"This Dark Night:" Government Hindrance of Police Reform in Northern Ireland, 1969-1972

by

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DEDICATION

To Cliff Kolody –
(1937-2005)

For the many hours spent watching Unsolved Mysteries, decorating gingerbread houses and Easter eggs, and picking apples in autumn – you were always 100 percent!

ABSTRACT

The conflict in Northern Ireland has been the subject of much debate and commentary. Central to these discussions have been the role of the Northern Irish police and government. For decades, the Royal Ulster Constabulary was utilised as a Unionist political tool rather than the enforcers of law and order. A significant roadblock to the success of police reform between 1968 and 1972 was the lack of progress in the political arena. At the time it was argued paramilitary violence needed to stop before government reform could effectively occur. However, the evidence seems to suggest the opposite. The continued rejection of political change stunted police reforms, prolonged repression, increased support for paramilitary activity, and led finally to the complete rejection of the Northern Irish government by nationalists and the intervention of the government at Westminster. Decades later, both the state and the police in Northern Ireland were reformed: the government to make it more acceptable and the police to separate them from the interference of the state.

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My grandparents (Bobbie, Cliff, Gloria, Barry, Dorothy, and Arn), thank you for always being there with love and support. There were many stressful days when the snail mail, and e-mails, I received from you cheered me up and kept me going.

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List of Symbols, Nomenclature or Abbreviations

22nd Light Air Defence Regiment – 22 Lt AD Regt

CAIN – Conflict Archive on the Internet

CC – Chief Constable

CI – County Inspector

CRM – Civil Rights Movement

CSJ – Campaign for Social Justice

CSG – Chief of the General Staff

DCAC – Derry Citizens' Action Committee

DCDA – Derry Citizens' Defence Association

DHAC – Derry Housing Action Committee

GOC – General Officer Commanding

HCL – Homeless Citizens' League

IG – Inspector General

IRA – Irish Republican Army

IRSP – Irish Republican Socialist Party

NICRA – Northern Ireland Civil Rights Association

OBE – Officer of the British Empire

OIRA – Official Irish Republican Army

Para/1 Para – Support Company of the First Battalion of the British Parachute Regiment

PD – People's Democracy

PIRA – Provisional Irish Republican Army

PRONI – Public Record Office Northern Ireland (Belfast)

PSNI – Police Service Northern Ireland

RIC – Royal Irish Constabulary

RLP – Republican Labour Party

RMP – Royal Military Police

RUC – Royal Ulster Constabulary

SDLP – Social and Democrat Labour Party

SPA – Civil Authorities (Special Powers) Act (Northern Ireland) 1922

TNA – The National Archives (London)

UCDC – Ulster Constitution Defence Committee

UDR – Ulster Defence Regiment

USC – Ulster Special Constabulary, also referred to as the B-Specials

UUP – Ulster Unionist Party

UVF – Ulster Volunteer Force

Introduction

"I am an Irishman and the hon. Gentleman is an Englishman. That is where the difference lies:" The Historiography of the 'Troubles,'[1]

It is very hard for an Englishman to understand the feelings of those who live in Northern Ireland. The history of their struggles is a long one, and they tend to cherish every moment of hatred in it. The deep divide between Catholic and Protestant, which, incidentally, is more racial than religious, had been handed down faithfully from generation to generation.[2]

Reginald Maudling,
British Home Secretary

"...the vast majority of people in Ulster, both Catholic and Protestant, are moderates who do not want to fight but who want to live peaceably with one another in the community relationships which, until recently, have never been better."[3]

Mrs. Jennifer Steen,
Port-Stewart, Co. Londonderry

The conflict in Northern Ireland has been the subject of much public and scholarly debate and commentary. Due to the conflict's longevity, there is a plethora of aspects and timeframes one could choose to focus on. As a result, the historiography pertaining to the conflict in Northern Ireland is diverse in perspective. In particular, books focusing on the Stormont government, the Royal

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[1] Gerry Fitt, MP Belfast, West, in regards to the debates following the shooting deaths of 13, eventually 14, Northern Irish civilians in Derry which had occurred on January 30, 1972, known as Bloody Sunday: "What happened last Sunday in Derry has dramatically changed the whole political outlook. The hon. Gentleman may think it is nonsense. Never did I realise more in my life, in the debate today and yesterday, but particularly during this afternoon's debate, that I am an Irishman and the hon. Gentleman is an Englishman. That is where the difference lies. The hon. Gentleman has no sympathy, no understanding, no conscience for the people who live in Derry who are Irish." Great Britain, Parliament, HC debate, 1 February 1972 vol. 830, col. 310.

[2] Reginald Maudling, *Memoirs* (London: Sidgwick and Jackson Ltd., 1978), 180.

[3] "Letter to the Editor," *The Sunday Times*, 31 August, 1969.

Ulster Constabulary (RUC) (particularly from 1973 to 1998), and the Civil Rights Movement (CRM) have been published in abundance. However, the dominant meta-narrative has focused on the hubris of Ulster Unionism and its manipulation of parliament and the police forces. In addition, there is also a common tendency to trace the origins of the conflict back to the division of North and South and the Government of Ireland Act (1920). This has left a gap in the historiography for a study of the police reforms implemented in the late 1960s and early 1970s and how the RUC's relationship with Stormont and Unionism affected and influenced their success or failure.

Central to my interests are the early failures of the government institutions in power and their eventual violent crackdown, which helped to radicalise branches of the CRM. By examining the efforts of Stormont's Protestant-dominated government to suppress the CRM beginning in the 1960s through to the imposition of Direct Rule by parliament in England in March of 1972 it is possible to see that the RUC enjoyed little autonomy from the Unionist government and was utilised for decades more as a political tool than enforcers of law and order.

Historiography

The historiography pertaining to Northern Ireland has undergone quite a transformation in the last decade and a half largely due to the availability of new material. Previously, the attention given to Northern Ireland was the subject of extensive public comment and controversy. Up to this point the dominant focus of the history of Northern Ireland has generally been the arrogance of Ulster Unionism and its domination and manipulation of the Stormont Parliament and the

RUC. Substantially contributing to this factor was the fact that Stormont Parliamentary documents had to be sealed for 50 years before being opened, hindering, to a large degree, the historical exploration of Northern Ireland's government. In 1976, eight years after England, the rule was changed to 30 years; a significant difference that meant many key documents were suddenly available for historical inquiry.

