonment, the Free State expelled anti-Treaty Cumann mBan from their homes. For

⁵⁰² Ibid.

⁵⁰³ “Nellie McArdle’s Statement for the Military Pension Board”, p. 3. In: *ibid.*

⁵⁰⁴ Ibid., p. 3.

⁵⁰⁵ Rogan, *Prison Policy in Ireland*, pp. 23-24.

⁵⁰⁶ Eithne Coyle, BMH WS 0750, 1952, pp. 20-21. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0750.pdf#page=1> (seen July 16, 2019).

instance, Maria O'Donovan claims that the National Army forced her to leave her native area, because she was providing information to the IRA.⁵⁰⁷

Overall, the situation surrounding Patrick Mangan's death and the treatment of Nellie McArdle only fortify claims made by Hopkinson and O'Halpin that the Free State had overstrained its prison resources. The absence of a civilian judiciary and the dysfunctional prison system led to alarming conditions in Cork prisons during the Civil War. Shootings, hosings and furniture destructions even in winter, were attempts by authorities to quell prison rebellions. Although most internees were male, as the example of Nellie McArdle shows that female prisoners were also exposed to prison violence.

3.3.3 The Bandon Valley Killings

So far it has been established that the anti-Treaty IRA and the National Army both committed reprisal killings and executions during the Civil War in Co. Cork. However, the fate of civilians including the Protestant community has only been briefly touched upon. The one singular event was the killing of 13 Protestant men in late April 1922, approximately two months before the Civil War erupted. The events, which are commonly referred to as either the Dunmanway Killings or the Bandon Valley Massacre, sparked a controversial debate among historians. Some support the thesis that the killings classify as ethnical cleansing, while others claim that all the involved were most likely part of a British spy-ring. In this chapter, it will be argued that the killings during the Truce period were closely related to the total absence of civilian government and inefficient IRA policing, while at the same time the killings are identified as a reprisal for the death of an IRA commander.

As has been already stated, the Bandon Valley killings have sparked sharp debates among historians, who formed two main camps: those who view the killings as sectarian, mainly based on Peter Hart's research, and those who oppose this narrative as "revisionist". However, Andy Bielenberg and John Borgonovo revisited each case and concluded that the motives for the killings might never be reconstructed. As Peter Hart has been criticised for the use of his sources as well as for not disclosing who his interview partners were, this chapter strives to review newspaper articles from Cork as well as BMH witness statements and MSP applications

⁵⁰⁷ "Appeal of Maria O'Donovan", Ref. No. 28665/A3. In: MSPC, MSP34 28665. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R6/MSP34REF28665%20Maria%20O'Donovan/MSP34REF28665%20Maria%20O'Donovan_.pdf (seen July 16, 2019).

to find further evidence for the various narratives surrounding the killings of thirteen men in Bandon Valley between 26th and 28th April 1922.

The killings erupted after a failed raid at the Hornibrook house, which saw the acting First (Bandon) Battalion (acting) O/C Michael O'Neill being killed by the inhabitants of Ballygroman House, the Hornibrook's home.⁵⁰⁸ The events unfolded around 2 a.m. when four IRA men, Michael O'Neill, who was accompanied by Stephen O'Neill (no-relations), Charles O'Donoghue and Michael Hurley, knocked on the Hornibrook's door and demanded entrance.⁵⁰⁹ However, Thomas Hornibrook (the house owner), his son Samuel and his son-in-law, retired British Army Captain Herbert Woods, refused. Michael O'Neill entered the house through a side window and was shot on the staircase. Stephen O'Neill later testified that he rushed back to town to fetch a priest, but when he returned M. O'Neill had already died. The IRA men called for reinforcements, surrounded the house and the three men inside the house surrendered and were subsequently executed.⁵¹⁰

The Hornibrook's had previously been already subjected to IRA reprisals and crop-destruction, as Hornibrook Snr. had been a Justice of the Peace, his son had been working on the farm and Woods was a former Army officer, thus the reluctance to open the door in the middle of the night does not appear suspicious at all, which is supported by research.⁵¹¹ Local newspapers reported the day after about the incident without providing great detail,⁵¹² however reports from the 28th April gave insight into the inquest following O'Neill's death, Stephen O'Neill recalled the events:

