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How White Was the Wash?: Bloody Sunday, 1972, and Memory in the Creation of the Widgery Report

Sarah Ganderup

On January 30, 1972, "Bloody Sunday," British soldiers shot and killed thirteen Northern Irish civilians during a civil rights march in Derry/Londonderry. This incident, particularly its memory, quickly became another point of conflict in this already overheated part of the world. Recent scholars have debated the accuracy and reliability of the many ordinary memories created by Bloody Sunday, but little serious attention has been paid to the "official memory." The conflict over the Bloody Sunday memory began almost as soon as the air in Derry/Londonderry cleared, as the first news reports were released. It was, however, the Widgery Tribunal's report - officially titled the *Report of the Tribunal appointed to inquire in to the events on Sunday, 30 January 1972, which led to loss of life in connection with the procession in Londonderry on that day* - which would serve as a lightning rod in the struggle over defining what had occurred. This was the narrative which the British government approved and the British media published to the international community, as well as in Northern Ireland, for decades. It was also the narrative against which the Irish-Catholic community in Northern Ireland, as well as in the Free State to the south, would fight. The Widgery Report has been dismissed as "hegemonic" - an abuse of government power to control popular memory for political purposes. In labeling this report as a hegemonic memory, however, scholars have ignored the complexity of Lord Chief Justice Widgery's task in chairing the tribunal that created it and the multi-faceted nature of the already existing memories, Widgery's motives, and his limited power to actually control the way people remembered this event. Widgery's goal was not to absolve the army and blame the dead, but rather to mediate between the numerous memories of Bloody Sunday and to create a new memory that was both widely palatable and would not endanger the government in London.

In the early twentieth century, French sociologist Maurice Halbwachs coined the term "collective memory," establishing the concept that though memory is individual, there is a social component to it, which cannot be ignored and is reaffirmed and reproduced through representational forms. In his 2003 article, "Active Remembering, Selective Forgetting, and Collective Identity: The Case of Bloody Sunday," sociologist Brian Conway applied Halbwachs' construction to the memory formation in the Republican community of Northern Ireland. Conway described individual memory as, "nevertheless a part or an aspect of group memory.... Collective and individual memory, then, are inter-related, that is, much of an individual's memory is culturally constructed and at

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the same time social memory is mediated through individual memory."^[1] Given the sectarian condition of Northern Ireland in the 1970s and later, memory became yet another aspect of life that was politicized and divisive. The concept of a hegemonic or "official" memory, as well as the inevitable "counter-memories" has roots in this idea, and the resulting conflicts are described by Graham Dawson, another sociologist and cultural historian, as "the politics of memory."^[2] Official and counter memories assume that memory is not only collective, but that the collectivity of memory necessitates a binary construction of memory. Conway argued, "collective identity then is dialogic... This binary opposition [of us vs. them] created an environment in which each viewed the other as a threat to its identity and this in turn provided a rationalization for violence and terrorism against the Other," during the Troubles.^[3] Conway and Dawson generally concurred with the heated statements of Catholics and republicans in the 1970s that the Widgery Report was nothing more than a whitewash meant to "shield those responsible" and "prevent the truth from emerging."^[4] It was, in a word, hegemonic. According to Conway, the report, "reflect[ed] the power of certain groups in society to define the past according to their present needs, inclinations and interests."^[5] Dawson elaborated on the idea of sacrificing truth on the altar of politics in his 2005 article, "Trauma, Place and the Politics of Memory," in which he wrote that the report, "served the interests of the British military and political establishment as it conducted its 'propaganda war' in Northern Ireland [which] rested on the Tribunal's endorsement of the Army's narrative of events."^[6]

To date, no biography of Lord Chief Justice Widgery exists and only cursory references to his past have been made in analyses of his judicial decisions. John Passmore Widgery, the man who would become Lord Chief Justice, was born in South Molton, England in 1911. His mother was a magistrate, a member of the local judiciary. He attended Queen's College in Taunton, a public boarding school known for providing "life lessons," including Christian values, as was the style of public schools at the time, in addition to its more academic curriculum. Unlike most British judges who were his contemporaries, he started as a solicitor in 1933 and joined a firm of law tutors, Gibson and Welldon. As a solicitor, Widgery began working with clients and preparing cases early in his career.

World War II altered the course of Widgery's career and provided his later opponents much cause for complaint. Widgery joined the British Army as a sapper, or combat engineer, and actually joined the Royal Engineers (Territorial Army) in 1938. He did not join a combat regiment until 1940, when he was transferred to the Royal Artillery. Widgery proved quite successful as a military man, finishing the war as an Officer of the British Empire and Brigadier General, with the Croix de Guerre from France and the Order of Leopold from Belgium. Many of the reports of Widgery's past that were published as the tribunal opened focused on this part of his life. "Investigator of Londonderry Killings," a biographical article in the *New York Times*, took care to point out not only Widgery's military experience, but also that "concealed beneath his wig and ermine-trimmed flowing red robe, he look[ed] soldierly and slim."^[7] Widgery's participation in the Army during World War II must be understood within the context of the time; essentially everyone of rank in Great Britain had been involved in the war effort during the Second World War. Confidential cabinet documents show that the government was aware that the public might not accept that Widgery could be impartial, but most members still believed that he was the best man for the job.

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After war's end, Widgery returned to the law and was called to the bar in 1946, after which he joined Lincoln's Inn as a barrister. He rose swiftly in the British judicial system thereafter, becoming a Queen's Counsel, a High Court judge, and a member of the Court of Appeal. Finally Widgery was named Lord Chief Justice, the highest judicial appointment in Britain and took up his post in April of 1971, less than a year before being called to chair the tribunal on Bloody Sunday. The Lord Chancellor, Viscount Hailsham, swore him in with the comment that Widgery was a "kind and prudent judge and a discerning Lord Justice of Appeal."^[8] Court reporters were described as having been "struck by his quickness of mind, incisive marshaling of arguments and ability to seize on the central point in a complicated case."^[9]

In his judicial career, Widgery proved a staunch advocate of law and order. One of his most famous rulings concerned the appeal of three editors of *Oz*, a controversial magazine that developed out of the psychedelic culture. The editors had been arrested and convicted of obscenity and came before Widgery in November of 1972. The court overturned the conviction of the three editors but determined that editors could lawfully be jailed for magazine or newspaper content that qualified as obscene. Widgery wrote, "in general terms...any idea that an offence of obscenity does not merit a prison sentence should be eradicated."^[10] At a meeting of the American Bar Association in 1968, he announced, "law and order is the greatest privilege that a citizen can enjoy," and asked, "can we ever rely on the worth of a cause in justifying disorder? My answer would be a simple and emphatic negative. There should be no bargain, no concession to those who would have it otherwise."^[11] This position offers a good deal of insight into his decision on Bloody Sunday because the Army's drastic response, though it may have had regrettable results, could be seen as an appropriate application of "no bargain, no concession."

However, Widgery's judicial decisions were not all of the "law and order" type. In 1974, a recently deceased cabinet minister, Richard Crossman, asked in his will that his diaries, which included some information from confidential cabinet meetings, be published. The Crossman Diaries case came before Widgery when the government sought to block their publication on the grounds that the cabinet meetings' information must be kept secret for reasons of national security. Widgery was "far from convinced that [the Attorney General] made out a case that the public interest requires such a draconian remedy when due regard is had to other public interest, such as freedom of speech," and ruled against the government's desire "for a proportional injunction to restrain further publication."^[12] The decision was hailed as a victory for freedom of speech and freedom of the press. Widgery retired in 1980 due to his declining health both physically and, some conjectured, mentally. He died a year later. After his death, Lord Elwyn-Jones described him in the House of Lords as having "graced the Bench as Lord Chief Justice, as a Lord Justice of Appeal, and High Court judge with the qualities in high degree of fairness, integrity, courtesy, economy and clarity of expression, and above all of sound common sense. [He was] a great public servant."^[13]

Even as the dust was settling and the blood drying in Derry/Londonderry, and the first reports of what had happened arrived in London, the British government was under pressure to set up a public inquiry. On February 1,

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1972, two days after the shootings, parliament passed a resolution calling for the establishment of a tribunal "for inquiring into a definite matter of urgent public importance, namely the events on Sunday 30th January which led to loss of life in connection with the procession in Londonderry on that day."^[14] In a confidential set of minutes from a meeting in Downing Street on the same day, the Principal Private Secretary to the Prime Minister wrote, "the Lord Chief Justice last evening accepted the Government's invitation to conduct a Tribunal of Inquiry."^[15]

As soon as news of the shootings came out, reporters and those directly concerned began publishing their own contradictory memories of what had occurred. Commemoration and memory, as both cause and byproduct, have been described as a "pitched battlefield of opposing ideologies, more divisive and triumphal than healing and celebratory."^[16] Two major groups of memories existed at this stage: those based on the Army's account, which said that those killed were Irish Republican Army (IRA) gunmen and nail bombers killed in a firefight, and the memories based on accounts by Catholic civilians who said that those killed were innocent victims of unprovoked Army aggression.

The Army released its account immediately after the incident, which the Stormont government, Unionist newspapers and many of the larger papers in Britain and around the world endorsed. The local Unionist paper in Derry/Londonderry, the *Londonderry Sentinel*, published nothing about the killings until February 2, at which time it gave only the Ministry of Defense statement along with quotes from Protestant religious leaders and politicians.^[17] The *Mirror*, a widely-read English tabloid-style newspaper, stated on its front page that "four of the people killed in the battle of Londonderry were on the list of wanted IRA men," and that "there were seven occasions when the troops did not return terrorist fire."^[18] Furthermore, they blamed NICRA for organizing the march despite a ban on parades. Brian Faulkner, Prime Minister of Northern Ireland, declared, "if there had been no marching in defiance of the law...there would have been no deaths."^[19] The *Mirror* agreed with this sentiment, quoting the Prime Minister's statement that, "clearly responsibility for this violence and the consequences of it must rest squarely on the shoulders of those who encourage people to break the law."^[20] Thus, according to the Army account, the "official" account until Widgery's was written, the Army had maintained good form, firing only at specific attackers, not innocent civilians, and only after a great deal of provocation.

