

British Security Policy in Ireland, 1920-1921: A Desperate Attempt by the Crown to Maintain Anglo-Irish Unity by Force

‘What we are trying to do is to stop the campaign of assassination and arson, initiated and carried on by Sinn Fein, with as little disturbance as possible to people who are and who wish to be law abiding.’

General Sir Nevil Macready ‘outlining the British policy in Ireland’ to American newspaper correspondent, Carl W. Ackerman, on 2 April 1921.¹

In the aftermath of victory in the Great War (1914-1918) and the conclusion to the peacemaking process at Versailles in 1919, the British Empire found itself in a situation of ‘imperial overstretch’, as indicated by the ever-increasing demands for Crown forces to represent and maintain British interests in defeated Germany, the Baltic and Black Seas regions, the Middle East, India and elsewhere around the world. The strongest and most persistent demand in this regard came from Ireland – officially an integral part of the United Kingdom itself since the Act of Union came into effect from 1 January 1801 – where the forces of militant Irish nationalism were proving difficult, if not impossible to control.

Initially, Britain’s response was to allow the civil authorities in Ireland, based at Dublin Castle and heavily reliant on the enforcement powers of the Royal Irish Constabulary (RIC), to deal with this situation. In 1920, however, with a demoralised administration in Ireland perceived to be lacking resolution in the increasingly violent struggle against the nationalists, London finally intervened and in the expectation of achieving a decisive result, took measures which would set events in Ireland on a new, even more violent course and lead, ultimately, to the compromises for both sides contained in the Anglo-Irish Treaty of December 1921.²

Consequently, the Irish administration at Dublin Castle was purged, the General Officer Commanding (GOC) the British Army in Ireland replaced, new units and a new Chief of Police recruited for a more militant RIC, and legislation providing for the Restoration of Order in Ireland and Better Government of Ireland passed by the Parliament at Westminster. But a security policy for Ireland, to be applied in association with these changes, seems never to have been clearly defined or articulated, leaving the new regime at Dublin Castle and the commanders of Crown forces in Ireland to determine such policy for themselves at the local level. It is this situation that will be the focus of the following sections of this paper.

1. Transformation of the Royal Irish Constabulary - The Tan War

After a year-long campaign of intimidation by the IRA in 1919 against members of the RIC, who were subjected to threats, violent attacks and the ostracisation of their families from the local community – other locals who dared to show support or even sympathy for RIC families were similarly intimidated - the number of resignations from the force escalated, while morale and new recruitment declined alarmingly. London responded to this situation in a drastic, dramatic fashion, by advertising in England for British ex-servicemen to join the RIC and bring their recent experience of weapons and warfare to what had formerly been a distinctly Irish police force. Known as the Black and Tans, this element of the RIC became infamous for utilising their experience of war to terrorise the civilian population of Ireland, or at least the Catholic Irish majority, in the name of the Crown and supposedly in the cause of law, order and British justice. Utilising the RIC in this manner was a desperate, dangerous and ultimately counter-productive practice, which served to weaken the authority of the Crown in Ireland.

The idea for the recruitment of this force has, in recent times, been credited to (or blamed on) Field Marshal Sir Henry Wilson who, as Chief of the Imperial General Staff (CIGS), is said to have convinced Prime Minister David Lloyd George to favour such reinforcement of the RIC.³ This claim is based on Wilson having noted in his diary after a Cabinet meeting on 13 January 1920, that ‘the state of Ireland is terrible I urge with all my force the necessity for doubling the police and not employing the military.’⁴ Yet the decision to recruit the Black and Tans and, indeed, the beginning of the process of their recruitment, actually predated this Cabinet meeting by some months. In fact, Cabinet had approved an expansion of the RIC as early as 7 October 1919 on advice from the Lord Lieutenant, Sir John French, and the Chief Secretary for Ireland, Sir Ian Macpherson, who themselves were responding to an earlier suggestion of 19 September 1919 from the GOC in Ireland, Lieutenant-General Sir Frederick Shaw, for the police force to be expanded via recruitment of a special force of volunteer British ex-servicemen.⁵ The authority for recruitment of such a force was issued by the office of the Inspector-General of the RIC on 11 November. It was followed almost immediately by press advertisements calling on men prepared to ‘face a rough and dangerous task’ to call at any of a number of recruiting stations established initially in London, Glasgow, Birmingham and Liverpool, and complemented by the activities of a special recruiting officer, Major Fleming, who held the rank of Chief Inspector in the RIC.⁶ Thus the initiative for the Black and Tans came from the British authorities in Ireland and not from those in London. Even the sobriquet, Black and Tans, was an Irish rather than an English invention, with the mixed uniform of these new police recruits – dark green RIC caps and tunics with khaki trousers – reminding Irish observers of a famous pack of hounds from Limerick of the same name.