"I remember 25th April, 1922 when I and two others, acting under military instructions, arrived at Mr Thomas H. Hornibrook's house at the Ovens. We were all members of the I.R.A. and it was about 2.30 a.m. We knocked at the door. A person came to the window and a man's voice asked: "Who is there." The deceased, who was in charge of our party said: "Please open the door as I want to see Mr. Hornibrook on business."⁵¹³

Stephen O'Neill further elaborated that after another quarter of an hour had passed, Michael O'Neill entered the house through a window, closely followed by Charlie O'Donoghue and himself. Michael O'Neill went upstairs and was shot by Herbert Woods, but neither

⁵⁰⁸ Hart, *The I.R.A. and its Enemies*, p. 278; Andy Bielenberg & John Borgonovo, *Something of the Nature of a Massacre*, pp. 17-18.

⁵⁰⁹ Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, p. 17.

⁵¹⁰ Hart, *The I.R.A. and its Enemies*, p. 279.

⁵¹¹ Hart, *The I.R.A. and its Enemies*, pp. 280-281 and Andy Bielenberg & John Borgonovo, *Something of the Nature of a Massacre*, p. 17.

⁵¹² "Brigade Officer Killed". In: *The Cork Examiner*, April 27, 1922, p. 5.

⁵¹³ Ibid.

O'Donoghue nor Stephen O'Neill had a clear view.⁵¹⁴ The state inquest found Woods guilty of wilful murder in absence, which appears to be out of line with IRA procedures, since all three men, the Hornibrooks and Woods, had already been dead when the inquest was held.⁵¹⁵ Tadgh Sullivan, Brigade Q/M Cork No. 3 Brigade, confirmed during the inquest that the IRA men were on official duty, thus dismissing theories that O'Neill and his small band of men were acting on their own initiative.⁵¹⁶ Hart argues that the local IRA suspected the Hornibrooks of spying for the British, which is supported by Michael V. O'Donoghue, Engineer Officer 2nd Battalion. However, his BMH statement also includes the claim that O'Neill and his men had only stopped to ask for help, because their motor had broken down, which is rightfully dismissed by Hart as Charles O'Donoghue drove back to town to pick up reinforcements. Still O'Donoghue's claim that the Hornibrooks were spies and informers⁵¹⁷ cannot be dismissed entirely, as Michael O'Donoghue later claimed that:

“The sequel [to O'Neill's death] was tragic. Several prominent loyalists - all active members of the anti-Sinn Féin Society in West Cork, and blacklisted as such in I.R.A. Intelligence Records - in Bandon, Clonakilty, Ballineen and Dunmanway, were seized at night by armed men, taken out and killed.”⁵¹⁸

The “car motive” is a reoccurring theme, for instance Niall Whelehan argues that the true reason for the IRA to raid Ballygroman House was to commandeer Hornibrook Snr's car⁵¹⁹, which would be in line with the IRA's war preparations, which never ceased after the Truce had been signed.⁵²⁰ Nonetheless, O'Donoghue's description is the only direct IRA account of the killings and it is evident that he either tried to clear the IRA's name, or that the IRA was suspecting the thirteen victims of late April of spying for the British before the Truce; regardless of the validity of O'Donoghue's statement, he claimed that in the end “fifteen or sixteen loyalists in all went to gory graves in brutal reprisal for O'Neill's murder”. O'Donoghue gives a number, which probably includes four British soldiers, who had been abducted near Macroom and were subsequently killed.⁵²¹

⁵¹⁴ Ibid.

⁵¹⁵ Hart, *The I.R.A. and its Enemies*, pp. 280-281; Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, p. 17.

⁵¹⁶ “Brigade Officer Killed”. In: *The Cork Examiner*, April 28, 1922, p. 5

⁵¹⁷ Michael O'Donoghue, BMH WS 1741, part II, 1952 p. 227. Online: <http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS1741%20PART%202.pdf> (seen July 16, 2019).

⁵¹⁸ Ibid.