The British Information Services circulated a similar account of the event to the United States, which reiterated that four men were already wanted by the authorities, as well as the new revelation that "one man had four nail bombs in his pocket," a statement likely referring to the deceased Gerald Donaghy, who was photographed by the Army post-mortem with nail bombs in his pockets. ^[21] The release added other important points to the Army's memory of the event, including that the British soldiers had "fired only at identified targets" and that a "hard core of hooligans" fired on the Army several times before it returned fire.^[22] The *Washington Post* quoted the Army statement, saying, "British troops opened fire only at identified targets and only after more than 200 shots had been fired in their general direction."^[23] The *New York Times* agreed with this assessment and took it further, stating that the deaths occurred "when rioting broke out after a civil rights march" and again quoting the Army

that "the dead were snipers who had fired at troops trying to break up rock-throwing mobs with CS gas, a form of tear gas, and rubber bullets."[\[24\]](#)

The Catholic account had its supporters, as well. Much support came from Northern Irish publications, such as those of NICRA and the Socialist Worker's Party, but also from those of socialist and republican groups outside of Northern Ireland. Understandably, citizens of the Irish Republic were particularly sympathetic to Catholic statements. An Irish Independent Supplement Paper entitled "Derry's Bloody Sunday" was published in Dublin in support of the Catholic cause. It claimed that the shootings were part of a larger plan to lure the IRA into a shootout in which it would be wiped out by the better-equipped paratrooper force. It also contained editorials such as those entitled "Callous, Brutal Murder" and "Carnage in Derry," which denounced the British Army's actions as "wholesale slaughter."[\[25\]](#) On February 1, 1972, just a day after publishing the Army account, the *New York Times* published a story entitled "Bloody Sunday in Derry" that gave the Catholic version and discussed the coming inquiry and possible dissolution of the Stormont Parliament. The reporter agreed with the Catholic Primate of All Ireland in calling it "an 'awful slaughter'" and emphasized the loss of "thirteen young lives," in contrast to the previous day's pro-Army report.[\[26\]](#) Even within the British establishment and the British media, questions of Widgery's evaluation of Bloody Sunday arose. The *Sunday Times* sent to Derry British-born journalists Murray Sayle and Derek Humphry to cover the Bloody Sunday aftermath. Based on the testimonies of clergy members, residents, and journalists who witnessed the shootings, Sayle and Humphry wrote, "this was a Parachute Regiment special operation that went disastrously wrong" and called the Parachute Regiment's plan, "a solution which in fact produced a massacre."[\[27\]](#)

By 1972, the Catholic minority in Northern Ireland was particularly skeptical of anything published by the British government. In 1971, Eamonn McCann published an article entitled "The British Press and Northern Ireland," in which he asserted that the British journalists were "managing and mangling the news from Northern Ireland" and "the news [had] systematically been presented, consciously or not, so as to justify the assumptions and prejudices of British establishment and to serve the immediate political needs of British governments."[\[28\]](#) He also noted the relationship between the British Army and the press, stating, "allegations of misbehavior by troops has usually been dismissed as at best mischievous, more probably subversive. When the behavior of soldiers was such that it could not be defended outright, excuses could be found and allowances made."[\[29\]](#) In the same vein, the families of those killed on Bloody Sunday declared their intention early on to boycott the coming inquiry and encouraged their fellow Catholics and Catholic sympathizers to do the same. "We totally reject the Widgery Tribunal as a means of establishing...truth," the families said in a statement on February 15, 1972, "since it is neither independent nor impartial."[\[30\]](#) Ultimately, they only agreed to cooperate on the urging of the International League for Human Rights. Thus, spurred by a history of distrust among the Catholics in Northern Ireland, most republican publications dismissed Widgery's report before the tribunal had even finished its hearings. Before the report ever came out, they were guarded against anything that would not coincide with their memory of what happened.

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Catholic memories were much more complicated than that of the Army as they were united by little more than an anti-British stance and the claim that the Army had fired heedlessly and in an unprovoked way on an unarmed crowd. [31] As Conway stated, "competition for hegemony between the folk memory on the one hand and the official memory on the other was the acting out of a wider struggle about the legitimacy of the identity associated with the Northern Ireland state." [32] Thus, the discourse in the pamphlets from 1972 served to illuminate the larger struggle in Northern Ireland.

The Northern Ireland Civil Rights Association (NICRA), the most notable leaders of the Civil Rights Movement, published a pamphlet, "Massacre in Derry," which indicated the evolution in republican-nationalist rhetoric after Bloody Sunday. The pamphlet included the policy adopted by NICRA that February, a letter from the internees at Long Kesh internment camp, excerpts from statements by British and Unionist politicians and military figures, and the eyewitness testimony of the Bloody Sunday incident. In the introduction, the Civil Rights Movement declared that it had published "Massacre at Derry" in order to "tell the world, through the eyes of Derry citizens, what happened in their city on Sunday, January 30, 1972." [33] As the pamphlet showed, the movement's main enemy was no longer the Unionist Stormont government in Northern Ireland, but rather the occupying British forces and the government in Westminster. The first paragraph read, "Derry differs from all other atrocities that have occurred to date in the struggle for civil rights and democracy in Northern Ireland. The 1969 pogrom was not ordered or directed by the British government. This massacre was." [34] This statement allowed for little uncertainty as to whom the Civil Rights Movement and NICRA blamed for the thirteen deaths on Bloody Sunday. The republican community rejected what they perceived as foreign rule over them in favor of a nationalist union with the Republic of Ireland. The pamphlet intensified its anti-British sentiment, highlighting the presence of the British military as an example of occupation with the statement, "the British Army murdered people of a different nationality in the interests of the British Government." [35] This idea hinged on the nationalist perspective that Northern Ireland should be united with the south, rather than remain a part of the United Kingdom, and that the British government, officially the supreme government in Northern Ireland, was *not* the government of the republican community.

Even more than NICRA's "Massacre at Derry," a pamphlet published by the Socialist Workers' Party and written by Eamonn McCann entitled "What Happened in Derry" highlighted the anti-British nature of the new Northern Irish republican community, though McCann sought to explain more clearly than NICRA this change in attitude. "Once the IRA was defined as the main enemy [of the British]," he wrote, "once the Catholic aspiration to smash the state was demonstrated, the short-term aim of the British government co-incided exactly with the instincts of the Unionist right wing." [36] Thus, for the republican Socialists in Northern Ireland, it was a change in the British government which sparked their anti-British sentiment.

People's Democracy, another socialist group, published *Blood in the Street*, a book of eyewitness accounts in which the British army and government were the clear villains. Established in October 1968 by university students at

Queens University in Belfast, People's Democracy, originally a civil rights group, based itself on the model of similar groups in the United States. However, by the time of Bloody Sunday, the group had radicalized substantially to advocate the establishment of a unified socialist republic and had lost much of its aversion to violence, though never to the same extent as groups such as the IRA. In even more inflammatory language than the publications by NICRA and the Socialist Workers' Party, People's Democracy compared the British government and its oppression of the Northern Irish to Hitler and the Holocaust.^[37] In a powerful denunciation of the British government and its activities in Northern Ireland, author Fulvio Grimaldi and his partner, Susan North, wrote:

What Hitler, by Capital and Business created and supported, did to Jews, Czechoslovakians, Italians, Poles, French, Soviets, Greeks, and many other nationalities, and to his own working people, the British ruling class, as led by the City and represented by British Governments, are doing to the national and working class population of Northern Ireland. Concentration camps, torture, murder, suppression of political liberties and human rights included. Plus neocapitalistic forms of exploitation and economical blackmail. In the planned and efficiently executed genocide of the Irish national working class of the North, the British enjoy the complicity and the encouragement of Northern Irish fascist puppet governments, representing the local ruling class whose survival as holders of the power and wealth monopoly can only be guaranteed by continued exploitation and oppression, and today, as the ordinary people have taken to armed revolution, by total coercion through the means of the British Army.^[38]

Yet, even with this larger similarity, one finds many small differences between the counter-memory publications of 1972. Much of these stemmed from the ideologies of their creators. In the Northern Irish conflict, coalitions of groups squared off against one another and the conflict took on political, religious, and ethnic undertones. Thus, the Catholics, the republicans, the Irish, and the nationalists in Northern Ireland did not always agree on their perceptions of the struggle around them. Even among the republican socialists, more than one voice existed. Dr. Raymond McClean, a physician involved with the civil rights movement and present during the shootings on January 30, illustrated this in his memoir, *The Road to Bloody Sunday*. He wrote that "as [he] saw it, Vincent Hann was a well-heeled socialist, Bernadette Devlin a People's Democracy socialist, [and] Eamonn McCann a left-wing socialist...The varying degrees, and the bitter differences on ideological standpoints left [him] in constant wonder."^[39]

Though much of his commentary in "What Happened in Derry" was similar to the commentary in "Massacre in Derry," Eamonn McCann's socialist viewpoint was obvious, particularly in his discussion of British interests in Northern Ireland. Decades of discriminatory legislation relegated most of the Catholics in Northern Ireland to lower economic positions and their population was predominantly working class. After the creation of the Republic of Ireland, this inequality caused the IRA to develop a socialist leaning and socialist groups and republican or nationalist groups in Northern Ireland often overlapped. Where the NICRA pamphlet only hinted at the British government's motives for Bloody Sunday, Eamonn McCann and the Socialist Workers clearly described them as "protecting the economic and political interests of British imperialism."^[40] McCann reiterated this in the closing

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statements of the pamphlet as he declared, "The only solution is not to change the way in which British big business dominates Ireland, but to end that domination forever. Only then will there be lasting peace in Ireland."[\[41\]](#) By contrast, the NICRA, as its name would suggest, decided in its Annual General Meeting in February 1972 that peace could only come with a society of equal rights and social justice.[\[42\]](#)

However, *Blood in the Street* contained a thinly veiled violence, which "Massacre at Derry" and "What Happened in Derry" seemed to lack. Fulvio Grimaldi wrote, from the point of view of the marchers, "Those creeps on the walls must have butterflies around their bellies. What if we decided to rip [them] apart. But that's for later. For tomorrow. With guns."[\[43\]](#) This simple statement is a microcosm of the conflict as seen from the republican side: guns versus hand-holding, terrorism versus non-violent action, whether they should foment a violent takeover or press steadily for reforms. In direct confrontation with its earlier non-violent stand, People's Democracy included the testimony of a British paratrooper, Peter McMullan, who blew up his own officers' mess and motor pool before deserting. He justified his actions saying, "Bloody Sundays for the Army, because the Army deserve Bloody Sundays, because they are the makers of Bloody Sundays and it's time they felt some of their own medicine."[\[44\]](#) This line resonated with much of the republican community, a community which flocked to join the IRA and engage in steadily escalating terrorist attacks on the British in Northern Ireland and even at home in England.