With the recent release of British government documents, particularly the Saville Report, published June 15, 2010, which is the conclusion of a 12-year inquiry into the events of the 1972 Bloody Sunday shootings, and the newly released Stormont Papers, published in May of 2010, dialogue surrounding the conflict in Northern Ireland during the 1960s and 1970s has been renewed.[4] Many historians have focused upon the peace-building process and events that developed in Northern Ireland in the 1990s, examinations of the paramilitary organisations, and the British Army in Northern Ireland. However, due to the previously unreleased government documents, there is much uncompleted research on the level of autonomy the RUC was given in its handling of the Catholic protestors. By continually intervening in the RUC's dealings with the predominantly Catholic CRM, the Stormont parliament hindered important police reforms and exacerbated the violence. As a result of stunted reforms and continued one-sided repression, opposition by Irish nationalists became a much more inclusive and radicalised

[4] The Stormont Papers are the printed transcripts of the Parliamentary Debates held by the devolved government of Northern Ireland from June 7, 1921, to the dissolution of the Stormont Parliament on March 28, 1972. Copies of these documents can be accessed online at: <http://stormontpapers.ahds.ac.uk/stormontpapers/index.html>.

movement.[5]

The literature written pertaining to the conflict in Northern Ireland is vast, with contributions from individuals such as historians, journalists, politicians, sociologists, and participants. Furthermore, there are an abundance of songs, poems, films, novels, plays, and artwork surrounding the conflict. The time period of the conflict is also broad, although the majority of the works tend to cover the 1980s and 1990s. Perhaps the best way to explore what has been written about Stormont, the RUC, and the CRM and how these organisations affected and responded to one another between 1968 and 1972 is to proceed thematically. An exhaustive examination of all the literature pertaining to Stormont, the RUC, and the CRM would be overly ambitious and rather repetitive. However, an analysis of the most significant and most commonly referenced works is important to identifying the historical gap.

Before one jumps into reading about the separate aspects of the Northern Irish conflict, it is helpful to first gain an understanding of the overall dispute in which one can ground the information acquired. Arguably, the best book for this is Thomas Hennessey's *A History of Northern Ireland, 1920-1996* (1997), which attempts to provide an understanding for the reasons behind the history of division and alienation that, as Hennessey views, led to the development of communal violence and conflict in Northern Ireland. Hennessey asserts that he aims to

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[5] As persecution in Northern Ireland increased, many who had previously been moderates, or who had chosen to abstain from the movement, were outraged by the actions of the police and government towards them. In response these individuals began to join the struggle for civil rights and later on even paramilitary groups.

provide an unbiased history, stating, "[n]o one participant in the Northern Ireland situation is solely responsible for the collapse of Northern Ireland into communal strife."[6] Hennessey takes for granted that the problem in Northern Ireland is due to the fact it is a divided society. Therefore, he chooses to avoid selecting a single conflict theory to apply to the situation in Northern Ireland. As a result, Hennessey's book is descriptive of the events in Northern Ireland, rather than analytical of them. Further adding to the descriptive nature of his book, the sources Hennessey uses are all available to the public, meaning that many will have seen them before. These facts don't detract from the value of *A History of Northern Ireland, 1920-1996* as it still provides an unbiased summary of nationalist and unionist thought throughout the decades of conflict in Northern Ireland.

Books of photography are often not given the credit they deserve in regards to how helpful they can be in constructing an understanding of a conflict. Eamon Melaugh's *Derry -The Troubled Years* (2005), which contains over 200 photographs taken during the early years of the conflict, is unrivalled in providing visual references of 'the Troubles' in the region. The city of Derry has changed greatly since the 1960s, partly from modernisation as well as the continual violence. As a result of this change, many of the places mentioned or discussed in documents and memoirs have not existed for decades, forcing those with an interest in the history to attempt to recreate the city in their mind. Melaugh's book eases this task. The book is broken down into chapters by subject – 'Conflict,' 'Marches and Protest,' 'Liberation and Fleadh,' 'The Old Town,' 'Life Goes On,' and 'Documents and Graffiti'

[6] Hennessey, xi.

– and include photographs of significant streets that no longer exist, children on their way home from school caught in the crossfire between IRA insurgents and British soldiers, as well as other aspects of everyday life. Born and raised in Derry, Melaugh was actively involved in the CRM in Northern Ireland and his photographs help to convey the atmosphere in Derry at the time.[7]

Books about the Stormont government – its formation and collapse – began to appear within the same year that Direct Rule was implemented by Westminster. One of the first published was Henry Kelly's *How Stormont Fell* (1972). Although a short book, only 149 pages including the bibliography, and roughly the size of a pocketbook novel, it remains one of the best sources for a summary of the development and make-up of Northern Ireland's Stormont government. Kelly, a trained journalist, was the Northern Editor of the *Irish Times* in the 1970s and, therefore, has first-hand experience of the atmosphere present during the period preceding 'the Troubles.' Due to its length, *How Stormont Fell* does not go into great detail, but rather provides a concise summary for those with a general interest in the topic.

Social scientists Derek Birrell's and Alan Murie's *Policy and Government in Northern Ireland: Lessons of Devolution*, published in 1980, is one of the books that best shows "the system of devolution that operated in Northern Ireland and make[s] some comment on its effectiveness and value."[8] Since both the authors

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[7] In fact, during a civil rights march on Easter 1970, Melaugh was arrested for attempting to take a picture of a British officer who refused to provide the name of a soldier responsible for an assault on one of the march's stewards. Niall Ó Dochartaigh, *From Civil Rights to Armalites: Derry and the Birth of the Irish Troubles* (Cork: Cork University Press, 1997), 173.
[8] Derek Birrell and Alan Murie, *Policy and Government in Northern Ireland: Lessons of*

have backgrounds firmly rooted in social science, their historical context is rather sparse at times. For example, Birrell and Murie neglect to provide an in-depth narrative of the religious discrimination in the civil service in the formative years of Stormont. This religious discrimination is imperative to understanding the atmosphere of sectarianism that was developing at the time and which continued for decades. Another limitation is that Birrell and Murie were denied access to Stormont's official papers. However, despite these limitations their book is a vital work of reference for anyone interested in the debate over devolution in the United Kingdom and the machinations of the Stormont Parliament. The authors conclude that in practice Stormont operated more as a federal pattern rather than a devolved one because it and Westminster "co-ordinate[ed] with each other, each with its own sphere of influence."[9]

Michael Cunningham's *British Government Policy in Northern Ireland 1969-1989: Its Nature and Execution* (1991) provides the most comprehensive analysis of British government policy decisions beginning around the time of the rise of the CRM up to the year in which Cunningham was writing. Much of the literature that had been published prior to the release of Cunningham's book focused on one policy facet – constitutional, security, economic, or social – forcing interested parties to search out several works to gain a more complete understanding. Cunningham redressed this dilemma by providing equal analyses of these themes. The book is divided into chapters based upon the ruling British administration during the years being discussed and in each Cunningham provides an overview of

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Devolution (Dublin: Gill and Macmillan, 1997), 1.
[9] Ibid., 29.

the four policy areas and how they were dealt with by the British government administration operating at the time.