But London and the Secretary of State for War, Sir Winston Churchill, in particular, were clearly responsible for a further initiative in the process of militarising the RIC, namely the creation of the Auxiliary Division. Churchill planted the seed of an idea in this regard at a conference of ministers in London on 11 May 1920 when, in proposing an alternative to substantial reinforcements for the Army in Ireland, he suggested raising a special force of 8,000 ex-soldiers to reinforce the RIC instead.⁷ And he persisted with his proposal for ‘the prompt raising of a special Corps of Gendarmerie ... in aid of the Royal Irish Constabulary during the emergency period,’ despite the clear opposition of a military committee of review appointed by Cabinet and chaired by the new GOC in Ireland, General Sir Nevil Macready, which rejected the idea as ‘not feasible’.⁸ Established in July with an initial intake of 500 men known simply as ‘temporary cadets’, the Auxiliary Division, RIC, comprising ex-officers rather than ex-soldiers as originally proposed by Churchill, would never number more than about 1,500 men overall. But they did exceed their more numerous Black and Tan brothers in other respects for, in addition to being paid twice the ten shillings per day received by the latter for service in Ireland, the Auxiliaries were considered by Irish adversaries who knew them well to be more ruthless, more dangerous ‘and far more intelligent than the Tans.’⁹

These police militias operated initially in an environment where a state of war with the IRA was not officially acknowledged. This meant that they, rather than the military, took the lead in combating the IRA at this time. In the absence of a state of war or declaration of martial law, the military’s role was to act in support of the civil power. Under the provisions of the Defence of the Realm Regulations (DRR), powers were vested in and exercised by the Competent Military Authority enabling the police and military ‘to search individuals and houses for arms and to arrest persons actually committing outrages, or against whom evidence was sufficiently strong to bring them to trial’ But this produced limited results because reliable information about IRA operatives ‘began to be scarce, and witnesses could not be persuaded to give evidence which would secure conviction.’¹⁰ And in the few cases where convictions were secured, the resort to a hunger-strike by these prisoners resulted in their release by the civil authorities, at the direction of the British Government, on 14 April 1920.

Frustration at such developments and the IRA’s continued capacity to strike at the RIC manifested itself in the manner in which the police militias went about their work, with the

civilian population at large often having to bear the brunt of their overt hostility towards anyone or anything Irish. Recalling the experience of an RIC raid on his own tenement dwelling in Dublin, well-known Irish playwright, Sean O'Casey, described the situation as follows in typically eloquent terms:

A raid! Which were they – the Tommies [i.e. soldiers] or the Tans? Tans, thought Sean, for the Tommies would not shout so soullessly, nor smash the glass panels so suddenly; they would hammer on the door with a rifle-butt, and wait for it to be opened. No, these were the Tans....

A great crash shook the whole house and shook the heart of Sean A mad rush of heavy feet went past his door, to spread over the stilly house; for no-one had come from a room to risk sudden death in the dark and draughty hallway.... Yet Sean knew that the house must be alive with crawling men, slinking up and down the stairs, hovering outside this door or that one, each with a gun tensed to the last hair, with a ready finger touching the trigger. He guessed that a part of them were Auxies, the classic members of sibilant and sinister raiders. The Tans alone would make more noise, slamming themselves into a room, shouting to shake off the fear that slashed many of their faces. The Auxies were too proud to show a sign of it. The Tommies would be warm, always hesitant at knocking a woman's room about; they would even be jocular in their funny English way, encouraging the women and even the children to grumble at being taken away from their proper sleep.¹¹

RIC frustration and resentment manifested itself in other forms too, most notably in the spate of reprisals perpetrated often indiscriminately against civilians by the police militias. Though too numerous to discuss in any detail here, these reprisals occurred throughout 1920 and were particularly prevalent from July onwards, when it became common for homes to be burnt, shops and creameries to be destroyed and supposed Sinn Fein members and sympathizers to be abducted and killed without ceremony. Tuam (21 July), Templemore (17 August), Trim (27 September), Tubbercurry (6 October) and Glen of Aherlow (13 November) were just a few examples of a multitude of towns which suffered RIC reprisals. 'Reprisals are wrong,' an RIC newsletter from Dublin Castle declared on 8 October 1920, adding that 'They are bad for the discipline of the Force.' But they were condoned as 'the result of the brutal, cowardly murder of police officers by assassins, who take shelter behind the screen of terrorism and intimidation which they have created.'¹² This process of apparently spontaneous reprisals by a militarised RIC culminated in the burning of a substantial part of Cork city by K Company of the Auxiliaries on 11 December – an event so devastating it horrified even ardent supporters of the terrorism practiced by these loyal servants of the Crown.

Such methods of operation were applauded and defended initially by some senior British officials and government ministers, most notably Major-General Hugh Tudor, the new Chief of Police in Ireland, Sir Hamar Greenwood, the Chief Secretary, Winston Churchill, Secretary of State for War, and the Prime Minister, David Lloyd George.¹³ But these same methods were considered as scandalous by many other Britons, including members of parliament, the press and public at large, and condemned accordingly. The CIGS, Sir Henry Wilson, and the GOC in Ireland, Sir Nevil Macready, were two of the more strident critics, fearing that the bad example set by the police militias might influence impressionable young soldiers and contribute to a breakdown in military discipline. And their fears in this regard were certainly justified, for there were several instances of military units participating in unauthorized reprisals quite apart from those perpetrated by the police. Eventually, even the Prime Minister came to realize that the RIC militias were functioning as a law unto themselves and, as such, were in danger of getting out of control and threatening the government they had been sent to Ireland to support.¹⁴