Yet differences, which were not simply relegated to rhetoric or political interests, ran as deeply as the physical facts of what had occurred. The lack of a central agency such as the Ministry of Defense to create a single narrative led to this wide diversity of accounts. These accounts were based on statements of civilians who were in Derry/Londonderry on the day of the march and reflected that fragmented source. This not only exponentially increased the number of Catholic counter-memories, but also created a more complex situation for the memory mediator, Widgery's tribunal.

The differences among the many Catholic memories began with the conduct and mood of the marchers, as almost all of the accounts began by mentioning the carnival mood. Eamonn McCann of the Socialist Workers Party wrote in his pamphlet "What Happened in Derry" that the march was composed of people "singing, chanting and cheering," while the Irish Republican Socialist Party described a "jovial 'Fair Day' atmosphere."[\[45\]](#) NICRA, the organizers of the march, emphasized that everyone was there, men and women, young and old, so that "only the sick and child-minders had been left behind."[\[46\]](#) Some of the accounts, particularly that of NICRA, argued that the march was completely legal and non-provocative, whereas others implied varying degrees of misconduct. The closest that NICRA's "Massacre at Derry" came to suggesting misconduct on the part of the marchers was the vague statement that a "confrontation [at] the head of the parade had commenced," but it quickly followed with descriptions of the Army retaliation of dye and CS gas.[\[47\]](#) By contrast, McCann admitted that the march was "in contravention of a government ban on parades," a phrase found almost word-for-word in the British Information Services' statement following the Army account.[\[48\]](#) The *New York Times* article noted that "the demonstration itself was a self-advertised exercise in civil disobedience" and described its provocative nature as "deliberate and great."[\[49\]](#) "Sunday Bloody Sunday" mentioned that "stones, bottles and pieces of wood were thrown at the

troops," and "a girl steward was led away bleeding from a head wound after being hit by a stone."^[50] Along the same lines, a publication of the International Marxist Group in Great Britain called *Red Mole* wrote that "soon after it reached the barricades a section of the marchers started stoning the troops."^[51] Yet, even such admissions of wrongdoing were always followed by a justification - that it was a common occurrence, something defensible and certainly nothing to do with the later shootings. The *Sunday Times* investigative team led by Murray Sayle wrote in its report that "at the head of the march came forty to fifty youths tossing stones and shouting abuse," though it seemed to justify this conduct by saying that such behavior was "usual in Londonderry riots."^[52]

The discrepancies became even more significant as the accounts focused on the shootings. "What Happened in Derry" accurately, as accurate as possible given such a disputed event, described the shootings of Damian Donaghy and John Johnston as the first of the day. "Massacre at Derry" similarly noted that the "first innocent victims" were shot towards the back of the march shortly before 4:00 pm.^[53] The other publications ignored these first two injuries. *Red Mole* began its account of the killings at about 4:15, when the Army's Saracen tanks entered Rossville Street.^[54] "Sunday Bloody Sunday" also began its report of the shootings with the Saracens' entrance "as the stragglers in the crowd fled in various directions."^[55] A particularly interesting point of differentiation centered on the descriptions of events after the Saracens entered Rossville Street and the shooting started. At this time, Bernadette Devlin was onstage speaking to the assembled crowd.^[56] According to NICRA, Devlin told the crowd to "Disperse...disperse..." as soon as the shooting began whereas Eamonn McCann quoted Devlin's appeal as "Stand your ground."^[57] These two statements have very different implications for what occurred in the half-hour of shooting that followed.

This was the kind of memory landscape with which Widgery contended. The conflict surrounding the event's memory was clear to members of both communities in Northern Ireland, as well as to any visiting military and to the composition of the tribunal itself. Lord Widgery emphasized in his report that, from the beginning, "[he] wished to hear evidence from people who supported each of the versions of the events of 30 January which have been given currency."^[58] In fact, he did. Writing for the *New York Times*, journalist Bernard Weinraub wrote, "conflicting testimony marked the opening week of the official inquiry....Some journalists and priests testified that unarmed civilians were shot down and that paratroopers opened fire needlessly. Others said that gunmen were seen aiming at troops in the Bogside area during the civil-rights demonstration."^[59]

Though he was influenced by the pressing needs of the British Army and government to maintain their legitimacy, Widgery could not simply follow the "Army line," as Dawson so emphatically argued. Rather, Widgery had a much finer line to draw, one which would bring the many contrasting views of the British Army's motives and actions into a single unified theory. Conway noted this, stating, "typically, in situations having to do with law and order and the maintenance of justice, official reports are charged with adjudicating between conflicting definitions of the situation," but he then seemed to forget his own position in treating Widgery as a whitewash.^[60]

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In accordance with Conway's understanding of such situations, the Widgery Tribunal sought to define a single memory of Bloody Sunday that all groups could agree on, at least long enough to restore peace. The British prime minister had emphasized to Widgery that the war in Northern Ireland was "not only a military war but a propaganda war."^[61] Dawson referenced this statement in his article quoted above to argue that Widgery had simply covered up the truth in service of the military. However, to do so would have been counter-productive. The Battle of the Bogside and the creation of Free Derry in August 1969 already established that the Catholic community, though a minority, had the power and numbers to fight back violently and even defeat, at least locally, those it perceived as oppressors.^[62] The Catholic citizens of Derry/Londonderry, led by the Derry Citizens Defense Association (DCDA), rioted against the Royal Ulster Constabulary (RUC), the police force in Northern Ireland at the time, and threw them out. After four days of rioting, the DCDA had governing control of the Bogside, now called "Free Derry," and barred the RUC from reentering. The DCDA and Provisional IRA in Free Derry "declared themselves independent from the civil authority and sealed off their ghetto from the rest of the city.... [such that] inside this Catholic enclave the rule of law did not exist."^[63] This acted as the catalyst for deployment of British troops in Northern Ireland and, when the troops arrived, a majority of Catholics welcomed them as the lesser of two evils. With this recent event in mind, one can see the power of the Catholic community in parts of Northern Ireland. Widgery needed to massage, at the very least, the narrative first created by the Army to assuage an already skeptical Catholic minority. Moreover, the inquiry had to be conducted "while the events were fresh in people's minds," have a "speedy outcome," and be attentive to the "possible risk to... [those] who give evidence," particularly soldiers.^[64]

The Widgery Tribunal was governed by the guidelines set forth in the British Tribunals of Inquiry (Evidence) Act of 1921.^[65] This act stated that an inquiry's purpose was to determine the facts regarding an event or series of events, particularly in cases when "the purity and integrity of public life has been threatened by a crisis of public confidence."^[66] It is "the most rigorous kind of inquiry that a British Government can set up."^[67] Angela Hegarty, a member of the Transitional Justice Institute at the University of Ulster School of Law, added to this understanding the possibility for a "secondary outcome[,]... the construction of a shared history of 'memory,' and the laying to rest of deeply controversial events."^[68] This was perhaps Widgery's most important goal, the reconciliation of the Army and Catholic accounts of Bloody Sunday through the creation of a memory that would serve as a middle ground. Dermot P.J. Walsh, a professor of law at the University of Limerick and a contributor in the Irish government's campaign for a new inquiry, argued for the essentiality of "[t]he restoration of public confidence in the state, its institutions of law and order and its international respectability."^[69] However, generation of public confidence in one Northern Irish community almost always resulted in the diminished public confidence in the other. Thus, there were high expectations necessitated by the inquiry, particularly lack of bias, which would prove difficult in a culturally divisive conflict like the one in Northern Ireland.

In a conflicted situation such as that created by Bloody Sunday, symbolic decisions such as names and locations take on profound significance. The tribunal was officially titled as having been "appointed to inquire into the

events on Sunday, 30 January 1972, which led to loss of life in connection with the procession in Londonderry on that day."[\[70\]](#) This formulation emphasized the deaths, which had struck a harsh note in the Catholic community, but completely disregarded the British Army's role in them. This clearly revealed the government's interest in minimizing the potential damage to itself by emphasizing the "loss of life" rather than those who pulled the triggers, which were almost unquestionably members of the Army. Yet it also suggested that the goal was to find out how and why the day was so deadly. Widgery described the Bloody Sunday inquiry in his report as a "fact-finding exercise" which was "not concerned with making moral judgments."[\[71\]](#) The goals of the tribunal and conditions in Northern Ireland also heavily influenced the location of the tribunal hearings. The hearings were held in Coleraine, about thirty miles outside of Derry/Londonderry, but in the same county.[\[72\]](#) In his report, Widgery wrote that he chose the County Hall there as the location of the tribunal "for reasons of security and convenience," namely its proximity to Derry/Londonderry, but without Derry/Londonderry's violent anti-British atmosphere.[\[73\]](#)

The Tribunals of Inquiry Act mandated that the tribunal be held in public as long as it did not endanger the public interest. Before being sent to Northern Ireland, Widgery was warned that, "it would be necessary to consider whether and how witnesses could be protected."[\[74\]](#) Most testimonies were given in public, except for those soldiers whose testimony might put them at risk of retribution.[\[75\]](#) Widgery was attacked for this supposed "cover-up" of specific soldiers' activities, but Catholic and republican retribution was a real possibility. In the days following Bloody Sunday, the IRA declared its intention to "kill two British soldiers for each of the Londonderry victims" and, on February 1, an unknown sniper killed a British soldier in Belfast.[\[76\]](#) Between August 1969, when the first British forces began policing in Northern Ireland, and June 1972, just two months after the report came out and just four after the tribunal opened, Catholic civilians and republican paramilitary organizations killed more than eighty British soldiers.[\[77\]](#) The military's continued presence in Northern Ireland necessitated the protection of individual soldiers. Further deaths certainly would have inflamed an already tense situation.