Cunningham concludes his book by summarising what he believes are the main elements of British government policy towards Northern Ireland, stating that to comprehend British policy it is important to understand that it had both "strategic continuity and the capacity for tactical adjustment."[10] Furthermore, Cunningham argues that the tensions present in the continuity of policy "are more evident in security than constitutional policy as the differing party emphases on 'law and order' surface."[11] However, most importantly, Cunningham closes his book by arguing that the attempt by British administrations to formulate a consistent policy towards the conflict has been weakened by the simple fact that "Northern Ireland has largely remained of marginal importance to British policy makers."[12] As a result of this marginality, the tactical shifts within areas of policy and the change of emphases between policies can be better understood.[13]

In 2001, Cunningham released a revised second edition. This new edition includes coverage of such significant developments as the Good Friday Agreement and the long called for reform of the RUC. Like the previous edition, Cunningham continues to provide a comprehensive overview of the four policy areas. The period between 1969 and 1989, which was the crux of his previous book, is now condensed into the first three chapters. With the added scope of 11 of the most

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[10] Ibid., 243.
[11] Ibid., 248.
[12] Ibid., 252.
[13] Ibid.

crucial years in the Northern Irish conflict, Cunningham is now able to offer a detailed study of the dichotomy and continuity of British government policy towards Northern Ireland.

Sir Kenneth Bloomfield has published several books about the situation in Northern Ireland; two in particular cover important moments in the search to find a suitable way to govern Northern Ireland. Bloomfield was an advisor to Prime Minister James Chichester-Clark (1969-1971) and Brian Faulkner (1971-2), as well as to Secretary of State William Whitelaw (1972-3); Bloomfield later became a member of the Independent Commission for the Location of Victims' Remains. Although *Stormont in Crisis: A Memoir* (1997) is not as analytical or unbiased as the previously discussed books, looking at it is helpful for studying the Stormont government because it provides the insight and opinions of an individual who was involved in the operations of the government. *A Tragedy of Errors: The Government and Misgovernment of Northern Ireland* (2007), on the other hand, provides an informed discussion of how the governments at Stormont and Westminster managed Northern Irish affairs through several seminal events and the impact their decisions had.

Books written about policing in Northern Ireland and the RUC in particular are numerous. Sociologists, however, have written the majority with relatively limited contributions by historians in comparison to other aspects of the history of the country. Published in 1983, Michael Farrell's *Arming the Protestants: the Formation of the Ulster Special Constabulary and the Royal Ulster Constabulary 1920-27* is about the establishment of the police forces in Northern Ireland, initially

the Ulster Special Constabulary (USC, B-Specials), which, as Farrell put it, "is an extraordinary story, involving government, army and police collaboration with illegal paramilitary groups; reprisal squads within the police forces operating without check; government suppression of reports severely critical of the USC."[14] Books written about the police in Ireland are rarely unbiased. Farrell makes clear from the outset of *Arming the Protestants* that he grew up in the south of Derry and still remembers, "the fear and intense dislike the 'Specials' aroused in the Catholic community in which I grew up."[15] In fact, Farrell later played a relatively significant role in the CRM.

The purpose of Farrell's book is to provide the history of the police forces in Ireland so that one may use it "as a prism" through which to look at the handling of the Ulster problem in the 1920s by the British and Dublin governments and find relevant conclusions for present day examination.[16] In order to write this book, Farrell looked at Cabinet and private papers made available in Belfast, Dublin, and London in the 1980s, and conducted interviews with people present at pivotal events. Unfortunately, Farrell states there were certain Cabinet papers in the Belfast Public Records Office (Public Records Office of Northern Ireland, PRONI) to which he was refused access "even after they had been used by other researchers politically more sympathetic to Ulster Unionism."[17] While Farrell is critical of the USC, RUC, Unionists, and the British government, the book still provides an in-

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[14] Michael Farrell, *Arming the Protestants: the Formation of the Ulster Special Constabulary and the Royal Ulster Constabulary 1920-27* (London: Pluto Press, 1983), v.
[15] Ibid.
[16] Ibid., vii.
[17] Ibid.

depth and informative history of the formation of the police forces in Ireland and the already developing sectarianism in the north. Farrell concludes that it was the partition of Ireland, at the protest of the Catholic majority in the South and the large Catholic minority in the north, which is at the root of the current problems.[18]

Journalist Chris Ryder has written two rather significant books on the RUC: *The RUC: A Force Under Fire*, published in 1989, and *The Fateful Split: Catholics and the Royal Ulster Constabulary*, released in 2004. *The RUC: A Force Under Fire* has long been considered by many to be the definitive history of the RUC. Ryder's book begins by looking at the formation of the police services in the whole of Ireland up to the implementation of partition. He then examines the changes the force underwent as it was established in Northern Ireland, first as the RIC and then eventually the RUC. Ryder's book is unique in that it looks at the role of the police in Northern Ireland from the point of view of the RUC and its members. While clearly admiring the courage of the men and women who have served in the RUC, Ryder is still quick to criticise poor decisions and policies made by the force.

The Fateful Split was written after the peace agreements in Northern Ireland, as well as the reformation of the police force into the Police Service Northern Ireland (PSNI) in 2001. Although not as accomplished as *A Force Under Fire*, Ryder's follow-up book adequately argues how the intrinsic discrimination of the Stormont government created a police state in Northern Ireland. Ryder portrays how the majority of Catholics were alienated irrevocably from the RUC, which prevented effective and appropriate policing in Northern Ireland for the

[18] Ibid., 291.

course of 'the Troubles.' Ryder traces this rupture through the partition of the island to the Good Friday Agreement and how the RUC was finally viewed as an impediment to reconciliation, forcing its transformation into the PSNI.

Other works of note on the RUC are John D. Brewer's *Inside the RUC: Routine Policing in a Divided Society* (1991), as well as *The Crowned Harp: Policing in Northern Ireland* (1999) by Graham Ellison and Jim Smyth, and Aogán Mulcahy's *Policing Northern Ireland: Legitimacy, Reform and Social Conflict* (2005). Brewer, with the assistance of Kathleen Magee, has written a well-argued ethnographic study of the sociology of routine policing in Northern Ireland. Brewer and Magee assert that "what is special about policing in Northern Ireland is that it is caught between a model of policing which operates in most parts of the British mainland most of the time, and one appropriate to the more extreme divisions which are on the whole restricted to that part of the United Kingdom."[19] Overall, they seem to believe that despite the on-going conflict over policing in Northern Ireland, in most parts of the country it is the same as elsewhere in the world, and that it is only in certain extraordinary pockets, such as Belfast and Derry, where tactics and policies have had to be readjusted.

Ellison, a criminologist, and Smyth, a sociologist, on the other hand, argue for the disbandment of the RUC and the implementation of the Patten Commission's recommendations. They make this point by asserting that "policing can only operate properly by consent allied with strong structures to ensure accountability," neither of which they believe has ever been present in Northern

[19] Brewer and Magee, 10.