There were some promising, positive developments in relation to the RIC, though, that did enhance the capacity of Crown forces to combat the IRA. Prominent among these was the creation of a new intelligence network under the direction of Colonel Ormonde Winter, who was appointed Deputy Chief of Police and Chief of Intelligence in Ireland in May 1920. He set about establishing an organization that sought to reopen lines of communication and information to Dublin Castle from sources outside with knowledge of the militant nationalists, their organizations, active members and plans. On the one hand, therefore, 'O' as he styled himself was concerned with gathering reliable intelligence on Sinn Fein and the IRA. In this enterprise, he was moderately successful after a time, creating a Central Raid Bureau in Dublin in November 1920 to collect and co-relate all documents seized by the police and military in raid and search operations, with Local Centres also being established gradually from January 1921 at Belfast, Dundalk, Athlone, Galway, Kildare, Limerick, Clonmel and Cork. The officers placed in charge of these centres came from the Army, were chosen for their experience in military intelligence work and appointed with RIC rank. In reviewing their work, Winter concluded:

It cannot be claimed that the establishment of Local Centres fulfilled all the desideratums required by the Military Intelligence Service as well as those required by that of the Police. Duplication was unavoidable. It is difficult for any servant to satisfy two masters, but it is urged that Local Centres formed the necessary connecting link between the two services, that they provided the Divisional Commissioners of Police with a staff for the collecting and collating of Intelligence, as well as for the distribution of the same. The mere fact of a Military Officer possessing the rank of a Police Officer and, indeed, belonging to that organization, inspired the rank and file of the R.I.C. with a confidence which could not have been obtained by any officer of purely military rank.¹⁵

While reasonably satisfied with the intelligence gathering side of his organization, Winter was also interested in using the information acquired for counter-intelligence purposes. For this activity, he assembled a small group of agents who were to take on the IRA 'gunmen' at their own game. And he had some success in this regard too - the shooting of Sean Treacy in Talbot Street, Dublin, in October for example - although his efforts were largely undone on 21 November, 'Bloody Sunday', when the IRA struck killing 12 of these agents along with 2 Auxiliaries, and wounding 5 others.¹⁶

As Director of Intelligence in Ireland, Winter had his supporters in the Irish Office and among officials at Dublin Castle, while the military hierarchy considered him to be preoccupied with 'secret service' and neglectful of the more substantial and significant intelligence gathering side of the job.¹⁷ Nevertheless, the IRA rated him as a serious opponent. Thus, after receiving threatening letters through the post on two occasions in April 1921, Winter was severely wounded in the hand a few weeks later in an unsuccessful assassination attempt in Dublin.¹⁸ But he recovered to carry on and continue his part in the RIC led campaign against militant nationalism in Ireland.

So from early 1920 onwards, as we have seen, the RIC to a significant degree took on the form of a militia through its newly formed units of British ex-servicemen who were armed and looking for trouble, which they invariably found. But more often than not, the consequences of their aggression reflected badly on the government whose authority they were striving supposedly to uphold, while also provoking tension with the military in some quarters. Ultimately, their role in waging a police war against the IRA in particular and the nationalist community in general - known as the 'Tan War' in Irish circles - resulted in more violence and less security for the people of Ireland.

2. Wider Jurisdiction for Military Courts - The ROIA Act

In the hope of securing more arrests and convictions of nationalist rebels and, also, to avert the need to declare martial law in Ireland which neither the British Government nor General Macready supported at this stage, Sir Hamar Greenwood introduced a Bill to the House of Commons on 2 August 1920 providing for the suspension of trial by jury in areas where outrages had been prevalent and its replacement by courts-martial. The Bill also provided for a further extension of the jurisdiction of courts-martial to include capital offences, as well as for military courts of enquiry to be substituted for coroners' inquests. Within a week, it had been passed by both Houses of Parliament and received royal assent, enabling the new Restoration of Order in Ireland Act (ROIA) to take effect from 13 August. The regulations pertaining to the ROIA – over seventy altogether – were proclaimed in Ireland on 21 August.¹⁹ So, where previously courts-martial had the power to deal only with offences under the DRR, the Restoration of Order in Ireland Regulations (ROIR) extended their jurisdiction into areas normally and now formerly the preserve of the civil courts, which clearly had not been functioning in the interests of the Crown for some time.

Initially, the new arrangements seemed to produce the desired results, with the military authorities in Ireland reporting a sharp and sustained increase in convictions, as well as other benefits as follows:

The number of convictions steadily increased, running into 50-60 per week. The result of this was that the number of men “on the run” grew week by week. The moral of the troops was greatly raised, and they began to show a good deal more cunning in dealing with attacks, in which the rebels suffered considerable casualties. The recruiting of the R.I.C. also increased greatly, and during September there was a general feeling that things were improving.²⁰

From the end of September onwards, however, the situation began to change, in part because of the success of Crown forces in increasing the rate of convictions via courts martial for what were officially described as ‘outrages or political offences’. With its largely part-time force of active members being substantially reduced by this process – many were already languishing in prisons or internment camps as a consequence of sentences imposed by military courts-martial – the IRA implemented a change in approach. Men ‘on the run’ to avoid arrest by Crown forces were organised into small, mobile flying columns, or active service units, more suited to staging ambushes of patrols and convoys than attacks on individual police officers and barracks as before.²¹ The Chief Secretary regarded this as a serious development and reported to the Irish Situation Committee on 28 September that ‘from the renewed impetus with which the campaign of violence against the forces of the Crown has been waged, it would appear that the extremist elements of the Sinn Fein organization are for the time being, in the ascendant and are bent upon making a desperate resistance to the Government’s efforts for the restoration of order.’²²