The Widgery Report, though skewed, was not nearly as blatantly pro-Army as Dawson, Conway or the nationalists claim. As a *New York Times* article noted, while Widgery ultimately cleared the Army of primary fault, his findings were "far from total exculpation."[\[78\]](#) A letter from Vincent Buckley, president of the Committee for Civil Rights in Ireland, to the editor of *The Age*, an Australian newspaper, noted that "nobody could think that these findings 'cleared' the gallant troops."[\[79\]](#) Rather, Widgery sought to place blame on both the Catholic community and the Army for their parts in creating a dangerous and, in the end, fatal situation. Though he said that the march, planned in defiance of the legal ban, was integral in the creation of a potentially deadly atmosphere, he also suggested that violence was not inevitable. Widgery also blamed the Army, who he said "may have underestimated" the danger to civilians, and suggested that "the wisdom of carrying out the arrest operation [was] debatable."[\[80\]](#) Furthermore, in his Summary of Conclusions, the Lord Chief Justice determined that the Army could have avoided deaths by "persist[ing] in its 'low key' attitude and not launch[ing] a large scale operation to arrest hooligans."[\[81\]](#)

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Those against Widgery centered their main complaints about his findings on his supposed claim that the soldiers all acted honorably and that the civilians killed were, for the most part, armed assailants. This view distorted Widgery's more nuanced conclusions. First, though he noted that the majority of the soldiers acted within the bounds of their training, he also suggested that some soldiers were not so controlled. [82] Soldier S and, particularly, Soldier H were pointed out for using more force than necessary, and Widgery stated, "shots were fired without justification." [83] Widgery was particularly harsh towards Soldier H, who claimed to have fired nineteen separately aimed shots at a gunman in a window. Widgery wrote, "it is highly improbable that this cycle of events should repeat itself 19 times; and indeed it did not....So 19 of the 22 shots fired by Soldier H were wholly unaccounted for." [84]

Chief Justice Widgery held a similarly nuanced view of those killed. His critics have almost unanimously cited his statement that "there is a strong suspicion that some of [the deceased or wounded] had been firing weapons or handling bombs," despite a lack of conclusive evidence. [85] However, they failed to mention that the beginning of that sentence stated that "some [were] wholly acquitted of complicity in such action." [86] In fact, Widgery suspected use of firearms by just five of the thirteen deceased, mostly based on a forensic paraffin test. On March 2, the scientific officer of the Department of Industrial and Forensic Science, Dr. John Martin, testified that "six of the 13 men killed...had been carrying weapons....Tests of skin and clothing indicated that five other victims had not handled any firearms [and] tests on the two others proved inconclusive." [87] The paraffin test showed John Young, William Noel Nash and James Wray had lead particles on their hands consistent with use of a firearm. Bernard McGuigan was only implicated by Widgery as having been "in close proximity to someone who had fired," despite lead deposits on his hand and scarf, because of his widow's testimony. [88] John Duddy, Patrick Doherty, Hugh Gilmore, Michael McDaid, Michael Kelly, Gerald McKinney and William McKinney were all found innocent of having used a firearm and, in McDaid's case, this conclusion was reached despite expert testimony that "the lead density was consistent [with his] having handled a firearm." [89]

Only in the cases of two of the thirteen deceased, McElhinney and Donaghy, did Widgery determine guilt based on evidence other than forensics. Widgery did not overtly state that McElhinney had been carrying a weapon, rather he implied that McElhinney had done so in saying that he was "much impressed" by the testimony of McElhinney's shooter, Sergeant K, "a senior NCO [and] qualified marksman whose rifle was fitted with a telescopic sight and who fired only one round in the course of the afternoon." [90] Perhaps the most controversial of Widgery's findings, however, was in the case of Donaghy, who had been arrested in transport to the hospital and was photographed by the Army with nail bombs in his pockets. In this case, Widgery chose to counter the civilian testimony, including that of a doctor who had examined him, and suggested Donaghy possessed the bombs when he was shot because "the alternative explanation of a plant [was] mere speculation." [91] Despite this case of a possible misjudgment, it is important to note that even if we take all of those even slightly implicated into account - McGuigan, Young, Nash, McElhinney, Wray, and Donaghy - the tribunal suspected only six of the thirteen dead of carrying arms, in accordance with Dr. Martin's testimony and less than half of the total dead. While this provided

little comfort to the families of those implicated, it gave a glimpse of the difficulty of Widgery's job of reconciling the Army account, that all of the dead had been armed, with the Catholic account, that none of them had been.

In the immediate aftermath of the inquiry, Widgery had mixed success in his goal of memory mediation. His report, written up in the United Kingdom and in America, superseded that of the Army as the official account of Bloody Sunday. On April 20, 1972, the *New York Times* published excerpts from the report and *The Guardian* published Widgery's findings which, in its words, "vindicate[d] the army's operation in principle but [implied] serious criticism of the judgement with which some soldiers carried out their orders."[\[92\]](#) However, Widgery never managed to create a widely-shared memory. Many newspapers, such as the *Montreal Gazette*, *New York Times*, and *Washington Post* published Northern Irish Catholic attacks on the report, as well as independent reports which questioned Widgery's judgment. Recently released files show that the government may have anticipated that Widgery's report would not satisfy the Army's attackers, but by the time the report was ready for publication it could not be suppressed or redone.[\[93\]](#)

While Widgery did try to create a new and widely shared memory of Bloody Sunday in his report, his attempts at memory mediation proved ineffective at forestalling the catastrophic effects that the incident would have on Northern Irish political life. On April 1, the Unionist Stormont government was suspended, in large part due to the growing awareness of its inability to govern effectively, particularly in predominantly Catholic areas. In 1973, the Northern Ireland Constitution Act abolished Stormont, and London imposed direct rule, which lasted until 2007.

One of the main reasons for the abolition of the Stormont Parliament was the increase in violent action by Northern Irish Catholics and nationalists, both in Northern Ireland and in England. After Bloody Sunday, violence in Northern Ireland increased significantly. Catholics all over Northern Ireland joined the IRA in large numbers and they participated in steadily increasing attacks including bombings and shootings. Peaceful tactics were increasingly eschewed even by moderates. Irish poet Thomas Kinsella put it more powerfully in "Butcher's Dozen: A Lesson for the Octave of Widgery," giving words to the new IRA recruits:

Simple lessons cut most deep
This lesson in our hearts we keep:
Persuasion, protest, arguments,
The milder forms of violence,
Earn nothing but polite neglect.
England, the way to your respect
Is via murderous force, it seems;
You push us to your own extremes.[\[94\]](#)

Young men and women joined the IRA with a sentiment similar to that of the Women for Irish Freedom, who stated, "[before Bloody Sunday,] we thought the army [the IRA] was too risky, but then after Bloody Sunday you didn't care if it was risky or not, you were going to be shot anyway so you might as well be shot for something as

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for nothing."^[95] Writing on the "Political Impact of Bloody Sunday," Mark Devenport stated that Bloody Sunday "strengthened Irish republicans' arguments within their own community and provided the Provisional IRA with a flood of fresh recruits for its 'long war.'"^[96] This coincided with the rise in anti-British rhetoric already seen in the works published by groups such as NICRA, the Socialist Workers and People's Democracy.

A major problem with the hegemonic theory is its implication that Widgery created a memory of Bloody Sunday meant to smother all other memories. While Widgery did hope to create a memory which most would agree to accept, albeit grudgingly, he did not seek to do so "by silencing alternative and competing memory discourses," as Brian Conway has suggested.^[97] The British government did not have the means necessary to silence competing memories, one which evolved into today's communal counter-memory of the Northern Irish Catholic community and its sympathizers. Northern Ireland was not Soviet Russia, and arbitrary censorship was neither enforced nor tolerated. When implemented, censorship came from the publishers themselves, most notably in a case involving the *Sunday Times*. Widgery made a request that the *Sunday Times* not publish its investigative report of Bloody Sunday while the tribunal was still in session.^[98] However, in the end, the publishers withheld Murray Sayle's Bloody Sunday report from publication, not because of a governmental ban, but because of a fear among the newspaper's editors that readers would not buy it. The simple presence of public criticism of Widgery and the widespread endorsement of alternative memories showed the inability of Widgery to stop the counter-memories.

Attacks on Widgery came thick and fast. In a *Washington Post* and *Times Herald* article entitled "Widgery Report Shows That Queen of Hearts Lives," Bernard D. Nossiter lambasted the report for "not only absolv[ing] the army for the killings on Jan. 30, but even prais[ing] the paratroopers for their 'superior field craft and training.'"^[99] Most of these criticisms were leveled by the same groups that had created opposing memories in the first place. In fact, publications from these groups invented the term "Widgery Whitewash," and provided the basis for much of the recent scholarship on the Widgery Report and the Bloody Sunday incident. There was, as one might expect, a general outrage in the Catholic world and, as the *Christian Science Monitor* wrote in its article on the report, "it was inevitable that Roman Catholic leaders would call the partial exoneration of the British paratroops involved a 'whitewash.'"^[100] Eamonn McCann wrote another pamphlet on the subject entitled "Derry's Bloody Sunday: The Widgery Whitewash," which lambasted Widgery's conclusions as "wrong, dishonestly arrived at and politically motivated."^[101] NICRA published its own critique, prepared by C. Kevin Boyle. However, it is worth noting that both of these organizations had already decided before the report's release that it would be a cover-up. In "What Happened in Derry," McCann wrote, "[the inquiry's] effect is not to discover and publicise the truth, but to prevent the truth emerging,"^[102] and the Civil Rights Movement wrote in the introduction to its "Massacre at Derry" that Widgery intended to "hide from the world descriptions of the terrible slaughter of innocent defenceless people."^[103] To take these two critiques as an unbiased read of Widgery's report would be to give them as much unjustifiable credit as they accused Widgery of having given British soldiers.

The only relatively objective contemporary criticism of Widgery came in June 1972 from Samuel Dash, an American lawyer with no personal connection with the conflict. Brought in by the National Council of Civil Liberties in

England, Dash was in the unique position of having been provided with the complete record of the Tribunal, including testimonies given in court, those sent in by NICRA, the results of paraffin tests and the expert conclusions based on them. Though Dash disagreed with some of the ways that Widgery conducted the tribunal and a number of his findings, he did not question Widgery's motives as the other reports had done.^[104] The report also highlighted Dash's own principled distaste for the Northern Irish legal situation and his attempts to put the conflict in American terms. In a side note to the issue of internment, which the January 30th march protested, Dash wrote, "one cannot avoid commenting that [such] legislation is extraordinary, indeed, in the United Kingdom with its proud heritage of the Magna Carta."^[105] In an appraisal of the 1st Battalion Parachute Regiment (1 Para), credited with causing the deaths, he analogized that "The United States Special Forces, the 'Green Berets,' like 1 Para are trained to kill and to be fast on their trigger. Their mission is to combat a dangerous enemy, not a civilian population."^[106] These statements suggest that Dash's outsider perspective may have, in fact, made him even more subject to misunderstanding the situation in Northern Ireland in the early 1970s, by assuming that it was similar to the United States and disregarding the sectarian and terrorist violence that already occurred. Yet, Dash brought to light many of the problems with Widgery's report by questioning issues such as Widgery's allocation of blame to NICRA for planning the march, his dependence on the paraffin test for determining whether those killed were armed and, above all, Widgery's preference for soldier testimony over civilian testimony. These problems would continue to plague Widgery's official memory and would be returned to in the second Bloody Sunday Inquiry.