Ireland.[20] Like Brewer, Magee, Ellison and Smyth, Mulcahy is also a sociologist. His book questions the legitimacy of the role of police in divided societies. Mulcahy analyses the RUC from the 1960s, when 'the Troubles' began, up to its transformation into the PSNI. In the introduction to his book Mulcahy states, "it is among those who view the state as illegitimate – Nationalists and republicans – that police legitimacy is most problematic, and it is relations between the police and those communities that are the focus of this book."[21] Mulcahy focuses on three aspects: reform measures brought in to combat a legitimacy crisis, strategies undertaken to spread a positive image of policing, and the public responses to these strategies. As a result of Mulcahy's methodology, his book is relevant not only to the study of policing in Northern Ireland, but policing in any divided society with the experience of Northern Ireland presented as a case study.

The first major assessment of the CRM appeared in 1969, while the movement was still gaining support and momentum, when MP Bernadette Devlin published *The Price of My Soul*, a highly personal account of her childhood in Derry and involvement in various political and civil rights organisations. In the 'Foreword' Devlin asserts "*The Price of My Soul* is not a work of art, an autobiography, or a political manifesto...I have written an attempt to explain how the complex of economic, social, and political problems of Northern Ireland threw up the phenomenon of Bernadette Devlin."[22] She begins her account with the birth

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[20] Graham Ellison and Jim Smyth, *The Crowned Harp: Policing in Northern Ireland* (London: Pluto Press, 1999), xix.
[21] Aogán Mulcahy, *Policing Northern Ireland: Legitimacy, Reform and Social Conflict* (London: Willan Publishing, 2005), 4.
[22] Bernadette Devlin, *The Price of My Soul* (London: Pan Books Ltd., 1969), vii.

of her parents and continues the narrative until after she is elected to Stormont.

Devlin's book is a fascinating read with valuable pieces of information throughout. For example, before marrying her father, Devlin's mother was courted by a Protestant with whom she remained close for the rest of her life. More importantly, however, Devlin discusses how for her, and for many other members of the CRM, socialist leanings did not follow set ideological lines; instead they developed from their desire to escape poverty, unemployment, and discrimination. Devlin explains that "we were born into an unjust system; we are not prepared to grow old in it."[23] She offers several frank discussions and opinions – that there are few genuine Christians in Northern Ireland, how a Protestant neighbour who used to be quite good to her family denounced her as "Fenian Scum" when she became active with civil rights, and the fact that she wasn't consciously political until she was older.[24] Perhaps the greatest strength of Devlin's book is that it offers a glimpse into the upbringing and perceptions of one of the more prominent civil rights activists, which is probably why it has remained such a widely cited book in discussions on the CRM in Northern Ireland.[25]

Similar to Devlin's work in its aim, scope, and popularity is Eamonn McCann's *War and an Irish Town* (1973). Like Devlin, McCann was a prominent figure in Northern Ireland's CRM. McCann's purpose for writing is "to examine

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[23] Ibid.

[24] Ibid., 25.

[25] By the 1970s, Devlin had become more radicalised, serving briefly on the executive of the Irish Republican Socialist Party (IRSP). Formed on December 8, 1974, the IRSP continues to dedicate itself to the struggle against British imperialism and class war in Northern Ireland. The IRSP has often been labelled as one of the most radical groups in Northern Ireland. It was one of the first to fight for women's and Lesbian, Gay, Bisexual and Transgender (LGBT) rights and divorce in a country whose politics were traditionally conservative.

events in Ireland in the last five years from a Marxist viewpoint and to draw some conclusions."[26] Unlike many other accounts, McCann states that the number of people at the Civil Rights March on October 5, 1968,[27] was "perhaps four hundred strong," a number much smaller than the sometimes cited 3,000. [28] McCann's estimation of only 400 being in attendance at the march is significant in that it illustrates how small the initial CRM was and how rapidly the movement expanded its numbers. McCann, as well as Devlin, are both able to articulate the feelings of many young Catholics in the 1960s. In *War and an Irish Town* McCann uses as an example the tar and feathering of Marta Doherty, a Catholic girl, who was engaged to marry a British soldier. The press and Protestants were outraged by this action. However, there was no equal outrage among those groups for Mrs. Kathleen Thompson, a Catholic who was blinded when a soldier standing in her garden shot her in the face with a rubber bullet through her open window. McCann writes, "there was, as it happened, a great number of people in the area who did not approve of what was done to Miss Doherty. But in the circumstances they could not

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[26] Eamonn McCann, *War and an Irish Town* (London: Pluto Press, 1973), 5.
[27] On October 5, 1968, the Derry Housing Action Committee (DHAC), supported by the Northern Ireland Civil Rights Association (NICRA), planned to hold a civil rights march in order to draw attention to their grievances, such as inadequate housing, high unemployment, and the gerrymandered electoral practices in Derry. Protestant loyalists in the city were outraged at the planned march and stated they would be holding a parade on the same day, utilizing the same route as the civil rights protestors. In response to the controversy, the Stormont Parliament issued an order banning all marches and parades in Derry. However, the civil rights protestors went ahead as planned. The RUC blocked the parade route and baton-charged the crowd. The march on October 5, 1968, was the first civil rights march in Northern Ireland and is considered by the majority of commentators to be the beginning of 'the Troubles' in the area. "The Derry March - Summary of Main Events," CAIN, accessed 27 June 2011 <http://cain.ulst.ac.uk/events/derry/sum.htm>.
[28] Ibid., 27.

reasonably be expected to take a very strong line on the matter."[29] McCann's book ends on a more emphatic note than Devlin's, asserting that a revolutionary party is needed in Northern Ireland in order to make a revolution and he hopes that his book has been "a contribution to [the] discussion of how best to build it."[30]

In 1993, McCann released a revised edition of *War and an Irish Town*. In this edition McCann included a preface in which he wrote, "I have left the original text of this book, written in 1973, unchanged. Some of the predictions now seem naïve, some of the judgments wrong-headed, some of the language inappropriate. But it's an accurate account of how things seemed to me then, and I think most of it stands the test of time well enough."[31] Although he did not alter his original words, McCann did add a 62-page introduction in which he discusses events, and their implications, that have occurred since his first edition was released in 1973. McCann begins his introduction by offering a reason why citizens in the Irish Republic are not sympathetic towards the struggle in the north and organisations such as the IRA. He believes the reason for the differing views on the IRA are "not a matter of moral revulsion felt by sensitive Southerners and not by hard hearts Up Here, but it is a matter of the differing material circumstances in which people find themselves."[32] Furthermore, he adds, the people in the Irish Republic no longer feel the same connection with the people in Northern Ireland as they did 25 years previous because they are facing entirely different circumstances now. The Catholics of the Republic of Ireland no longer find themselves struggling for

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[29] Ibid., 98.
[30] Ibid., 255.
[31] McCann, *War in an Irish Town* (London: Pluto Press, 1993) Preface.
[32] Ibid., 5.

political equality and freedom under Protestant British imperialism. Instead, their concerns are now focused on issues such as abortion and LGBT rights.