Another frustration for Crown forces with the ROIA environment was their continued inability to get any convictions for capital offences. In this regard, the Army’s official account noted:

Even with the additional powers granted by R.O.I.R., it was extremely difficult, owing to intimidation, to obtain any evidence against the actual perpetrators of outrages. The result of this was that although a considerable number of rebels in whose houses arms or seditious literature were found during the searches had been sentenced to long terms of penal servitude, men who had committed murder and arson went free, and many prominent rebels in various areas lived unmolested in their houses.²³

Even when a capital conviction was finally achieved in October 1920 against Kevin Barry, a young IRA member captured with a pistol in his hand after an attack on a military party drawing provisions from a bakery in Dublin – he was executed on 1 November - Sinn Fein turned it into a propaganda triumph for the nationalist cause. Thus, rather than focusing on the deaths of three young British soldiers on that fateful day, the world's press carried stories of British officers torturing Barry following his capture, of his innocence and unfair trial at the hands of a military court-martial, and of the ruthless determination of the British Government to proceed with the death sentence despite a multitude of appeals for clemency. The facts of the matter are immaterial here, though Barry himself did not deny the charge of killing Private Matthew Whitehead and only reluctantly agreed to make a formal accusation of torture against his captors. The relevant factor is, of course, that Barry's fate was intended to encourage Crown forces in their efforts to combat militant Irish nationalism and certainly did so to some extent at least. But, because of the effectiveness of Sinn Fein propaganda, it also served to a greater extent to win sympathy for the nationalist cause and inspire Barry's colleagues in the IRA in their campaign against the servants of the Crown in Ireland. In this regard, implementation of the ROIA by Crown authorities was actually counter-productive.

A propaganda unit, the Public Information Branch (PIB), had been established in Dublin Castle in August 1920 to present the Crown's case in such matters. Indeed, under the direction of Basil Clarke, its mandate was 'to give publicity to the facts of the Irish political situation and its incidents which at that time were seriously misrepresented to the public as a result of Sinn Fein and anti-British propaganda.'²⁴ But as the Barry case demonstrated, Clarke and his colleagues in the PIB obviously could not match Sinn Fein in this area, being unable effectively to counter the perception that the Irish were the only victims in the ongoing police war being waged by the RIC militias and Winter's counter-intelligence unit, with support from the military. The ROIA's substitution of military courts of enquiry for coroners' inquests did not help matters either, with Sinn Fein being quick to represent these military courts as forums to endorse murder on the part of Crown forces. Thus, it was common for the Irish press to refer to them sarcastically as 'courts of acquittal'.²⁵

In spite of these problems, the Chief Secretary remained positive that 'the work of restoring order is making satisfactory progress, and that the time when a political solution can be placed as a practical offer before the Irish people with a chance of its having rational and fair consideration has been brought appreciably nearer.'²⁶ But General Macready did not share Hamar Greenwood's optimism. He was displeased at the failure of Dublin Castle to counter Sinn Fein propaganda, concerned over the renewed impetus of the IRA's campaign from late-September, and worried about the growing trend towards reprisals by the police and military alike and the attempts by some IRA units to provoke retaliation by using expanding bullets in their attacks on Crown forces.²⁷ Consequently he reviewed his earlier opposition to martial law and in a memorandum to Greenwood on 27 September 1920, urged either the 'declaration of Martial Law throughout the country' or a similar declaration acknowledging publicly that order could not be restored in Ireland 'without military measures such as would be taken under Martial Law.'²⁸ When there was no reply to this appeal, the general wrote again on 17 October to the CIGS, Sir Henry Wilson, seeking his support in pressing the Government to act in this regard. Clearly, in the opinion of the GOC in Ireland, the ROIA and Regulations were inadequate for the task for which they had been provided. In summarizing their impact, Macready's headquarters at Parkgate in Dublin observed:

The powers granted by R.O.I.R. enabled suitable punishments to be awarded for crimes, and there was some indication that this was having a depressing and disorganizing effect upon the rebel forces, but anything in the nature of an offensive against the I.R.A., or wholesale arrest of rebels, militant or political, formed no part of the Government policy. Indeed, neither at this time nor at any other did the Government ever give to the military authorities

any enunciated policy. The Commander-in-Chief was left to devise the best means he could for quelling lawlessness and crime with whatever powers, or handicaps, he derived from the Act of Parliament for the moment in force, and without authority to control the police force, which continued to be under the civil government and a chief of police.²⁹

Nevertheless, nothing was done in response to this situation until after the events of Bloody Sunday on 21 November, and the ambush by an IRA flying column a week later near Macroom in County Cork which resulted in the deaths of 17 members of an 18 man Auxiliary patrol. Only then did the Chief Secretary finally recognise that martial law would have to be considered as a serious option if the Crown was to regain the initiative from the nationalists in Ireland.

3. Rough Justice from the Army - Martial Law in the South

In London on 9 December 1920, Cabinet agreed to a limited proclamation of martial law in four counties of Munster – Cork, Kerry, Limerick and Tipperary – which took effect the following day. A further proclamation on 5 January 1921 extended the martial law area to include the two remaining counties of Munster – Clare and Waterford – as well as Kilkenny and Wexford in Leinster. Thus the total area under martial law coincided exactly with that assigned to units of Major-General Sir Peter Strickland's 6th Division. It was an area in which a 'state of armed insurrection' was now officially recognized and the Crown forces there 'were also declared to be on active service.'³⁰ At last someone in authority had acknowledged the reality of the situation in Ireland, if only in respect of Munster and a small part of Leinster.