Many of the past and present criticisms of Widgery's tribunal and report had merit. Some mistakes received much more attention, particularly those dealing with his decision not to read the civilian testimony provided by the Northern Ireland Civil Rights Association (NICRA), his preference for Army over civilian testimony and his fluid terms of reference for the investigation. Though not often discussed, Widgery made one of his greatest mistakes by using language which often shifted from a neutral tone to an inflammatory one, a problematic rhetorical strategy, particularly in a sectarian conflict situation where language and word choice held paramount importance. Widgery's characterization of the marchers and casualties on Bloody Sunday became a major point of contention. For instance, he used language which suggested a regular lawlessness in the Catholic community. In the thirty-six pages of the report, the word "hooligan" appeared no fewer than nineteen times, "terrorist" twice and "rioters" thirteen times, always in reference to members of the Catholic community living in Derry/Londonderry.^[107] The report made no mention of Protestant or military abuses, or to Catholic grievances which may have spurred the anti-British sentiment in these areas. Had these mistakes not been made, it is possible, though not likely, that some of the cries of injustice could have been avoided.

Not all responses to Bloody Sunday and Widgery's report, however, were legal or political treatises. From the beginning, musicians like John Lennon and Yoko Ono sought to make their version of Bloody Sunday, what I have termed the Catholic version, better known. Lennon and Ono released their own song, "Sunday Bloody Sunday," in 1972, on the *Some Time in New York City* album. Its lyrics were far from vague:

The cries of thirteen martyrs

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Filled the Free Derry air.
Is there any one amongst you
Dare to blame it on the kids?
Not a soldier boy was bleeding
When they nailed the coffin lids![\[108\]](#)

Even more influential was Thomas Kinsella's 1972 poem, "Butcher's Dozen: A Lesson for the Octave of Widgery." This critique, though subtler, was still very confrontational. Kinsella used a number of Widgery's own words, such as "hooligan," for satirical effect. The poem recounts fictitious speeches of the ghosts of the Bloody Sunday dead. One of Kinsella's most effective sections was the "words" of Gerald Donaghy:

A bomber I. I travelled light
- Four pounds of nails and gelignite
About my person, hid so well
They seemed to vanish where I fell.
When the bullet stopped my breath
A doctor sought the cause of death.
He upped my shirt, undid my fly,
Twice he moved my limbs awry,
And noticed nothing. By and by
A soldier with his sharper eye,
Beheld the four elusive rockets
Stuffed in my coat and trouser pockets.
They must be strict with us,
Even in death so treacherous![\[109\]](#)

In his judgment of Donaghy's guilt, Widgery recounted the evidence given by several doctors, including a medical officer for the 1st Battalion of the Royal Anglican Regiment, that they did not notice anything in Donaghy's pockets. Widgery's conclusion, that the bombs had been simply concealed or hidden to these examiners, made an easy target for attack, as I have already indicated. Almost all of the anti-Widgery publications mention Donaghy and the bombs, but few were as persuasive and powerful as Kinsella's. Regarding the tribunal itself, Kinsella wrote:

Does it need recourse to law
To tell ten thousand what they saw?
Law that lets them, caught red-handed,
Halt the game and leave it stranded....
Where's the law that can't be changed?
The news is out. The troops were kind.
Impartial justice has to find

We'd be alive and well today
If we'd let them have their way.[\[110\]](#)

Many Catholics and Catholic sympathizers in Northern Ireland and abroad shared this sentiment, and publications such as those of NICRA, Eamonn McCann and Kinsella only fanned the flames of this already intense outrage.

Oddly, a pamphlet published by the British & Irish Communist Organisation attacked Kinsella's poem. This attack highlights how popular and persuasive Kinsella's poem proved to be and the divisions it engendered, especially on the political left. The pamphlet described Kinsella as a "Southern establishment poet" who sought to "wor[k] up anti-British emotions."[\[111\]](#) The British & Irish Communist Organisation suggested that Kinsella had a chance for greatness but lost it by choosing to attack Protestants, by calling them "slops" and "rubbish."[\[112\]](#) In their recasting of Kinsella's poem, the organization gave speeches that he had given to the Bloody Sunday dead to other victims of the Troubles as well. Kinsella's first verse ended with a general statement that could have come from any of the young Catholic males killed on Bloody Sunday,

Once there lived a hooligan.
A pig came up and away he ran.
Here lies one in blood and bones,
Who lost his life for throwing stones.[\[113\]](#)

The British & Irish Communist Organisation changed these lines to refer also to any of the working-class victims of IRA bombs and other nationalist violence:

Once there lived a working-man,
A car came up: the driver ran.
Here lies one in blood and bone
His only crime - he loved his own.[\[114\]](#)

Though the IRA and the Communists often worked together, this publication showed the divisions between them, taking a more British and even Unionist line as it called attention to the victims of republican violence and claimed that Kinsella did just what Widgery had been accused of doing, covering up!

The oppositional republican memory of Bloody Sunday continues today and has become even more potent than its official counterpart in many ways. It has been established and maintained in a variety of forms in and around Derry/Londonderry, including the Museum of Free Derry and a stained glass window in Derry's Guildhall, as well as on other monuments and murals around town, "sites of memory," which hold particular significance.[\[115\]](#) However, time allowed minor variations to be resolved or forgotten, allowing the proponents of this republican memory to unite, at least in terms of their understanding of the physical facts of Bloody Sunday, though ideological

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differences die a much harder death. Brian Conway analyzed this coming together of the memories as part of his exploration of "embodied memory," especially the annual commemorative march that follows the intended route of the protesters on that fateful day, perhaps the most effective tool for Irish Catholics to shape and maintain their memory of Bloody Sunday. This is caused in part by the powerful tradition of marching and parades in Northern Ireland, first in the Loyalist tradition and then adopted by Catholics and republicans. According to Conway, the march attempts "to obliterate the past-present distinction. It is literally a walk down memory lane."^[116] Thus, those controlling the march have had a great deal of power in Northern Ireland. In the early years of commemoration a number of groups held their own independent marches, including NICRA and Sinn Fein. The latter typically held more politically-charged commemoration with republican speeches emphasizing the anti-British narrative of the events.^[117] By contrast, NICRA's marches involved a strict vocabulary that avoided inflammatory language, including the words "murder" and "butcher," and utilized a silent march that emphasized the "dignified and non-political nature" of the march.^[118] Yet, as the IRA's violent tactics gained popularity so did the Sinn Fein commemorations, at the expense of NICRA's. NICRA gave up its march in 1975 and Sinn Fein's politically-charged commemorations became the norm, though opposition remained. For example, John Hume wrote to the editor of the *Derry Journal* in 1983, "it is not only distasteful but offensive that anyone should attempt to use [the Bloody Sunday victims'] memory for party political purposes."^[119] Yet the Sinn Fein commemorations only grew in popularity. However, organizers recently suggested that they may discontinue the march if the current Bloody Sunday Inquiry meets their expectations. "Things are up for discussion," John Kelly, brother of one of the Bloody Sunday dead, told an interviewer. "How we commemorate Bloody Sunday is up for debate when it becomes clear that the Saville Inquiry has found our relatives innocent."^[120] But such a sword cuts both ways. Kelly also suggested that, if Saville did not meet their standards, the march would continue in strength until a satisfactory report came.

From the beginning, the Catholic memory reached the international community most effectively through art forms, which continues on today. In 1983 the Irish band U2 brought Bloody Sunday back into the awareness of people across the world with a song that would become one of *Rolling Stone's* "500 Greatest Songs of All Time" and *The New Statesman's* "Top 20 Political Songs." Though "Sunday Bloody Sunday" was not as explicit as the Lennon/Ono song of the same name, the lyrics reached a new generation tired of the violence but still wishing to commemorate the Catholic narrative of victimization.

Broken bottles under children's feet
 Bodies strewn across the dead-end street
 But I won't heed the battle call. ^[121]

The power of this "Sunday Bloody Sunday" lay not in its political message, but in the maintenance of memory, in showing that Bloody Sunday had not faded into that of the more general Troubles period. This occurred again in 2002, thirty years after the incident, with a spate of dramatic recreations and documentaries. The most popular of these, *Bloody Sunday* by director Paul Greengrass, viewed the events of January 30, 1972 from the perspective of

one Ivan Cooper, an integral planner of the NICRA march on that day. Again, while this was a more tempered view of Bloody Sunday, it still followed the Catholic line that the paratroopers fired on innocents. The movie garnered international critical acclaim and shaped yet another generation's view of the incident. These two artistic expressions of memory shaped current international understandings of Bloody Sunday far more than Samuel Dash's report, Don Mullan's influential collection of testimony, *Eyewitness Bloody Sunday*, the Widgery Report or the Saville Inquiry.

The campaign for a new investigation of the Bloody Sunday case did not cease, but grew stronger. The Belfast Agreement, signed by the British, Northern Irish, and Irish governments in 1998, stated, "it is essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation," giving the push for re-examination more credence.^[122] In that same year, the Bloody Sunday Justice Campaign finally found a sympathetic ear in the new British Prime Minister Tony Blair. On January 29, 1998, one day before the twenty-sixth anniversary of the shootings, Blair submitted to Parliament a resolution for a new inquiry. Blair's resolution, similar to the resolution passed nearly twenty-six years prior, stated "that it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, namely the events on Sunday, 20 January 1972 which led to loss of life in connection with the procession in Londonderry on that day," with the added directive of "taking account of any new information relevant to events on that day."^[123] As this statement suggests, the new inquiry, and certainly the push for it, was predicated on the assumption of new information, including the possibility of shooters on the Derry Walls, new eyewitness accounts, as well as new forensic and medical evidence. The tribunal opened on April 3, 1998 and listened to witnesses from November of 2000 to January of 2005. British judge the Right Honorable Lord Saville of Newdigate chaired the tribunal with the support of two international judges, John L. Toohey of Australia and William L. Hoyt of Canada.^[124]

Blair, and later Saville, emphasized that, though they inquired into the same events as Widgery, they were not examining Widgery's tribunal itself. As with Dash, the new inquiry could challenge Widgery's conclusions but it would not question his motives or even the way he carried out the task assigned to him. Blair declared, "such a new inquiry can be justified only if an objective examination of the material now available gives grounds for believing that the events of that day should be looked at afresh, and the conclusions of Lord Widgery re-examined."^[125] Saville similarly announced in his opening statement that his inquiry had been commissioned "not to enquire into what happened at the Widgery Inquiry, but what happened on Bloody Sunday."^[126] Both admitted that the appearance of 'redoing' Widgery could not be avoided, but asked that people keep in mind that this was not the intent and, they hoped, would not be the result.