McCann is critical of the trade unions in Northern Ireland as well as right-wing politicians and press commentators. McCann argues that the leaders of the trade unions are in a position by which they could unite Protestant and Catholic workers and fight against sectarianism, yet choose not to.[33] Furthermore, he states it is "grotesquely untrue"[34] that Protestants in the north are twice as well off as Catholic citizens are and argues that Protestants "are not part of the problem that Catholic workers face, but potentially part of the solution."[35] Just as he did in his 1972 edition, McCann continues to assert his socialist beliefs, arguing the people of Northern Ireland should not identify themselves as Catholic or Protestant, but as workers. However, he does acknowledge that socialism is no longer a "cool concept." In fact, McCann believes his casual references to class politics are the only things which now stand out as odd in his original book. McCann ends his new introduction with the following assertion: "[c]lass. *That's* what can unite us. There is nothing else. We will have socialism, or we will have barbarism."[36]

Overall, McCann's second edition of *War and an Irish Town* provides a useful commentary on the development of the conflict in Northern Ireland in the two-decade gap between publications. He views the state of affairs in Northern Ireland in the early 1990s in comparison to the development of similar situations in countries such as Yugoslavia, as well as the Irish Republic. McCann is also aware

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[33] Ibid., 32.
[34] Ibid., 55.
[35] Ibid., 56.
[36] Ibid., 62.

that despite the media attention given to the conflict in his country a proper understanding of the problem has yet to prevail. He writes that the commentary given on Northern Ireland "is predicated on an assumption of moral horror at the cruelty of what's happening here...But it doesn't amount to an understanding. It's only the beginning of an interest."[37]

In 1980, three sociologists, Liam O'Dowd, Bill Rolston, and Mike Tomlinson published *Northern Ireland: Between Civil Rights and Civil War*. Rather than being a fully collective endeavour, each chapter in the book was written individually by one of the men.[38] Despite their independent writing approach, the authors state the chapters are the result of "considerable collective debate" and, therefore, share similar arguments and conclusions.[39] The purpose of their book was to "concentrate on the transition from Unionist to Direct Rule within the state, via a number of case studies of 'reform' or state intervention," thereby avoiding "constitutional scenarios and chronologies of 'significant' events."[40] *Northern Ireland: Between Civil Rights and Civil War* contains several reproductions of contemporary posters for various political campaigns, as well as newspaper ads for government agencies. In addition, O'Dowd, Rolston, and Tomlinson utilise the mass amounts of data they collected to create a plethora of charts, graphs, and tables examining everything from changes in employment between 1959 and 1978 to local taxation returns from 1921 to 1939.

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[37] Ibid., 59.
[38] Liam O'Dowd, Bill Rolston, and Mike Tomlinson, *Northern Ireland: Between Civil Rights and Civil War* (London: CSE Books, 1980), 3.
[39] Ibid., Preface.
[40] Ibid., 3.

The overall conclusion reached by O'Dowd, Rolston, and Tomlinson is that the Partition settlement had "stabilised the North of Ireland by insulating it from Great Britain and the rest of Ireland" for almost 50 years.[41] However, after the Second World War, Britain became a "reformist social democratic state" which began to "undermine the political structures of the Unionist state [in Northern Ireland] and its relationship to the rest of the UK."[42] Once this had begun, subsequent British administrations have attempted to ignore and downplay the severity of the situation publicly in the hopes that it will sort itself out. O'Dowd, Rolston, and Tomlinson believe British political parties need to stop remaining politically silent about the crisis in Northern Ireland while trying to find an internal solution to it.[43] Due to this political silence, "[t]he UK state is not 'above' the NI problem, it is an integral part of that problem."[44] Published while the crisis was in full-swing, the conclusions reached in *Northern Ireland: Between Civil Rights and Civil War* are quite astute in pinpointing several of what were the most critical barriers present to preventing the creation of a lasting peace, particularly the British government's refusal to accept responsibility for their part in the turmoil.

Released in 1990, historian Bob Purdie's *Politics in the Streets: The Origins of the Civil Rights Movement in Northern Ireland* is an examination of how the CRM came to be. Like many historians, Purdie states that the Black civil rights movement in the southern United States influenced the members of NICRA. However, divergent to the traditional narrative, Purdie argues the CRM in Northern Ireland

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[41] Ibid., 203.
[42] Ibid.
[43] Ibid., 208.
[44] Ibid.

was bound to fail because:

> To achieve success the state must respond by using inappropriate force while the movement exercises restraint, thus augmenting support for the movement and increasing pressure for the state to make concessions. If the state responds with further inappropriate force, the spiral will be given another twist. But if generalised violence breaks out, the tension is released. The key to success is for the movement to exercise effective control of its own supporters, but this is a very difficult strategy to pursue, especially for a largely spontaneous and amorphous movement.[45]

Unlike the movement in the States, NICRA lacked certain necessary components, such as a charismatic leader in which the members could trust and follow. The southern States had Martin Luther King Jr.; Purdie argues Northern Ireland had none.

Purdie's book also aims to explain not the consequences that followed the first civil rights march in Derry, but *why* the CRM came about when it did.[46] *Politics in the Streets* is based on Purdie's own Ph.D. thesis at the University of Strathclyde in 1988 and the sources used to support his arguments are appropriately varied: newspapers and archival documents, contemporary literature, and memoirs. Furthermore, in explaining his methodology, Purdie writes, "[i]t is not an oral history, but each chapter was submitted to at least one person who had been involved in the events described. Their comments helped to fill in gaps and to give the analysis greater depth."[47]

The best historical analysis of the CRM in Northern Ireland is provided by

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[45] Ibid.
[46] Ibid., 4.
[47] Ibid., 5.

Niall Ó Dochartaigh in *From Civil Rights to Armalites: Derry and the Birth of the Irish Troubles* published in 1997. The central thesis of Ó Dochartaigh's book is that "occasions of violent confrontation play a crucial role in promoting the escalation and continuation of conflict."[48] However, in order to properly understand these moments of violence it is necessary to view them within their local context. The time period Ó Dochartaigh limits himself to are the happenings in Derry from the first civil rights march on October 5, 1968, to the introduction of Direct Rule in 1972. Ó Dochartaigh writes in a way that is accessible to the general reader without losing the scholarly appeal and relevance of the topic at hand. As the title indicates, the book traces the origins of the peaceful CRM to the sectarian violence that was on the rise by 1972. Ó Dochartaigh examines how the IRA managed to become a major political problem and how the British Army, when it was eventually brought in, went from being applauded to being attacked by Irish nationalists. Ó Dochartaigh presents the histories of both the loyalist and nationalist communities in the context of the time in an attempt to explain the escalation of violence. Ó Dochartaigh concludes his book by wondering whether "new relationships and a new political framework can be established within which violent conflict is unsustainable. At time of writing this seems far from certain."[49] In 2005, Ó Dochartaigh published a second edition of *From Civil Rights to Armalites* which includes a new chapter at the end about Bloody Sunday and the new inquiry, conducted by Lord Saville, underway at the time.