But why was martial law applied only in the southern-most region? According to Mark Sturgis, Assistant Under Secretary at Dublin Castle, it was because the Prime Minister wanted 'to have Martial Law in the distant provinces, a cloud on the horizon, leaving the seat of Government, Dublin, free for them as wants to negotiate for peace'³¹ Sturgis' observation at this time – 14 December 1920 – was clearly influenced by Lloyd George's earlier meeting with and personal endorsement of Joseph Clune, Archbishop of Perth and former Chaplain-General of the Australian Imperial Forces, as an intermediary in secret negotiations for a truce with the nationalists. But after the archbishop's final meeting with Lloyd George on 21 December, it became apparent that the British Prime Minister had firmed in his resolve and favoured intensifying the effort to defeat the nationalists by coercive means rather than talking with them at this stage.³²

Another factor indicative of a hardening attitude towards the nationalists on Lloyd George's part was the passing into law of the Government of Ireland Act on 23 December. This Act originated as the Better Government of Ireland Bill, which was placed before the House of Commons in March 1920 following lengthy deliberations over its content by a Cabinet Committee on the Irish Question chaired by Walter Long and then Andrew Bonar Law, both well known as strong advocates of the unionist position in past debates over the question of home rule for Ireland. In its final form, this bill provided for two parliaments to be established in Ireland, one based in Belfast to serve a unionist dominated Northern Ireland of 6 rather than all 9 counties of Ulster, while the remaining 26 counties were to be served by a nationalist dominated and Dublin-based assembly. Each of these political entities would remain an integral part of the United Kingdom, with both expected to contribute equally to a Council of Ireland as an institution symbolic of Irish unity if not actually representative of it. For the Ulster unionists, and thus for the great majority of unionists in Ireland, having their own entity of Northern Ireland to govern was preferable to being governed from Dublin by a nationalist dominated all-Ireland assembly. And this would have been the case if an alternative to the Home Rule Act of 1914 could not be provided by Lloyd George's coalition government once the peace process with the Central Powers had been finalised. So the Ulster

unionists' acceptance of the bill, albeit with reluctance, allowed the British Government to come to terms with the issue of their defiance, which had wrecked the home rule initiative of the Asquith Government in 1914. It only remained now for Lloyd George's Government to deal with the nationalists by continuing to use the coercive powers of Crown forces against them, or attempting to reach a negotiated settlement.³³ The nationalists, for their part, had no incentive to negotiate a settlement at this stage, especially one governed by the provisions of the Government of Ireland Act. Sinn Fein had already set up a rival all-Ireland government with elected representatives of the Irish people in the Dail Eireann, a treasury to obtain and disburse funds, police and courts to enforce and administer laws and resolve civil/legal disputes, accredited officials to represent Irish interests abroad and an armed force, the IRA, to defend its interests against the forces of the Crown in Ireland. In this context, the Government of Ireland Act could be seen as another factor influencing Lloyd George to opt for martial law, at least in one of the more lawless regions of Ireland, in the hope of bringing matters to a conclusion by raising the tempo and the stakes for both sides in the campaign against the nationalists.

There were a number of features characteristic of 6th Division's administration of martial law in this area.³⁴ All crimes were now deemed to be offences punishable by martial law and General Strickland, as Military Governor, authorized the establishment of summary courts in battalion areas to deal with common offences where fines or short term prison sentences would apply, a standing court-martial at Cork for more serious cases, and drumhead courts-martial to pass capital sentences on rebels taken with arms in their possession. The military authorities would later claim some success with respect to the courts-martial process, especially in relation to capital offences, with 32 capital convictions being confirmed and 14 executed before implementation of the truce in July 1921.³⁵ Internment without trial, introduced originally throughout Ireland in late-November in response to the IRA's mass assassination of 14 British officers on Bloody Sunday, continued to be enforced strongly in the martial law area, so that anyone suspected of being an active member of the IRA could be interned by order of the Competent Military Authority. It too was effective for a while but, ultimately, limited in scale by the lack of proper facilities to hold the thousands of suspects detained in this regard. As Competent Military Authority in the martial law area, General Strickland also imposed curfew restrictions, introduced special permits in an attempt to limit and control the use of motor vehicles and pedal bicycles, and banned fairs and markets in areas where outrages occurred. Such measures were intended to facilitate 6th Division's task in maintaining security via the administration of martial law in the most lawless region of Ireland outside of Dublin. RIC units in the martial law area were now subject to military authority for other than routine police matters, although in practice this was often easier said than done as Dublin Castle continued for some months to issue operational instructions directly to police units in the field, including those working with the 6th Division. This situation with the RIC was indicative of the consequences of the British Government having opted for the imposition of martial law in part, rather than over the whole of the island of Ireland.