This new Bloody Sunday inquiry benefited in many ways from the lessons learned from Widgery's failed attempt at memory mediation, beginning with the composition of the tribunal. Saville was a British judge, but his background differed greatly from Lord Widgery. He did not have Widgery's history with the military and was not the Lord Chief Justice, the highest judicial position in England, but rather one of a number of Lords of Appeal in Ordinary.

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Moreover, two non-British judges from the Commonwealth joined Saville in this inquiry. It was thus more of an international tribunal than a merely national and potentially partisan one.

The location of the new Bloody Sunday Inquiry hearings still held as much importance as it had in the earlier tribunal. Widgery was heavily criticized for his decision to hear evidence, not in Derry/Londonderry, but in nearby Coleraine. The new inquiry would not make the same mistake. The tribunal sat in the Guildhall in Derry/Londonderry, where Catholics and republicans had demanded that it sit in 1972. This spatial proximity again showed the new tribunal's dedication to a closer and more equitable examination of the facts. Saville stated in his opening remarks that the tribunal's "task [was] to try to find out what took place in *this* city that Sunday afternoon."^[127] This also allowed the tribunal's members to mingle with the Derry/Londonderry community, including the Catholic community, which continued to inhabit the Bogside. On the day that the tribunal opened, its members decided to "go into the streets where people were killed and wounded on Bloody Sunday." As Saville stated, "this [would] not be an evidence gathering exercise, but rather a first step in being able more clearly to understand the evidence of what took place on Bloody Sunday. [And they] expect[ed] that this [would] not be the last time we look at these streets for the purpose of this Inquiry."^[128]

Speed had been the primary concern in 1972, but the 1998 tribunal decided that thoroughness would be considered primary. Blair noted that "the time scale within which Lord Widgery produced his report meant that he was not able to consider all the evidence that might have been available."^[129] In his opening statement, Saville declared, "it is important that all who consider they have useful information should contact the Secretary as soon as possible." In addition, the tribunal did "not intend to apply the strict rules of evidence."^[130] He also widened terms of reference for the inquiry past Widgery's limits of "the streets of Londonderry in which the disturbances and the shooting took place [and] the period beginning with the moment when the march first became involved in violence and ending with the deaths of the deceased and the conclusion of the affair."^[131] In accordance with Saville's looser rules of evidence, the tribunal would not "simply try to reconstruct the events as they occurred on that day, without paying proper regard to what led up to those events. [Instead it would] be looking at the background...to the extent necessary to...reach as informed a conclusion as possible."^[132] The practical implications of Saville's decision to exhaustively collect evidence were enormous. Widgery collected evidence from just over one hundred witnesses in approximately one month. The Bloody Sunday Inquiry started collecting information in April of 1998 and did not hear its last witness until January of 2005. It collected information from 2,500 witnesses, with 922 of them providing direct evidence. Ultimately, the evidence collected by the inquiry filled 160 volumes as well as 121 audio and 110 video tapes.^[133] In fact, the Bloody Sunday Inquiry became "the longest and most expensive in British legal history."^[134]

Another lesson learned from Widgery dealt with disclosure. At the outset, Saville declared his intention "to put all relevant material in the public domain as the Inquiry [proceeded], unless [they were] persuaded (for compelling reasons that [they] would publish) that it would be in the public interest to take a different course."^[135] This represents in many ways the realization that much of the criticism of Widgery stemmed not only from the brevity

of his report, but also the unavailability of the full record of the tribunal. In his report, the only published part of the inquiry, Widgery wrote just thirty-six pages. Saville's report, upon its release, will be approximately 5,000 pages, not counting the full transcripts of hearings and counsel's reports and the full text of statements posted at the inquiry's website. In this, the Bloody Sunday Inquiry benefited from not only Widgery's mistakes, but also from the new technologies available.[\[136\]](#)

The inquiry also declared an element of reconciliation that the original inquiry lacked. While Widgery concerned himself with learning the 'facts' of Bloody Sunday, Saville's inquiry meant to establish and disclose the truth, as part of the "necessary reconciliation that will be such an important part of building a secure future for the people of Northern Ireland."[\[137\]](#) Saville stated that the tribunal's "duty, and the object of the Inquiry, is to seek the truth about what happened on Bloody Sunday," and that they "intend to carry out that duty with fairness, thoroughness and impartiality."[\[138\]](#) This, Blair hoped, would "close this painful chapter once and for all."[\[139\]](#) Again learning the lessons of Widgery, in his opening statement he declared, "I should make clear that in no shape, manner or form has the Government sought in any way to suggest how we should conduct the Inquiry or indicated what conclusions it would like us to reach."[\[140\]](#) This comment, more than indicating any real change in the motives or interests of the government, showed their new realization of the metaphoric elephant in the room, the continuing skepticism about how impartial and just the British government could be in an investigation of its own Army.

Of course the inquiry would needed to deal with the existing tensions as they related to the overall Northern Irish conflict and Bloody Sunday in particular. Widgery stated his intention to hear evidence from "each of the versions of the events" before he made his report, but did little to prepare for the impact the sectarian situation would have on his tribunal. By contrast, the Bloody Sunday Inquiry intended, from its inception, to have more independence from Northern Irish political interests. Blair declared when he established the inquiry that it was "not to accuse individuals or institutions or to invite fresh recriminations," to cut off any attempts to use it as a political forum.[\[141\]](#) Saville confronted this issue even more emphatically and was determined not to allow the divided memory landscape to undermine his tribunal as it had Widgery's. He admitted that the tribunal enquired "into matters that have given rise to very strong emotions" as well as "undeniably, strong political views." Yet he declared, "from the point of view of the Tribunal, there are no parties or sides." He imposed this anti-adversarial stance on the tribunal and witnesses alike, ordering that "statements must be exclusively directed to assisting the Tribunal in performing its duty, rather than seeking to serve other interests."[\[142\]](#)

However, many of the issues which faced the Widgery Tribunal continued to plague the new Bloody Sunday Inquiry, particularly the central conflicts between the Army and the Unionists on one hand and the Catholic civilians and republicans on the other. Mark Devenport analyzed this dilemma facing the tribunal and illustrated it, arguing, "the creation of the Saville Tribunal was meant to help heal the wounds left by Bloody Sunday. But such are the dynamics of Northern Ireland that tending to one group of victims only serves to stir painful emotions amongst others."[\[143\]](#) In a step towards reconciliation, then Prime Minister John Major stated in a 1992 letter that the dead and injured from Bloody Sunday had not been using weapons when they were shot and in 1998 Blair

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publicly reaffirmed this statement. Yet, just moments later he claimed, "the support of the Government and the House [of Commons] for our armed forces has been and remains unshakeable," directing attention away from those killed on Bloody Sunday to other victims of the Troubles, including "soldiers, police and prison officers."^[144] The Northern Irish Secretary of State Shaun Woodward continued this same line in 2009. After hearing of a delay in the report's release, he indicated his concern "at the impact on the families of those who lost loved ones and those who were injured" but said he was "equally concerned at the increased anxiety that soldiers serving on the day will suffer."^[145] Yet again, the tribunal found itself caught in a trap between civilians, the Army and the struggle to support both.

The security of witnesses testifying in public hearings was also still a concern. Widgery had been criticized for allowing soldiers to give testimony under pseudonyms and in England, rather than publicly or locally, for fear of violent retribution. As has already been shown, this was not an unjustified fear. Even in the Bloody Sunday Inquiry established that "Some who may have material evidence to give to the Inquiry may have concerns about their personal security." Thus, where the tribunal was "satisfied that there [were] proper grounds for such concern, [they made] appropriate arrangements for their safety."^[146] Again, the tribunal used this policy in the case of soldiers, most of whose statements were taken from those given to Widgery and who again appeared in the public record under their pseudonyms.

Rampant distrust still caused difficulties, especially on the Catholic side. In 2000, the *Irish Times* stated, "even as the new tribunal of inquiry headed by Lord Saville of Newdigate prepares to open formal hearings in a fortnight, there is a growing mood of cynicism in Derry about its likely effectiveness in discovering the truth."^[147] This distrust continued until after the hearings concluded and the members of the tribunal began compiling their report. The ensuing delay caused much uneasiness. John Kelly, Michael Kelly's brother, said in 2009 that he "[couldn't] understand the reasons behind it."^[148] In a particularly telling moment as to the continuing distrust of the government a legal representative for one of the victims' families described himself as "'seriously concerned' that the government [would] be given the report before the families." He argued, "the government, and potentially sections of the Ministry of Defence...may know what's in this report well in advance of the families....[who will] no doubt be pushed before the world's media...and yet again the government will be well in advance in respect of their knowledge of the report."^[149] As in the past, Catholic civilians and their lawyers still continue to criticize the tribunal and its as yet unpublished results.

However, this time complaints emanate from both sides of the Northern Irish conflict, and most opponents of the inquiry cite the cost. The British newspaper *The Daily Telegraph* published in 2006 an article suggesting that the Bloody Sunday Inquiry was too expensive, with "out of control" costs totaling, it conjectured, £ 400 million.^[150] An article published in the most widely read Unionist newspaper in Northern Ireland, *The Belfast Telegraph*, complained in 2008 that the compilation of the report was still costing £ 500 thousand per month, long after the hearings had concluded.^[151] Even as the tribunal opened, the British newspaper, the *Guardian*, published an article entitled "Bloody Sunday: the never-ending inquiry," alluding to the length of time that Bloody Sunday and

the Widgery Report had been under dispute, but also foreshadowing the ten years of Saville's inquiry and report compilation that would follow.^[152] The *Spectator*, a conservative British magazine, opposed the inquiry more forcefully in 2003 as it argued that, "reconciliation, however, would not fulfill the ulterior, political motive of a public inquiry: an attempt to embarrass a previous administration of a different political colour."^[153] To this, it added that Saville would find nothing different from Widgery and that the inquiry simply attacked the Army and would ignore the actions of republican paramilitaries such as the IRA. Many, though not necessarily most, conservatives in Britain and Northern Ireland would agree with the *Spectator* that "Bloody Sunday was an important matter at the time, yet in the context of a 30-year terrorist campaign which verged on civil war it is a detail which ought to be the territory of historians, not politicians and judges."^[154]

To dismiss Widgery's report as merely a hegemonic memory ignores the complex nature of the Bloody Sunday memory, Widgery's attempts at memory mediation and the proliferation of published opposition. This paper does not intend to suggest that there are no problems with the Widgery Report, or that it didn't contribute to some of the violence of the 1970s and later. It rather suggests that to judge Widgery's tribunal and findings out of context, not viewing them within the historical framework of the contemporary situation in Northern Ireland, fails to do justice to the man or his report. That Widgery failed in his attempts to create a memory that would be palatable does not discredit this initial intent, but sheds light on the possibilities and struggles of public inquiries in general and the current Bloody Sunday Inquiry in particular.