⁵¹⁹ Whelehan, “The Irish Revolution, 1912-1923”, p. 629.

⁵²⁰ O'Malley, *The Singing Flame*, p. 110.

⁵²¹ Barry Keane, *Massacre in West Cork: The Dunmanway and Ballygroman Killings* (Cork 2014), p. 71.

The “Southern Star” unveiled a widely neglected aspect of the atrocities and killings in late April. During the Truce period the IRA was policing the area and as has been discussed earlier, no effective judiciary was in place in wide areas in Co. Cork, hence the inquest held into O’Neill’s death was chaired by O’Neill’s brother, a Republican Police officer and the accused were already dead, when found guilty.⁵²² Additionally, it is necessary to bear in mind that the Republican Police was not a distinct body from the IRA, but rather integrated within its structures, and had investigated the death of Michael O’Neill. But its conclusion was biased on the grounds of comradeship as well as family ties, because O’Neill’s brother was also involved in the investigations.⁵²³ In line with these issues the Lord Mayor of Cork called upon the Dáil after the killings around Dunmanway, to restore law and order and to solve the policing crisis, which supports the findings in chapter 3.2 of this study.

In Dunmanway the RIC had been evacuated and the IRA had taken over the barracks,⁵²⁴ and as such, effective law enforcement ceased to function. This underlines the thesis that the killings in Dunmanway were facilitated by an absence of state power because there was no police or similar force present to stop the IRA men on April 27/28. Thus, Hart’s claim that the Provisional Government did not try to protect the Protestant minority in Co. Cork can be questioned, because the State did not exercise control over the area, which again unveils the conflicted nature between politicians and the civilian administration on the one side and the IRA on the other. The events in Dunmanway occurred around 12:15 a.m. During the night of 27th April, armed men entered Dunmanway and shooting erupted on the streets; the *Cork Examiner* names three prominent victims; Mr. Francis Fitzgerald, solicitor, David Gray, a chemist, and James Buttimer, a retired draper. The “Southern Star” reports that one of the assailants exclaimed “take this, you Free Stater” while killing Gray, which would indicate a political motive for the killing.⁵²⁵ Andy Bielenberg and John Borgonovo managed to identify Fitzgerald as a spy, while the reason for the killing of James Buttimer remains unknown.⁵²⁶ The killings continued the following night in Enniskeane, when Robert Howe, and then in an adjacent farmland, John Chinnery, were shot. Both had refused, according to witnesses, to hand over their horses, which, as Barry Keane speculates, might have been the sole reason for their executions.⁵²⁷ Therefore, the killings near Enniskeane of Howe and Chinnery differ from the

⁵²² “Brigade Officer Killed”. In: *The Cork Examiner*, April 28, 1922, p. 5

⁵²³ Ibid.

⁵²⁴ Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, p. 22.

⁵²⁵ Ibid.

⁵²⁶ Ibid.

⁵²⁷ Keane, *Massacre in West Cork*, p. 77.

incident in Dunmanway, where nearly all victims had been at one point been accused of spying or loyalism.⁵²⁸

After Howe and Chinnery were killed, Gerald McKinley, a teenager, was shot dead in his bed as was John Buttimer, a 59 year old farmer and his live-in farm labourer James Greenfield.⁵²⁹ McKinley was most likely shot as a replacement target for his father, who was an alleged spy, while the Bennett brothers James and Robert escaped their executions, as they were not at home. Afterwards, the local rectory was attacked where Rev. Ralph Harbord's son was severely wounded and the rector claimed that this attack took place because of his known loyalty to the Crown.⁵³⁰ The next killings occurred in Clonakilty roughly at the same time as the killings in Ballineen/Enniskeane attacks, which is a strong indicator that at least two groups of gunmen were operating that night. The sole Clonakilty victim was 16 year old Robert Nagle, whose father, Thomas Nagle, was most likely the prime target. However Thomas Nagle evaded capture and the gunmen shot his son in his stead.⁵³¹ Nagle's case is particularly interesting, as Barry Keane identified Thomas Nagle as one of Peter Hart's anonymised interview partners:

"The first person mentioned is 'A. F.' from the south of Ireland whose son was shot in his place at the end of the previous month (April). The seventy-year-old father of eleven sons and one daughter was a civil bill officer. His wife had been warned that he and his sons would be shot once the killers got hold of them. A couple of days later his sons received threatening letters even though they lived in different parts of Ireland. There can be little doubt that this is Thomas Nagle from Clonakilty."⁵³²

Andy Bielenberg and John Borgonovo conclude in their research that several men escaped that night in Clonakilty, because they had been warned or were already out of town, all of the escapees were Protestant.⁵³³ Finally, on April 28th Tom Hales, Brigade O/C, issued an order to his men stand down and threatened those who refused with capital punishment.⁵³⁴ However, in defiance of a direct order, on April 29th, John Bradfield, who was already blind and suffering from several age-related illnesses, was shot. Again, it is likely that that he was shot in place of his brother William, who was accused of spying by the Bandon IRA. Keane supports this assumption with witness statements:

Elizabeth Shorten [Bradfield's sister] ... stated that at 11 p.m. on Saturday a group of men called to the door to get a horse and car. Her brother got out of bed, but did not

⁵²⁸ Ibid.

⁵²⁹ Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, p. 27.

⁵³⁰ Ibid.

⁵³¹ Ibid., p. 31.

⁵³² Keane, *Massacre in West Cork*, p. 80.

⁵³³ Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, p. 27.

⁵³⁴ Ibid.

answer. They knocked on the door and broke the windows. On entering the dining room, they asked for her brother William. They entered John's room and she heard a shot. John was unable to walk without sticks.⁵³⁵

In total, thirteen civilian Protestants were shot during these few days and over thirty men were wounded or at least targeted by the IRA.⁵³⁶ The killings stopped with the return of Tom Hales, which indicates that the absence of leading commanding officers, who had tried to avoid the outbreak of Civil War in negotiations in Dublin, was one trigger of the killings, which is supported by Bielenberg and Borgonovo.⁵³⁷

The immediate reactions to the killings were condemnations by the Dáil, religious and military leaders, which makes an ethnic cleansing explanation very unlikely, as all ranks of the Republican movement condemned the events in Bandon.⁵³⁸ However, over 90 years after the killings only speculations exist who the actual gunmen were. As pointed out by Bielenberg and Borgonovo, only two men, Clonakilty Volunteer Tom Lane and John "Flyer" Nyhan were charged with murder in four cases, which included the killing of Robert Nagle. However, the trial collapsed as the Garda could not find witnesses willing to testify against the two men. Although Lane and Nyhan were arrested on several occasions they had always been released.⁵³⁹ Keane summarises that both Mick Crowley, a prominent figure in Tom Barry's flying column as well as Peadar Kearney were connected to the killings, but that there is no factual evidence for their involvement, apart from Tom Hale's doubts about Crowley's reliability and discipline. Still, Keane does point out that Crowley and Michael O'Neill had been close friends, which would make his involvement likely.⁵⁴⁰ Kearney acknowledged in his BMH witness statement that the "enemy", probably Auxiliaries or other Crown forces, in Dunmanway did not stop to intervene and harass local IRA men, furthermore, he admitted that the IRA started counter measures, such as patrolling the Dunmanway district with an armoured car to re-establish their position.⁵⁴¹ However, patrolling and tit-for-tat methods against Auxiliary police, cannot be taken as evidence for an alleged sectarian killing spree. Although Bielenberg and Borgonovo rule out that Frank Busted, prominent Cork IRA leader, was involved in the killings, John

⁵³⁵ Keane, *Massacre in West Cork*, p. 80.

⁵³⁶ Ibid.

⁵³⁷ Bielenberg & Borgonovo, *Something of the Nature of a Massacre*, p. 36.

⁵³⁸ "Condemned by An Dail". In: *The Cork Examiner*, April 29, 1922.

⁵³⁹ "Cork Tragedies Recalled". In: *The Cork Examiner*, April 4, 1924, p. 5; "Prisoners Discharged". In: *The Cork Examiner*, May 2, 1924, and Andy Bielenberg & John Borgonovo, *Something of the Nature of a Massacre*, p. 33.