According to 6th Division's official history of this period, IRA flying columns responded to the imposition of martial law with 'vigorous tactics', resulting in heavier casualties than before on both sides. The IRA also began the 'systematic cutting of roads', which rendered movement by military patrols and convoys 'very slow and difficult in many districts.' And it was said to have begun targeting loyalists, along with others suspected of being informants for Crown forces, with 'a regular murder campaign' from February 1921.³⁶ One particular initiative of Crown forces in the martial law area to which the IRA responded in kind was the practice of official punishments or reprisals. Originally suggested by General Macready early in September 1920 as a means of preventing his troops from engaging in unauthorized reprisals, the first authorized reprisal by Crown forces was carried out at Middleton in County Cork on 1 January 1921, when troops burned several houses occupied by people considered to be complicit, albeit in a passive sense it seems, in the fatal ambush of an RIC contingent the day before.³⁷ Altogether, from 1 January to 6 June 1921, when the Government ordered the

cessation of this practice, 191 houses were burned by Crown forces in officially authorized reprisals, along with 20 other properties.³⁸ The military authorities in the martial law area expressed satisfaction with these results. They were offered to demonstrate how effective authorized reprisals had been as a means of inflicting punishment on the ‘actual perpetrators’ of outrages or ‘sympathisers intimately connected with them.’³⁹ In addition, they were said to have been beneficial in curbing any tendency on the part of Crown forces to engage in unauthorized reprisals, thus denying Sinn Fein the propaganda opportunities that it had enjoyed earlier in this regard. But there were some problems associated with authorized reprisals that the military authorities seemed to overlook. In the first place, by burning houses occupied by nationalist sympathizers, the military also punished the landlords who, in many instances – such as at Midleton on 1 January 1921 – were loyalists who owned rather than occupied the properties concerned.⁴⁰ And, of course, Sinn Fein could still capitalise on the propaganda value of Irish civilians being evicted and their houses burned by Crown forces, despite the efforts of the military authorities to tell their side of the story to the press.⁴¹ The IRA meanwhile, via Chief of Staff, Richard Mulcahy, soon gave formal sanction to a campaign of counter-reprisals which only added further to the sufferings of loyalist property holders in particular, whom the British military authorities admitted they were virtually powerless to protect.⁴²

Martial law raised the intensity of the conflict in Ireland’s southern region between the 6th Division and the IRA, but could not bring it to an end because neither side had the capacity to do so. Some British officers in the martial law area genuinely believed that they were on the verge of victory over the IRA when the truce was declared in July 1921.⁴³ But others saw the situation more clearly, for Britain had neither the coercive capacity nor the political will to carry the campaign through to finality.⁴⁴ So a truce as a prerequisite to a negotiated settlement – a political solution – was the only remedy and probably always had been. The political solution finally agreed on by the signatories to the Anglo-Irish Treaty of December 1921 was a modification of the provisions of the Government of Ireland Act (1920), which provided for two political entities in Ireland – an Ulster unionist dominated Northern Ireland of 6 counties, remaining as an integral part of the United Kingdom, and a nationalist dominated Irish Free State of 26 counties, with the status of a dominion of the British Empire. None of the parties to this agreement was really satisfied, all had to compromise, and the outcome they were striving to achieve – peace and stability in the island of Ireland – has remained elusive, as the situation in a still troubled Northern Ireland patently shows.

4. Conclusion

Through its repeated failure by 1920 to deliver Home Rule in a form acceptable to the great majority of the population of Ireland, the British Government forfeited the right that it had assumed for itself in the Act of Union to play the role of the arbiter of Ireland’s destiny. Lloyd George recognised as much the following year when he finally agreed to enter formally into negotiations with representatives of Sinn Fein which had emerged as a legitimate, rival arbiter of Irish affairs.

This situation had come about not only because of the failure of the British Government to deliver in the political arena on Home Rule, but also because of its additional failure to develop any form of security policy as a basis for Crown forces to take the initiative and wage an effective campaign against the IRA. In the absence of a policy to provide order and security in Ireland in 1920-1921, a series of security measures was put in place by the British authorities in a vain attempt to curb the nationalist campaign for independence and thereby maintain Ireland’s place as an integral part of the United Kingdom. What they actually achieved, however, as we have seen, was an increase in the levels of violence and insecurity in Ireland, until the Anglo-Irish Treaty of December 1921 passed responsibility in this regard for all but the six counties of Northern Ireland to the Provisional Government of the new Irish Free State.

Only after a brief, but bitter civil war were the Free State authorities able to restore order and provide a sufficiently secure environment essential for the survival and development of their fledgling dominion. They were successful in doing so because theirs was an Irish rather than a foreign, British government, acting in the interests and with the support of the majority of the Irish population. This was the only way to end the cycle of violence, according to Major (later Field Marshal) Bernard Law Montgomery, formerly of the 17th Brigade based at Cork, who considered it imperative at the time to have given the Irish 'some form of self-government and let them squash the rebellion themselves; they are the only people who could really stamp it out, and ... as far as one can tell they seem to be having a fair amount of success.' In any event, he concluded, the Irish security forces 'have had more success than we did.'⁴⁵ And that was largely because the new Free State Government, unlike its British predecessor, appreciated the need for a definite policy to guide its security forces in this regard and acted accordingly, utilising emergency powers conferred by the Dail 'with a sternness which was sometimes to cause even their supporters to gasp.'⁴⁶ Great Britain, on the other hand, as one Irish observer later commented, having been hampered by its status as an imperial power with 'far-flung commitments' throughout the world, was largely indecisive in response to developments in Ireland.⁴⁷