[1] Brian Conway, "Active Remembering, Selective Forgetting, and Collective Identity: The Case of Bloody Sunday," *Identity: An International Journal of Theory and Research* 3, no. 4 (2003): 311, retrieved from Academic Search Premier - EBSCO.

Conway is a sociologist at the National University of Ireland at Maynooth, whose main studies have been in the Bloody Sunday memory and embodied memory - particularly the annual commemorative marches for Bloody Sunday.

[2] Graham Dawson, "Trauma, Place and the Politics of Memory: Bloody Sunday, Derry, 1972-2004," *History Workshop Journal* 59, no. 1 (2005): 153, doi:10.1093/hwj/dbi013, retrieved from Oxford Journals.

[3] Conway, "Active Remembering, Selective Forgetting," 312-313.

[4] *Massacre at Derry* (Derry: Civil Rights Movement, 1972), CAIN Webservice: Conflict Archive on the Internet, <http://cain.ulst.ac.uk/events/bsunday/mad.htm>; and Eamonn McCann, *What Happened in Derry* (London: Socialist Worker, 1972), CAIN Webservice: Conflict Archive on the Internet, <http://cain.ulst.ac.uk/events/bsunday/mccann.htm>, 3.

[5] Conway, "Active Remembering, Selective Forgetting," 312.

[6] Dawson, "Trauma, Place, and the Politics of Memory," 153.

[7] Joseph Frayman, "Investigator of Londonderry Killings," *New York Times*, February 2, 1972, retrieved from Proquest.

[8] "Lord Widgery is Dead at 70," *New York Times*, July 28, 1981, retrieved from Proquest.

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[9] Frayman, "Investigator in Londonderry Killings."

[10] D.G.T. Williams, "Oz and Obscenity," *Cambridge Law Journal* 30, no. 1 (1972): 17, retrieved from JSTOR.

[11] "Two Views on Crime and Social Ills," *Chicago Tribune*, September 4, 1968, retrieved from Proquest.

[12] Bernard Weinraub, "Press in Britain Wins Major Test," *New York Times*, October 2, 1975, retrieved from Proquest.

[13] *Parliamentary Debates*, 5th ser., vol. 423, col. 656,

http://hansard.millbanksystems.com/lords/1981/jul/28/supreme-court-bill-hl#S5LV0423P0_19810728_HOL_81.

[14] Don Mullan, *Bloody Sunday: Massacre in Northern Ireland; The Eyewitness Accounts* (Dublin: Wolfhound Press, 1997), 27.

[15] *Ibid.*, 268.

[16] Katrina Goldstone, "Thanks for the Memory," *The Irish Times*, January 21, 1998, quoted in Paul Arthur, "Memory, Forgiveness and Conflict: Trust-building in Northern Ireland," in *Commemorating Ireland: History, Politics, Culture*, ed. Eberhard Bort (Dublin: Irish Academic Press, 2004), 70.

[17] Margaret McNulty, "'The Wound that Never Healed': Bloody Sunday and the Local Press," *Fortnight* 426 (2004): 14, retrieved from JSTOR.

At this stage, Unionist sources from 1972 are particularly difficult to obtain, at least for this undergraduate student.

They can only be retrieved by article title from the Belfast Central Library and there is no index after 1800, while the Linen Hall Library, which happily sent photocopies of nationalist pamphlets had only "uncopyable" issues of the *Belfast Newsletter* for 1972 and their 1972 issues of the *Londonderry Sentinel* were mysteriously missing.

[18] Alan Gordon, "Not Guilty: 'Four of the Dead were Wanted Men,'" *Mirror* (London), February 1, 1972.

[19] Brian Faulkner, *Exploitation of the Tragedy that is Londonderry* (Belfast: Ulster Unionist Party, 1972).

Louis Blom-Cooper, who served as lead counsel for NICRA in the Saville Inquiry, wrote a detailed, if one-sided, analysis of this particular question of the illegality of the march in his article, "Bloody Sunday: Was the NICRA March Illegal or the Ban on Marches Unlawful?"

[20] "Danger on the March" *Mirror* (London), February 1, 1972.

[21] *Massacre at Derry*.

There was a great deal of controversy surrounding this particular incident and the belief in the Catholic community that the bombs had been planted.

[22] "How the British Told it to the U.S.," *Irish Independent*, 1972, Derry Supplement.

[23] "Army Raids Ulster Rally; 13 Shot Dead," *Washington Post*, January 31, 1972, retrieved from Proquest.

[24] "British Soldiers Kill 13 as Rioting Erupts in Ulster," *New York Times*, January 31, 1972, retrieved from Proquest.

[25] "Carnage in Derry," *Irish Independent*, 1972, Derry Supplement.

[26] "Bloody Sunday in Derry," *New York Times*, February 1, 1972, retrieved from Proquest.

[27] Murray Sayle, "Bloody Sunday Report," *London Review of Books* 24 no. 13 (2002),

<http://www.lrb.co.uk/v24/n13/murray-sayle/bloody-sunday-report>.

Though Sayle's report was never published in the *Sunday Times*, it was well known in pro-Catholic circles in Northern Ireland and Great Britain. For example, it is cited in *Inside Story's* March 1972 issue, as part of the cover story, "What do the papers say? - What the Army tells them." It is also cited by Dr. Raymond McClean's

personal memoir of the time, *The Road to Bloody Sunday*, published in 1997 for the twenty-fifth anniversary of Bloody Sunday.

[28] Eamonn McCann, *The British Press in Northern Ireland* (Belfast: Northern Ireland Socialist Research Center, 1971), CAIN Webservice: Conflict Archive on the Internet, <http://cain.ulst.ac.uk/othelem/media/mccann72.htm>.

[29] Ibid.

[30] "Families of the Dead will Shun Inquiry on Londonderry Killings," *New York Times*, February 16, 1972, retrieved from Proquest.

[31] I use the term "Catholic" very loosely in this paper to describe what could more accurately be termed those belonging to the "Catholic-Irish-nationalist-republican community." Scholar James K. Mitchell explained this, stating that "although the conflict is not about theology or religious practice, church affiliation is frequently the best indicator of political, economic, educational, and social distinctions within the community." James K. Mitchell, "Social Violence in Northern Ireland," *Geographical Review* 69 no. 2 (1979):182, retrieved from JSTOR.

[32] Conway, "Active Remembering, Selective Forgetting," 317.

[33] *Massacre at Derry*.

[34] Ibid.

[35] Ibid.

[36] McCann, *What Happened in Derry*, 14.

[37] Overall the memory offered in *Blood in the Street* was more Europeanized than those of the other pamphlets published in Northern Ireland. It was written by Fulvio Grimaldi, an Italian journalist and photographer in Derry/Londonderry on January 30. He had spent some time with the Catholics in the Bogside and had thus come to feel a part of the community despite his foreign birth. The Trotskyism of People's Democracy, together with Grimaldi's international connections, gave *Blood in the Street* the flavor of the European radical left of the late 1960s.

[38] Fulvio Grimaldi, *Blood in the Street* (Derry: Guildhall Press, 1998), 11.

[39] Dr. Raymond McClean, *The Road to Bloody Sunday* (L'Derry, Northern Ireland: Guildhall Press, 1997), 59.

[40] McCann, *What Happened in Derry*, 2.

[41] Ibid., 14.

[42] *Massacre in Derry*.

[43] Grimaldi, *Blood in the Street*, 22.

[44] Ibid., 20.

[45] McCann, *What Happened in Derry*, 3; and *Sunday Bloody Sunday* (Derry: Starry Plough Publications, 1978), CAIN Webservice: Conflict Archive on the Internet, <http://cain.ulst.ac.uk/events/bsunday/starry.htm>, 12.

[46] *Massacre at Derry*.

[47] Ibid.

[48] McCann, *What Happened in Derry*, 3.

[49] "Bloody Sunday in Derry," *New York Times*.

[50] *Sunday Bloody Sunday*, 12.

[51] "Avenge Derry," *Red Mole*, January 31, 1972, Special Irish Broadsheet.

[52] Sayle, "Bloody Sunday Report."

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[53] Ibid.

[54] "Avenge Derry," *Red Mole*.

[55] *Sunday Bloody Sunday*, 12.

[56] Devlin was a socialist republican activist and member of the Parliament in Westminster from 1969 to 1974.

While attending Queen's University in Belfast, she founded People's Democracy, a student civil-rights organization, and fought in the Battle of the Bogside, an incident in August 1969 in which the citizens of the Catholic district of Derry/Londonderry expelled the Royal Ulster Constabulary presence.

[57] *Massacre at Derry*; and McCann, *What Happened in Derry*, 5.

[58] The Rt. Hon. Lord Widgery, *Report of the Tribunal appointed to inquire in to the events on Sunday, 30 January 1972, which led to loss of life in connection with the procession in Londonderry on that day* (London: Her Majesty's Stationery Office, 1972), CAIN Webservice: Conflict Archive on the Internet, <http://cain.ulst.ac.uk/hms/widgery.htm>.

[59] Bernard Weinraub, "Witnesses Disagree in Ulster Inquiry," *New York Times*, February 27, 1972, retrieved from Proquest.

[60] Brian Patrick Conway, *Texts, Bodies, and Commemoration: Bloody Sunday (1972) as a Case Study* (PhD diss., University of Notre Dame), retrieved from Dissertations and Theses: Full Text, 53.

[61] Prime Minister Edward Heath, reported in "Minutes of a Meeting with Lord Widgery at Downing Street, 1 February 1972," in Mullan, *Bloody Sunday: Massacre in Northern Ireland*, 269.

[62] For more information see Niall Ó Dochartaigh, *From Civil Rights to Armalites: Derry and the Birth of the Irish Troubles* (Cork, Ireland: Cork University Press, 1997), 111-152.