Crucial to any research on Northern Ireland are the vast number of primary

[48] Ó Dochartaigh, 309.
[49] Ibid., 325.

sources available. The National Archives (TNA) in London and the PRONI in Belfast possess holdings of a plethora of government documents as well as items donated by private individuals and institutions. Both archives have uploaded a large number of these documents onto online databases available through their websites. Each year the PRONI does an "Annual Release" through which they digitise selections from their collection relating to Northern Ireland and 'the Troubles.' In 2009, the PRONI made an agreement with the Conflict Archive on the Internet (CAIN), allowing documents from various government departments – for example, the Department of the Prime Minister and the Ministry of Home Affairs – to be made available on the CAIN's website.

The CAIN was established by the University of Ulster in 1997 "with the aim of providing information and source material on 'the Troubles' and politics in Northern Ireland from 1968 to present day."[50] Pamphlets, newsletters, and posters were popular forms of conveying opinions and messages to the Protestant and Catholic communities in Northern Ireland, as well as to the wider world. Civil rights groups, loyalist organisations, paramilitary groups, and political parties all utilised these. Digitised copies of many of these items can be found throughout the CAIN's website. Furthermore, the CAIN has provided easy access to copies of the majority of parliamentary reports mandated to investigate the crisis in Northern Ireland as it unfurled.

Both the English and Northern Irish governments have maintained copies of

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[50] "What is CAIN," Public Record Office Northern Ireland (PRONI) Records on CAIN, Accessed 23 July 2012, <http://www.proni.gov.uk/index/search_the_archives/proni_records_on_cain-2.htm>.

their parliamentary debates, which are important to the study of the conflict. Transcripts of Westminster House of Commons debates from the 1800s to the present day can be found in the Hansard Archive on the UK Parliament website, www.parliament.uk. Likewise, the complete parliamentary debates from Stormont Castle have been made available online by a joint venture between Queen's University Belfast and King's College London and can be viewed at www.stormontpapers.ahds.ac.uk. These resources are invaluable for providing the daily workings of both parliaments and allowing researchers to analyse the treatment of pivotal issues of the day.

Lastly, considering the substantial role the media played during 'the Troubles,' the Northern Irish peace process, and today, archival footage of televised news reports as well as printed publications by reporters provide an incomparable, although biased, first-hand look into the public's and media's reactions to the events as they unfolded and even in retrospect. Media outlets pivotal to this study were the British Broadcasting Corporation (BBC), the *Belfast News Letter* (originally a fairly loyalist publication), the *Belfast Telegraph*, the *Derry Journal* (a Catholic publication), the *Guardian*, *Irish News*, the *Observer*, Raidió Teilifís Éireann (RTÉ), the *Sunday Times*, the *Telegraph*, Cable News Network (CNN) and the *United Irishman* (a Republican publication).

Although the police reforms of the late 1960s and early 1970s have been previously studied, not much of the research has been performed by historians. Furthermore, the period of 1968 to 1972 is often treated as the gateway to studying the more lasting police and government reforms which were

implemented later in the conflict, as well as an introduction to paramilitary organisations such as the IRA and UVF. In addition, while sociologists and social scientists have examined the impact of the politics on the RUC, the history of the region and the interactions of the communities with one another are rarely presented at the forefront. Given that the history of the region had one of the most significant impacts upon the unfolding of 'the Troubles' it is necessary to discuss it in context. As a result, there is a space for the examination of why political reform – the implementation of a power-sharing agreement and some form of proportional political representation – rather than multiple efforts at overhauling the police was the condition that was needed most in Northern Ireland in 1968-1971. The continued rejection of political change stunted police reforms, prolonged repression, and finally led to the complete rejection of the Northern Irish government by nationalists and eventually the intervention of the government at Westminster.

I believe the treatment of the government at Stormont, the CRM, and policing in Northern Ireland has been too compartmentalized. Often the relationships between the three have not been examined in relation to one another to an adequate degree or within their historical context. In order to gain a more comprehensive understanding of how these three groups affected one another it is often necessary to consult a number of sources. Therefore, my thesis is intended to provide a larger overview of them in relation to political and police reform in Northern Ireland in 1969-1972, and add to what is hopefully a growing dialogue of this aspect of Northern Ireland's history.

Chapter 1

"We are a Protestant Parliament and a Protestant State:" Northern Ireland in Context: The Historical Background [51]

...Orangeism, Protestantism and Unionism. They all mean the same thing. A man who was a Protestant and not a Unionist had a 'kink' in his make up. Such a person was not normal.

Thomas Lyons, MP,
quoted in *Belfast Newsletter*, July 14, 1947

The Irish say your trouble is their trouble and your joy their joy? I wish
I could believe it;
I am troubled, I'm dissatisfied, I'm Irish.
Spenser's Ireland
Marianne Moore

Introduction

Over the course of 800 years, Northern Ireland was the battleground in a series of bloody struggles. While there had been brief periods of calm and numerous attempts at peace, after the partition of the island it was not until the 1990s that negotiations achieved any real success or permanency. The animosities began in 1170, when Norman leader Strongbow first invaded Ireland for King Henry II of England. Henry named himself ruler of Ireland a year later. In the

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[51] Sir James Craig (later Viscount Craig) in reference to his beliefs about the Northern Irish state: "I have always said I am an Orangeman first and a politician and Member of this Parliament afterwards . . . all I boast is that we are a Protestant Parliament and Protestant State." Northern Ireland, Parliament, HC debate 24 April 1934 vol. 16, p.1091-95.

fifteenth century, a new divide emerged between those settlers planted by the English and the native Irish over the issue of religious persuasion. England was now a Protestant kingdom under Henry VIII, while the Irish steadfastly remained Catholic. In 1560, Queen Elizabeth I attempted to institutionalize the Anglican religion and to convert the Gaelic people by making the Church of Ireland Protestant. Reactions to this move were overwhelmingly negative. At the time and even in the late seventeenth century, religion was not only an expression of one's spiritual beliefs, but also of political, economic, and national identities, as well as social structures.[52] Due to the rebelliousness of Irish citizens towards English occupation, in 1608, the English began to plant English and Scottish settlers in six of Ulster's nine counties, where the roots of rebellion had always been most firm. These settlers were Protestant and, therefore, guaranteed loyal subjects of the English crown. By 1640, 100,000 English and Scottish Protestant settlers had been planted in a country with a population of only one million.[53] The English falsely concluded they had finally secured Irish submission on the road to converting the Catholics.