⁵⁴⁰ Keane, *Massacre in West Cork*, p. 80.

⁵⁴¹ Peter Kearney, BMH WS 0444, 1950, p. 16. Online:

<http://www.bureauofmilitaryhistory.ie/reels/bmh/BMH.WS0444.pdf> (seen July 16, 2019).

Regan points out that Busteed did recall in an interview with Ernie O'Malley that they, (the Cork IRA) killed five or six Protestant farmers, for unknown reasons Peter Hart did not engage with the Busteed theory⁵⁴², which neglects the possibility that high-ranking officers might have been involved in the killings in late April after all. Regan does emphasise that he has doubts about any involvement of Busteed in the Bandon Valley killings.⁵⁴³

The reason for the controversial debate surrounding the Bandon Valley killings is that Hart's narrative is based on his particular reading of sources, and also his reluctance to disclose his interviewees' identities exposed his research to fierce criticism. In contrast, Meda Ryan made the opposite claim, claiming that she had access to a British intelligence document, which allegedly includes a list of British sympathisers, but she is also unable to produce the list, thus rendering her claim that most victims were informers also problematic.⁵⁴⁴

If the inquest into Michael O'Neill's death is considered as well as the strong presence of the IRA in Dunmanway barracks, there is another reading of the events: The dysfunctional state of law-enforcement, the absence of police and judiciary, led to a security vacuum, which is exposed vulnerable parts of the Bandon Valley population: loyalists and Protestants. This vacuum combined with the absence of high ranking officers, who were present in Dublin, and IRA was starting to re-arm itself. This process was conducted by raiding and commandeering resources, as there is a strong possibility that the official IRA business at Ballygroman House had been the attempt to acquire Thomas Hornibrook's car, created a tense situation. Thus, the killing of O'Neill, triggered a violent IRA reprisal against alleged informers, who were most likely killed without official sanctioning. Overall, it is therefore obvious that the weak state of the newly founded Irish security apparatus created the circumstances for the killings in Dunmanway. Although many alleged perpetrators have been named, such as Frank Busteed, Mick Crowley, Peadar Kearney, "Flyer" Nyhan and Tom Lane, it is impossible to identify the killers without new sources, as each of the men above were neither directly identified nor did they admit the killings themselves.

⁵⁴² Regan, "The Bandon Valley Massacre", p. 84.

⁵⁴³ Ibid.

⁵⁴⁴ Ibid., p. 91.

4. Summary and Discussion

The results of this study support approaches in favour of a case-by-case analysis of individual cases. However, there are indicators of shared experiences, such as being constantly on the run, internment, and close-range combat. It is evident that IRA members who took the anti-Treaty side in Cork were also conducting reprisal killings. However, none of the investigated cases provide indicators for underlying sectarian motives, apart from Sean Moylan's speech in the Dáil during the Treaty debate.

First, the Dáil debates show that the Treaty split was not only a question of diverging concepts of liberty. Different Cork TD statements and speeches unveil an underlying belief that only a military solution could settle the question of Irish freedom. Therefore, three competing strands in Irish nationalism existed within Sinn Féin alongside one other, a neo-constitutionalist, a radical Republican, and the physical force element. These three strands competed within the Dáil. Although a majority of Cork TDs rejected the Treaty, the overall pro-Treaty element managed to overcome Republican and physical force resistance. However, this did not stop the outbreak of Civil War, as the Cork IRA leadership was opposed to the Treaty.

In this sense, it is noteworthy that most prisoners, who were killed were not court martialled, they were shot without military court or any form of sanction. This renders these killings illegal. The probability is high that the ongoing conflict had desensitised many officers and soldiers and new legislation, such as the Public Safety Bill made acts of vengeance more likely. If the soldiers who arrested Sean O'Donoghue and Seamus Collins had knowledge of the Bill that passed days before, it might have influenced their behaviour. However, this argument cannot be made for the killing of James Buckley, who was shot on 16th September 1922, rather his death was identified as an immediate reprisal for that of Tom Keogh. Keogh had been part of Michael Collins's Squad as had been the officers in charge of the troops who killed Buckley. The acceptance of reprisals and executions as a legitimate response to violence, had been established during the War of Independence and the entire Carrigaphooka bridge engagement reflects the prolongation of pre-Civil War tactics, which had been used against the British before. For instance, mining and boobytrapping the mine near the bridge, closely resembles ambush techniques used by Tom Barry, and the response, the instant execution of the captured sentry Buckley, resembles the *modus operandi* of the Squad in Dublin.