[63] P. Pringle and P. Jacobson, *Those Are Real Bullets, Aren't They? Bloody Sunday, Derry, 30 January 1972* (London: Fourth Estate, 2000), 35.

[64] Heath in Mullan, *Bloody Sunday: Massacre in Northern Ireland*, 268-269.

[65] Dermot P.J. Walsh, *Bloody Sunday and the Rule of Law in Northern Ireland* (New York: St. Martin's 2000), 55-58.

[66] Ibid., 55.

[67] "Irish Tide Besieges Britain," *Christian Science Monitor*, February 2, 1972, retrieved from Proquest.

[68] Angela Hegarty, "Dealing With the Past: The Government of Memory: Public Inquiries and the Limits of Justice in Northern Ireland," *Fordham International Law Journal* 26 (2003): 1152, retrieved from Academic Search Premier - EBSCO.

[69] Walsh, *Bloody Sunday and the Rule of Law*, 59.

[70] Widgery, *Report of the Tribunal*.

[71] Ibid.

[72] It is important to note that it was held in Londonderry County because the entire county had a similar demographic make-up to that of the city of Derry/Londonderry, namely that it had a Catholic majority despite their minority status in all Northern Ireland.

[73] Widgery, *Report of the Tribunal*.

[74] Heath in Mullan, *Bloody Sunday: Massacre in Northern Ireland*, 269.

[75] Many of the soldiers gave their testimony in private in London and are marked in the report only by a letter, as in "Corporal A."

- [76] "Troops Lower Weapons to Permit March in N. Ireland," *Los Angeles Times*, February 1, 1972, retrieved from Proquest.
- [77] Robert W. White and Terry Faulkenberg White, "Repression and the Liberal State: The Case of Northern Ireland, 1969-1972," *Journal of Conflict Resolution*, 39, no. 2 (1995): 338, retrieved from JSTOR.
- [78] "No Derry Whitewash," *New York Times*, April 22, 1972, retrieved from Proquest.
- [79] Vincent Buckley, "Troops not Cleared by Lord Widgery," *The Age*, April 27, 1972.
- [80] Widgery, *Report of the Tribunal*.
- [81] Ibid.
- [82] In his section titled "Were the Soldiers Justified in Firing?" Widgery gives a great deal of attention to the Yellow Card, a set of standing orders for firing in any situation. These mandate that soldiers use no more than minimum necessary force, use fire only as a last resort, never fire blindly, and never shoot more rounds than needed.
- [83] Widgery, *Report of the Tribunal*.
- [84] Ibid.
- [85] Ibid.
- [86] Ibid.
- [87] Bernard Weinraub, "Doctor Testifies at Ulster Inquiry," *New York Times*, March 3, 1972, retrieved from Proquest.
- [88] Widgery, *Report of the Tribunal*.
- [89] Ibid.
- [90] Ibid.
- [91] Ibid.
- [92] David Fairhall, "Widgery Clears the Army but Blames Some Soldiers," *The Guardian*, April 20, 1972, guardian.co.uk.
- [93] John Innes, "Massacre Inquiry's Failing Pre-Warned," *The Scotsman* (Edinburgh), December 31, 2003.
- [94] Thomas Kinsella, "Butcher's Dozen: A Lesson for the Octave of Widgery," in *Harrowing of the Heart: The Poetry of Bloody Sunday*, edited by Julieann Campbell and Tom Herron (Derry: Guildhall Press, 2008), 28.
- [95] Women for Irish Freedom, *Irish Women Speak* (Brooklyn, NY: Women for Irish Freedom, 1973), 25, quoted in Dochartaigh, *From Civil Rights to Armalities*, 284.
- [96] Mark Devenport, "Political Impact of Bloody Sunday," *BBC News*, January 30, 2002, http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/1788990.stm.
- [97] Conway, "Active remembering, selective forgetting," 312.
- [98] *Parliamentary Debates*, 5th ser., vol. 831, col. 620, http://hansard.millbanksystems.com/commons/1972/feb/17/business-of-the-house#S5CV0831P0_19720217_HOC_205.
- [99] Bernard D. Nossiter, "Widgery Report Shows that Queen of Hearts Lives," *Washington Post*, April 21, 1972, retrieved from Proquest.
- [100] "After Londonderry," *Christian Science Monitor*, April 21, 1972, retrieved from Proquest.
- [101] Eamonn McCann, *Derry's Bloody Sunday: The Widgery Whitewash* (London: Socialist Worker, 1972), 1.
- [102] McCann, *What Happened in Derry*, 3.
- [103] *Massacre at Derry* .

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- [104] Samuel Dash, *"Justice Denied": A Challenge to Lord Widgery's Report on Bloody Sunday* (New York: International League for Human Rights, 2001).
- [105] Ibid.
- [106] Ibid.
- [107] Widgery, *Report of the Tribunal*.
- [108] John Lennon and Yoko Ono, "Sunday Bloody Sunday," in *Harrowing of the Heart: The Poetry of Bloody Sunday*, edited by Julieann Campbell and Tom Herron (Derry: Guildhall Press, 2008), 33.
- [109] Kinsella, "Butcher's Dozen," 25.
- [110] Ibid., 26.
- [111] *Kinsella's Oversight: A Reply to "The Butcher's Dozen," a Poem on Bloody Sunday by Thomas Kinsella* (Belfast: British and Irish Communist Organisation, 1973), 1.
- [112] Ibid.
- [113] Kinsella, "Butcher's Dozen," 24.
- [114] *Kinsella's Oversight*, 3.
- [115] Pierre Nora initiated use of the term *lieux de mémoire*, or "sites of memory," in his works on the relationship between memory and French geography, and their impact on the formation of French identity. Nora wrote that these memory sites become symbolic elements of the community's historical heritage. This can be seen in the maintenance of the "Free Derry" wall, left up even after the building to which it was attached was demolished, and the choice by the Museum of Free Derry to give tours of the surrounding area. On one of these tours, I was able to speak with a man who had been in the Bogside on Bloody Sunday. With tears in his eyes, he showed me the location where he had sat with his friend, Gerald Donaghy, shortly before Donaghy was shot and killed.
- [116] Conway, Brian. "Moving through Time and Space: Performing Bodies in Derry, Northern Ireland," *Journal of Historical Sociology* 20, no. 1/2 (2007): 106. Retrieved from Wiley-Blackwell.
- [117] Conway, *Texts, Bodies, and Commemoration*, 99-100
- [118] Ibid., 113-14
- [119] Ibid., 127
- [120] "Future of Bloody Sunday March 'Up for Discussion,'" *Derry Journal*, Aug. 21, 2007.
- [121] U2, "Sunday Bloody Sunday," *Lyrics Domain*, http://www.lyricsdomain.com/21/u2/sunday_bloody_sunday.html.
- [122] United Kingdom, Northern Ireland Office, *The Agreement: Text of the Agreement reached in the Multi-Party Negotiations on Northern Ireland (10 April 1998)*, 1998, CAIN Webservice: Conflict Archive on the Internet, <http://cain.ulst.ac.uk/events/peace/docs/agreement.htm>.
- [123] Tony Blair, Statement to the House of Commons, *Parliamentary Debates*, 29 January 1998, vol. 305, col. 502.
- [124] In 1998, Lord Saville was joined by Sir Edward Somers, from New Zealand, and Mr. Justice William Hoyt, from Canada. However, Somers left the tribunal before hearings began in 2000 and was replaced by yet another judge from the Commonwealth, this one the Honourable John L. Toohey from Australia.
- [125] Blair, Statement to the House of Commons, col. 502.
- [126] The Rt. Hon. Lord Saville, "Opening Statement," *Bloody Sunday Inquiry*, April 3, 1998, <http://www.bloody-sunday-inquiry.org.uk/inquiry-background/opening-statement/>.
- [127] Ibid., italics added.

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- [128] Ibid.
- [129] Blair, Statement to the House of Commons, col. 501.
- [130] Saville, "Opening Statement."
- [131] Widgery, *Report of the Tribunal*.
- [132] Saville, "Opening Statement."
- [133] "Families' Dismay at Saville Delay," *BBC News*, September 24, 2009, http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/foyle_and_west/8272031.stm.
- [134] Ibid.
- [135] Saville, "Opening Statement."
- [136] Printing the full record of the Widgery Tribunal for anyone who wished to see would have been impractical in 1972, but in the 1990s and the 2000s, printing has become almost unnecessary. The full record of the Tribunal can be published online, maintaining an up-to-date record available to anyone with internet access that does not require reams of paper. Full transcripts can be found at the inquiry's official website, <http://www.bloody-sunday-inquiry.org/>.
- [137] Blair, Statement to the House of Commons, col. 503.
- [138] Saville, "Opening Statement."
- [139] Blair, Statement to the House of Commons, col. 503.
- [140] Saville, "Opening Statement."
- [141] Blair, Statement to the House of Commons, col. 502.
- [142] Saville, "Opening Statement."
- [143] Devenport, "Political Impact of Bloody Sunday."
- [144] Saville, "Opening Statement."
- [145] "Families' Dismay at Saville Delay," *BBC News*.
- [146] Saville, "Opening Statement."
- [147] "Pressure to Let British Soldiers Shoot Rioters Documented," *Irish Times*, March 14, 2000. This cynicism stemmed from perceived blocks against their legal teams' access to evidence.
- [148] "Families' Dismay at Saville Delay," *BBC News*.
- [149] Ibid.
- [150] George Jones and Jonathan Petre, "Bloody Sunday: Full inquiry, cost £ 400. July 7 bombs: No inquiry, 'too expensive'," *Telegraph*, July 5, 2006, <http://www.telegraph.co.uk/news/uknews/1523111/Bloody-Sunday-Full-inquiry-cost-400m.-July-7-bombs-No-inquiry-too-expensive.html>. More reliable and moderate cost estimates range at only about half of this, at around £ 200.
- [151] "Bloody Sunday Still Costs £ 500k a Month," *Belfast Telegraph*, February 8, 2008, <http://www.belfasttelegraph.co.uk/news/local-national/bloody-sunday--still-costs-163500k-a-month-13383635.html>.
- [152] Derek Brown, "Bloody Sunday: the Never-Ending Inquiry," *The Guardian*, March 27, 2000, <http://www.guardian.co.uk/uk/2000/mar/27/northernireland.bloodysunday>.
- [153] "Bloody Ridiculous," *The Spectator*, June 14, 2003, <http://www.spectator.co.uk/politics/all/11218/bloody-ridiculous.shtml>
- [154] Ibid.

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