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- ¹ Letter of 4 April 1921 from Carl W. Ackerman to General Sir Nevil Macready, enclosing a copy of an article for publication based on their discussion of 2 April, Public Record Office (hereafter PRO), CO904/188, folios/ff.757-5.
- ² Confidential report of 12 May 1920 on the Dublin Castle administration from Sir Warren Fisher to the Prime Minister, Lord Privy Seal and Chancellor of the Exchequer, Lloyd George Papers, Series F.1916-1922, House of Lords Record Office (hereafter HLRO), F31/1/32. In a supplementary report of 15 May 1920 (F31/1/33), Fisher described the outgoing Dublin Castle administration 'as almost woodenly stupid and quite devoid of imagination.'
- ³ Tim Pat Coogan, *Michael Collins: A Biography*, 2nd.edn., London, 1991, p.125; James Mackay, *Michael Collins: A Life*, 2nd.edn., Edinburgh, 1997, p.159.
- ⁴ C. E. Callwell, *Field-Marshal Sir Henry Wilson: His Life and Diaries*, London, 1927, II, p.222.
- ⁵ Charles Townshend, *The British Campaign in Ireland, 1919-1921: The Development of Political and Military Policies*, London, 1975, p.30.
- ⁶ *Ibid.*, pp.45-46; Richard Bennett, *The Black and Tans: The British Special Police in Ireland*, 3rd. edn., New York, 1995, p.24.
- ⁷ Diary of Sir Henry Wilson, 11 May 1919, Papers of Sir Henry Wilson, Imperial War Museum (hereafter IWM), DS/MISC/80.
- ⁸ Macready Committee Report, Cabinet Paper 1317 (CAB24/106) of 19 May 1919, with other relevant papers, PRO, WO32/9517 'Formation of a special force for service in Ireland'.
- ⁹ David Neligan, *The Spy in the Castle*, 2nd.edn., London, 1968, p.87. See also Tom Barry, *Guerilla Days in Ireland*, 4th.edn., Dublin, 1989, pp.36-8. For official figures showing the non-Irish intake to the RIC from January-November 1920 at 4501 overall, with 997 of these being Auxiliaries and most of the remainder Black & Tans, see Townshend, pp.209-10. There would eventually be about 7,000 Black & Tans in service with the RIC according to Robert Kee, *The Green Flag*, Vol. III: *Ourselves Alone*, 2nd.edn., London, Penguin, 1989, p.97.
- ¹⁰ General Headquarters, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-1921 and the Part Played by the Army in Dealing With It, Vol.I: Operations', Papers of Lieutenant-General Sir Hugh Jeudwine, IWM, Box 78/82/2, pp.11, 14.
- ¹¹ Sean O'Casey, 'Inishfallen, Fare Thee Well' in *Autobiographies 2*, London, 1980, pp. 40-41.
- ¹² 'What Causes Reprisals?' in *The Weekly Summary*, No.9, Friday October 8, 1920, Page 1, Col.1, PRO, CO904/38.
- ¹³ Townshend, pp.119-23.