Kenefick's death is less clear. It is evident that Kenefick was travelling unarmed and taken by Free State soldiers, who may have been under Emmet Dalton's command. Even though the

motives in Kenefick's case remain unclear, the killing does unveil the unwillingness by the Provisional Government to deal with rogue National Army units. Questions raised by TD de Nogla, were ignored as was a jury inquiry following his death. Similarly, Jeremiah Casey's death remains mysterious as witnesses state that he was shot while lying wounded on the ground. One pattern appears to be that most Free State officers involved in the killing of prisoners in Cork were non-locals, who either joined the National Army without prior War of Independence service or pro-Treaty IRA men from outside Cork. Overall, there is evidence that Free State forces and the IRA did not change their tactics after the War of Independence. Former Squad men, who had become Free State officers shot prisoners, which included close range killings and at the same time, the IRA did not stop the killing of alleged spies and informers, as has been illustrated, by the killings of Ben McCarthy and W.G. Beale. However, the circle of collaborators was expanded, so that IRA members, which sought to leave the IRA became official targets, as has been the case with "Gunner" Coffey. Coffey was shot for wanting to leave the IRA and join the Free State Army after the IRA withdrew from towns, which proves that Hart was not entirely incorrect; The IRA certainly forced its members into coercion. Coffey tried to desert the cause and was subsequently murdered.⁵⁴⁵ Similarly, the Bandon Valley events must be viewed as a breakdown of IRA discipline, rather than an organised ethnic cleansing attempt.

Moreover, the Civil War in Cork saw also the breakdown of the IRA intelligence network. For instance, two reprisals occurred in Cork, after William Healy had been executed, both unsanctioned, both targeted as alleged informers. It is evident that the Republican side was no longer able to enforce its own rules of engagement and thoroughness, which Florrie O'Donoghue did during the War of Independence. According to him a spy or informer was only to be executed, only if his guilt could be proven without doubt. For example, Ted O'Sullivan recalled that Ben McCarthy was shot as a spy, without any official approval by commanding officers. In this sense Hart's account of inter-IRA behavioural patterns is not fully untrue, as the tight-knit web and procedures were apparently deteriorating. In contrast to Hart's study, none of the cases investigated revealed sectarian grievances. Therefore, this study did not find support for Hart's or Clark's claim of Republican witch-hunts against Protestants, while at the same time it is evident that cooperation with the Free State was risky. This was

⁵⁴⁵ D. J. Collin's written statement". In: MSPC, W1D13. Online: http://mspcsearch.militaryarchives.ie/docs/files/PDF_Pensions/R1/1D13DenisCoffey/W1D13DenisCoffey.pdf (seen July 16, 2019).

further intensified by the absence of a judiciary, as well as the absence of a functioning police force, which left policing and law-enforcement to the National Army. Hence, everyday violence was therefore made possible by the absence of state power. Another important aspect which has been uncovered is that the return of constitutionalism into Sinn Féin politics did not end violence, quite the contrary. Politicians such as Cosgrave and Higgins did not advocate a peaceful agreement or compromise with their opponents, rather their Public Safety Bill legalised executions and 12,000 Republicans were imprisoned without trial, which led to overcrowded prisons, not only in Dublin. For instance, Patrick Mangan was shot during prison riots in Cork Gaol, while attempting to assist another prisoner. Future politicians, such as Seamus Fitzgerald, witnessed these events and it is very likely that these experiences influenced him. As the investigated cases prove, mistreatment of prisoners was not the exception but the norm. Therefore, the stand-off between the remnants of constitutionalist and physical force nationalism ended in open warfare in Cork. Only years later did the majority of Republicans return to the Dáil and ended their abstentionist policy in 1928 under Eamon de Valera.