In the early seventeenth and eighteenth centuries, the British introduced the Irish Penal Laws with the aim of "neutering a conquered people so that they would accept their servility as hewers of wood and drawers of water," as well as ensuring the separation of Protestants and Catholics.[54] The Penal Laws included restrictions

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[52] Kevin Kelley, *The Longest War: Northern Ireland and the IRA* (Connecticut: Lawrence Hill & Co., 1982), 5.
[53] Nicholas Canny, "Early Modern Ireland c.1500-1700," in *The Oxford History of Ireland*, R.F. Foster ed. (New York: Oxford University Press, 1989), 118.
[54] Thomas E. Hachey and Lawrence J. McCaffrey, *The Irish Experience Since 1800: A Concise*

that barred Catholics from holding public office, being able to own land, and preventing them from being able to marry Protestant subjects. In 1774, Catholics in Ireland were given the opportunity of swearing an oath of allegiance to the king, thereby demonstrating their loyalty. Although taking the oath did not give Irish Catholics additional rights, it was significant in that it meant Britain was finally acknowledging the *existence* of Catholic subjects in Ireland.[55]

In 1791, the society of United Irishmen was formed as a "Jacobean imitation that advocated a democratic republic as a desirable alternative to Protestant Ascendancy."[56] The United Irishmen was composed of middle-class Protestants who admired the writings of French philosopher Jean-Jacques Rousseau and who were willing to use physical force, if necessary, to achieve a democratic form of government which abolished sectarian divisions and properly represented the desires of the people. A Dublin-based Protestant, Theobald Wolfe Tone, quickly became the leading figure in the organisation. In an attempt to unite Protestants and Catholics in the cause of the United Irishmen, from 1792 to 1793 Tone served as the secretary of the Catholic Committee.[57] The British government did not appreciate what the United Irishmen were attempting to do and in March 1798 most of the Dublin-based United Irishmen leaders were arrested. As luck would have it, Tone was in France at the time working to create a French force to support

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History (New York: M.E. Sharpe Inc., 2010), 15.

[55] Ibid., 21.

[56] Ibid., 24.

[57] The Catholic Committee was organised in the eighteenth century by members of the Catholic middleclass who remained loyal to the crown, but who advocated for moderate reforms in relation to taxes and landownership, as well as repeal of the Penal Laws.

an Irish insurrection.[58] While the British government's crackdown on members did ruin the *organisation* of the United Irishmen, it failed to put an end to rebellion for their cause. In August 1798, a French force of about 1,000 men arrived in Killala Bay, County Mayo, to support the Irish rebels. However, it was too little too late, and when Tone, accompanied by these forces, attempted to invade Ireland in October 1798 he was captured off the coast of Donegal. Rather than be hanged as a traitor, Tone chose to commit suicide in his jail cell.

The actions of Tone and the United Irishmen had made it clear to the British government that Ireland was an unstable nation in which something needed to be done to cool the embers of rebellion. As a result, in February 1800, the House of Commons at Westminster endorsed the idea of union by a vote of 158 to 115 and on January 28, 1801, 100 Irishmen took their seats in the 658 member British House of Commons as part of the Union of Great Britain and Ireland.[59] Although now an official part of Great Britain, Ireland maintained a lesser status than England. Furthermore, the way in which the government responded to violence in Ireland demonstrated that it was to be treated more as a colony than as an equal part of the union. For instance, Irish citizens still experienced curfews, random house searches, sentences without jury trials, and other actions which violated their civil rights as British subjects.[60]

Throughout the nineteenth century there were a series of movements, parliamentary and paramilitary, formed with the aim of overthrowing the British-

[58] Ibid., 25
[59] Ibid., 27.
[60] Ibid., 39.

Irish union. One of the most influential was the Catholic Association formed in 1823 by Daniel O'Connell. The main aim of the association was to gain Catholic emancipation in Ireland. In order to work for this and ensure a steady influx of funds, the Catholic Association charged a membership fee of one penny per week, a substantial sum to the many lower-class members. Later a reduced rate was offered in order to allow membership for larger portions of the Catholic community. The British government outlawed the Catholic Association, but it continually reorganised under new names. In 1828 and 1829, O'Connell ran for election in County Clare despite the fact he would not be able, as a Catholic, to take his seat in the House of Commons. Realising public opinion was critical to preventing civil war in Ireland, Parliament passed the Catholic Relief Act of 1829 allowing Catholics to sit in the House of Commons, as well as removing several other restrictions on them. At the same time, however, the British government raised the minimum property requirement for voters, effectively ensuring that only the relatively small Catholic middle-class would benefit from the act.

Sectarian riots between Protestants and Catholics fighting for the same wages erupted in 1843, 1857, and 1864, not to mention many less noteworthy, but frequent clashes between. In 1872, Protestants mobbed a Catholic parade in Belfast celebrating 'Lady Day.'[61] The fights that ensued from this confrontation lasted for several days and resulted in over 300 homes being burned down, mostly in Catholic

[61] Traditionally, in the Catholic religion Lady Day refers to the feast of the Annunciation of the Blessed Virgin held on March 25. However, the term is now commonly used as a general reference to any Marian feast day.

ghettos, and forcing 1,000 families to move to more Catholic-friendly districts.[62] The tensions which had been festering for years between Irish Catholic natives and Protestant settlers had begun to erupt in explosive ways.

In 1870, Isaac Butt, the son of a Protestant rector in Donegal, argued for the concept of Home Rule and established the Home Government Association in order to work towards this goal. A trained lawyer, Butt argued that "their religion made Irish Catholics orderly and deferential" and it was simply their frustrations with the way British governments had misruled Ireland that forced them to rebel.[63] Butt believed that if given their own parliament and a certain amount of autonomy, Irish Catholics would, in fact, be loyal to Britain. In 1886, William Gladstone, Prime Minister of England, agreed that Home Rule appeared to be the only solution to the violence and problems in Ireland. In the first Home Rule Bill (1886) Gladstone proposed a two-order Irish assembly responsible for internal Irish issues and the removal of Irish MPs from Westminster. It was defeated in the House of Commons on June 8 by a vote of 343 to 313. In 1893, Gladstone tried to pass a second Home Rule Bill. Again he proposed a bicameral chamber and maintained most of the provisions and restrictions he had listed in the previous draft. However, he lowered the amount of Ireland's imperial contribution from one fifteenth to one twentieth and kept Irish MPs at Westminster.[64] This time the bill passed through the House of Commons, but was crushed in the House of Lords with a vote of 419 to 41.

When Herbert Henry Asquith became Prime Minister in 1908 he continued

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[62] Kelley, 18.
[63] Hachey and McCaffrey, 83.
[64] Ibid.