- ¹⁴ Letter of 25 February 1921 from David Lloyd George to the Chief Secretary for Ireland, Sir Hamar Greenwood, Lloyd George Papers, Series F.1916-1922, HLRO, F/19/3/4.
- ¹⁵ 'A Report on the Intelligence Branch of the Chief of Police from May, 1920 to July, 1921' by Colonel Ormonde de l'Epee Winter, Deputy Chief of Police and Director of Intelligence, Ireland, PRO, WO35/214, Part VII, pp. 67-68.
- ¹⁶ Colonel Winter's agent, a man named Price, and Sean Treacy were both killed in this encounter when a party of British soldiers opened fire at them. Neligan, p.101.
- ¹⁷ See, for example, the letter of 8 April 1921 from Macready to Sir John Anderson, Joint Under Secretary at Dublin Castle, and the latter's reply of 9 April, PRO, CO904/188(1), Part B. Further criticism of Winter by the military is contained in GHQ, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-1921, and the Part Played by the Army in Dealing With It, Vol.II: Intelligence', Papers of Lieutenant-General Sir Hugh Jeudwine, IWM, Box 72/82/2, pp.9-10.
- ¹⁸ Copies of the two threatening letters to Winter from the IRA, together with letters of commendation from the Chief Secretary, Sir Hamar Greenwood, and the Chief of Police, General Tudor, are in PRO, CO904/177(2).
- ¹⁹ Weekly Situation Report for the Irish Situation Committee, No. S.I.C. 31, dated 24 August 1920, from the Chief Secretary for Ireland, PRO, CAB27/108, folios/ff.132-39. For background on the ROIA and Regulations see Townshend, pp.103ff.
- ²⁰ GHQ, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-1921, Vol.I: Operations', Jeudwine Papers, IWM, Box 78/82/2, p.22.
- ²¹ Florrie O'Donoghue, 'Guerilla Warfare in Ireland – 1919-1921', Papers of Richard Mulcahy, University College Dublin Archives (hereafter UCD), P7/D/1, p.16; A. E. Percival, 'Guerilla Warfare – Ireland 1920-1921, I', Papers of Lieutenant-General A. E. Percival, IWM, P.18, Folder 411, pp.16-17; Townshend, pp.113ff.
- ²² Weekly Survey of the State of Ireland for the Irish Situation Committee, No. S.I.C. 40, dated 28 September 1920, from the Chief Secretary for Ireland, PRO, CAB27/108, f.190.
- ²³ GHQ, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-21, Vol.I: Operations', IWM, Jeudwine Papers, Box 78/82/2, p.22.
- ²⁴ Memorandum by Basil Clarke on 'Public Information' in folder entitled 'General Headquarters', PRO, CO904/168 'Government Publicity – Counter-propaganda etc', f.182.
- ²⁵ Townshend, pp.106-108. The problems afflicting British propaganda efforts in Ireland were noted by Mark Sturgis, Assistant Under Secretary at Dublin Castle, during a conference on 24 September 1920 to discuss such matters. See *The Last Days of Dublin Castle: The Mark Sturgis Diaries*, ed. Michael Hopkinson, Dublin, 1999, p.44.
- ²⁶ Weekly Survey of the State of Ireland for the Irish Situation Committee, No. S.I.C. 52, dated 9 November 1920, from the Chief Secretary for Ireland, PRO, CAB27/108, f.262.
- ²⁷ Letters of 24, 25 and 27 September 1920 from General Macready to CIGS, Papers of Sir Henry Wilson, IWM, HHW 2/2B, Nos. 8A, 9 & 10; Reports on the Situation in Ireland by the GOC-in-C, No. S.I.C. 43, dated 5 October 1920, and No. S.I.C. 51, dated 2 November 1920, PRO, CAB27/108, ff.209, 252.
- ²⁸ GHQ, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-21, Vol.I: Operations', Jeudwine Papers, IWM, Box 78/82/2, p.23.
- ²⁹ *Ibid.*, p.25.
- ³⁰ *Ibid.*, p.28.
- ³¹ Hopkinson, *The Mark Sturgis Diaries*, entry for 14 December 1920, p.91.
- ³² Re Archbishop Clune and his mission for Lloyd George see *ibid.*, pp.86ff and Coogan, pp. 194-9.
- ³³ D. G. Boyce, *The Irish Question and British Politics, 1868-1996*, 2nd.edn., London, 1996, pp.66ff; R. F. Foster, *Modern Ireland 1600-1972*, 2nd.edn., London, 1989, pp.503-4; Townshend, pp.33ff.
- ³⁴ GHQ, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-21, Vol.I: Operations', Jeudwine Papers, IWM, Box 78/82/2, pp.29ff; Percival, 'Guerilla Warfare in Ireland – 1919-1921, I', Percival Papers, IWM, P.18, Folder 411, pp.19-23.
- ³⁵ Letter of 1 August 1921 from General Macready to the Army Council, Jeudwine Papers, IWM, Box 72/82/6.
- ³⁶ General Staff, 6th Division, 'The Irish Rebellion in the 6th Divisional Area: From After the 1916 Rebellion to December 1921', Papers of General Sir E. P. Strickland, IWM, P.362, pp.97-8.
- ³⁷ Memo of 1 September 1920 from Macready to the Army Council, PRO, WO32/9537; Macready's letters of 13 September 1920 to the CIGS, Wilson Papers, IWM, HHW2/2B, Nos. 1 & 3. For varying accounts of the official reprisal at Middleton see Florence O'Donoghue, *No Other Law*,

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- 2nd.edn., Dublin, 1986, pp.128-9; Townshend, p.149; and General Staff, 6th Division, 'The Irish Rebellion in the 6th Division Area', Strickland Papers, IWM, P.362, p.69.
- ³⁸ Ibid., Appendix V.
- ³⁹ Ibid., p.69.
- ⁴⁰ Townshend, pp.149-150.
- ⁴¹ GHQ, the Forces in Ireland, 'Record of the Rebellion in Ireland in 1920-21, Vol.I: Operations', Jeudwine Papers, IWM, Box 78/82/2, p.31; 'Interview with General Strickland', *The Evening Standard*, Tuesday, January 25, 1921, Strickland Papers, IWM, P.363.
- ⁴² Memo of 14 May 1921 from Richard Mulcahy, IRA Chief of Staff, to Cathal Brugha, Minister of Defence, Mulcahy Papers, UCD, P7/A/18; Coogan, p.178; Percival, 'Guerilla Warfare in Ireland – 1919-1921, II', Percival Papers, IWM, P.18, Folder 411, p.5.
- ⁴³ 'The memoirs of a professional soldier in peace and war', Ch.6, Papers of Brigadier F. A. S. Clarke, Liddell Hart Centre for Military Archives (hereafter LHC), Ref. 1/6, p.10; General Strickland, Smith's Diary 1922, entry for 17 May, Strickland Papers, IWM, P.363.
- ⁴⁴ Secret minute from Macready to Frances Stevenson for the Prime Minister, dated 20 June 1921, Lloyd George Papers, Series F.1916-1922, HLRO, F36/2/19; Letter dated York, 14 October 1923, from B. L. Montgomery to A. E. Percival, Percival Papers, IWM, P.18, Folder 411.
- ⁴⁵ Ibid.
- ⁴⁶ Kee, p.169. See also Helen Litton, *The Irish Civil War: An Illustrated History*, Dublin, 1995, p.132.
- ⁴⁷ Note by Col. J. J. O'Connell dated 10 February 1936 in folder 'British Over-Sea Commitments, 1919, 1920, 1921', Liaison Papers 1921-1922, Box 4, Military Archives Dublin.