While investigating prison violence, the experience of Cumann na mBan members and their narratives cannot be neglected. Over 400 Cumann na mBan members were imprisoned and, as the case of Nellie McArdle's shows, the procedures female prisoners had to undergo. McArdle was hosed, had to remove her clothes, and was denied any form of political status and subsequently exposed to psychological abuse as well. Additionally, Maria O'Donovan's MSP underlines the importance of the coordination provided by the Cumann na mBan, as without their support and preparations the war effort could not have been sustained. As mentioned earlier, the Civil War period saw the first mass-imprisonment of female Republicans in Ireland.

In brief, although testimonies and reports must be read critically and with care, however, there is a consensus that neither the Free State nor the IRA refrained from executions and reprisals. All reviewed sources indicate that the main reason for prison violence and unofficial killings can be attributed to the lack of state power and the decline of the court system, boosted by the absence of policing and situational violence. There appears to be no overarching primary motive, such as sectarian expulsions, rather situational possibilities, and legal arbitrariness. However, there is one pattern visible: Free State officers from other areas were more likely to execute their prisoners in Cork, which is in line with Peter Hart's findings.

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Abstract

The Irish Civil War lasted from June 28, 1922 until May 1923. During the Irish Civil War civilians, Republicans and Free State forces alike became victims of violence. However, little research has been conducted to investigate everyday violence from a Republican perspective of events. Therefore, this thesis examines forms and manifestations of violence during the Irish Civil War in County Cork. To do so I tried to reconstruct individual cases by analysing recently published military pension files, Bureau of Military History witness statements, Ernie O'Malley's memoirs and his interviews with IRA veterans. In addition, motives for Cork TD's Anglo-Irish Treaty vote were analysed, based on their speeches given during Dáil Treaty Debates, which identified three positions among Cork TDs, physical force nationalists, radical republicans, and neo-constitutionalists. It will be argued that the unofficial killings were mostly conducted under the auspices of non-local officers, no sectarian motives could be identified. Moreover, it will be argued that a case-to-case study is necessary to understand motives for the killing of prisoners. This study relies on qualitative content analysis and archive files.

Abstrakt

Der irische Bürgerkrieg begann am 28. Juni 1922 und endete im Mai 1923. Im Verlauf des Bürgerkrieges wurden Zivilisten, Republikaner und Truppen des irischen Freistaats Opfer von Gewalt. Bislang befassen sich wenige Studien mit alltäglicher Gewalt aus einer republikanischen Perspektive, daher untersucht diese Fallstudie, Formen und Manifestationen von Gewalt während des irischen Bürgerkriegs im County Cork. Diese Studie versucht Motive für Exekution und Vergeltungsakte des irischen Freistaats und der IRA zu rekonstruieren. Dazu habe ich individuelle Fälle rekonstruiert und analysiert, hierzu wurden kürzlich veröffentlichte militärische Pensionsakten, Bureau of Military History Zeugenaussagen, Ernie O'Malley Memoiren und seine Interviews mit IRA Veteranen analysiert. Weiters betrachtet diese Studie die Entscheidungsmotive der Cork TDs während der Abstimmung über den Anglo-Irischen Vertrag im irischen Dáil, gestützt auf die Reden jener Abgeordneten während der Vertragsdebatten im irischen Parlament, wobei drei Positionen identifiziert wurden; physische Gewalt-Nationalisten, radikale Republikaner und Neo-Konstitutionalisten. Ich vertrete die These, dass die Tötung von Gefangenen durch den irischen Freistaat vor allem unter der Aufsicht nicht-lokaler Offiziere passierte, bedingt durch die Fortsetzung von Prä-Bürgerkriegstaktiken. Diese Fallstudie hat keine religiösen Motive für Gewaltakte identifiziert und es wird argumentiert, dass eine Fall-zu-Fall Analyse der Motive notwendig ist. Diese Fallstudie basiert auf einer qualitativen Inhaltsanalyse und Archivquellen.