Gladstone's work for the achievement of Home Rule for Ireland. In 1912, Asquith presented the third Home Rule Bill arguing that since "the Parliament at Westminster was swamped with more business than it could properly manage, Home Rule for Ireland was the beginning of a federal structure for the entire United Kingdom."[65] Asquith did make alterations to his Home Rule proposal, though, which would establish an Irish parliament with a democratically elected House of Commons and an appointed Senate.[66] Asquith's Home Rule Bill, first proposed on April 11, 1912, continued to fail to pass the same hurdle. The bill was passed by a majority in the House of Commons in 1912, 1913, and 1914, but each time was rejected by the House of Lords. By this point, Irish citizens in the south of the country had begun to demand the concept of Home Rule. However, Protestant unionists in the north "saw Home Rule as a threat to their Britishness and feared that the establishment of Irish self-government would lead ultimately to an Irish republic."[67] In addition, Ulster unionists viewed themselves as Irish *and* British and did not see a contradiction in being both.[68] As a result, unionists in the north threatened violence. In January 1913, the Ulster Unionist Council formed the Ulster Volunteer Force (UVF), a Unionist militia dedicated to the prevention of Home Rule. Due to this backlash, the British government began to consider the partition of Ireland into a Home-Ruled south and a British province in the north.

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[65] Ibid., 122.
[66] Ibid.
[67] Thomas Hennessey, *A History of Northern Ireland, 1920-1996* (Hampshire, UK: Palgrave Macmillan, 1997), 3.
[68] Ibid.

On January 1, 1913, Sir Edward Carson, supported by Conservative opposition leader Bonar Law, had moved to pass an amendment to the bill, proposing the nine counties of Ulster be excluded from Home Rule. Debate surrounding the practicality of this option volleyed back and forth throughout the House of Commons for several months. The main source of contention was over the exclusion of all nine counties. Geographically Ulster is one of the four provinces of Ireland and is composed of nine counties: Antrim, Armagh, Down, Fermanagh, Derry, Tyrone, Cavan, Donegal, and Monaghan. Upset over the potential division of the country, Nationalists raised their own paramilitary organisation, the Irish Volunteer Force (IVF), intended to counteract the actions of the UVF. In 1914, it appeared as though Ireland would be sucked into civil war.

Attempting to prevent a further escalation of violence, the British government via the War Office ordered Sir Arthur Paget, General Officer Commanding (GOC), to begin preparations to move troops to Ulster. At the time, the British Army's main base in Ireland was located in Curragh, County Kildare. On March 20, 1914, Paget summoned his brigadiers and informed them they were to go to their men and learn whether they were prepared to enforce Home Rule in Ulster if necessary. If not, they would be immediately dismissed from service. In one brigade, out of the 70 officers consulted, 57 offered to resign or accept dismissal rather than enforce Home Rule on Ulster.[69] Although now referred to as the Curragh Mutiny, in fact, none of the men were guilty of committing mutiny as they hadn't disobeyed direct orders. Either Paget had misunderstood his orders

[69] Eliot A. Cohen, *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime* (New York: Anchor, 2003), 233.

from the War Office or, witnessing the negative backlash, they had backtracked from their initial plan and publicly stated that they had no plans to use the Army to enforce Home Rule.[70]

With the onset of the First World War the focus of the British government shifted from Ulster to the Continent. To appease nationalists, the House of Commons passed the third Home Rule Bill and put it on the statute books. In an attempt to keep unionists pacified, however, a suspensory bill was put forward, which delayed the enforcement of Home Rule until after the war.[71] Frustrated with the threat of enforced conscription and the government's lack of attention to their cause, on the morning of April 24, 1916, Easter Monday, members of the Irish Volunteers occupied several buildings in Dublin – the General Post Office, the Four Courts, St. Stephen's Green, as well as the College of Surgeons and several others. The General Post Office became their operational headquarters and the location of the provisional Irish government they announced. On April 26, Lord Wimborne, Lord Lieutenant of Ireland, declared martial law in Dublin, later applied to the whole of the country, in an effort to regain control of the situation. Over the following week violence spread out into the streets as British soldiers attempted to defeat the insurrection. Eventually the Irish Volunteers at the General Post Office were cut off from their fellow rebels and forced to evacuate the building when they came under heavy artillery fire. Since Ireland was under martial law at the time, the leaders of the uprising were subjected to military justice by which they were court-

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[70] Bonar Law, Great Britain, Parliament, HC debate 23 March 1914, vol. 60, col. 74-6.; Sir Edward Grey, Great Britain, Parliament, HC debate 25 March 1914, vol. 60, col.456-8.
[71] Hachey and McCaffrey, 127.

martialled and executed by firing squad between May 3 and 12.[72] Although the Irish Nationalist population was initially angered by the failed uprising and critical of its leaders, after the executions the men were seen as martyrs for Irish freedom and Irish sentiments turned, creating a wave of sympathy for organisations like the Irish Republican Army (IRA) and Sinn Féin.[73]

When the war in Europe concluded, employment in Britain was at an extreme low. The sectarian conflict in Belfast was renewed as Catholic workers were fired from their jobs at shipyards and factories to make way for Protestants.[74] As violence broke out the paramilitary Protestant organisation the UVF was re-established in the north.[75] The British government felt it was imperative to find a solution to the problems in Ulster rather than continue working on a plan for the whole of the island. This was largely due to the fact that people in the south of Ireland, such as Éamon de Valera, were attempting to gain their freedom from Britain by staging an international propaganda campaign rather than through the use of terrorism, as was occurring in the north.[76] However, solutions were slow in

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[72] The men executed were Patrick Pearse, Thomas MacDonagh, Thomas J. Clarke, Joseph Plunkett, William Pearse, Edward Daly, Micheal O'Hanrahan, John MacBride, Eamonn Ceannt, Micheal Mallin, J.J. Heuston, Cornelius Colbert, James Connolly, and Sean MacDiaramada.

[73] John Darby, "Conflict in Northern Ireland: A Background Essay," in *Facets of the Conflict in Northern Ireland*, ed. Seamus Dunn (Hampshire, UK: Macmillan Press Ltd, 1995), accessed 12 May 2011 <http://cain.ulst.ac.uk/othelem/facets.htm>.

[74] David Fitzpatrick, "Ireland Since 1870," in *The Oxford History of Ireland*, R.F. Foster, ed. (New York: Oxford University Press, 1989), 204.

[75] The group was revived in 1966 in Northern Ireland as a paramilitary organisation acting much like a squad that assassinated Catholics. The new UVF claimed to be dedicated to the preservation of Northern Ireland and the protection of loyalists. It has been banned several times since its reincarnation in the '60s. Tom Wilson, *Ulster: Conflict & Consent* (Oxford: Basil Blackwell Inc.,
1989), 169.

[76] Ibid., 206.

coming and violence in the south began to steadily rise as well. Sinn Féin had been founded in 1905 by Dublin-based Irishman Arthur Griffith. Griffith viewed himself as neither a Republican nor a revolutionary.[77] Instead, his beliefs were firmly rooted in the capitalist system. He did, however, believe the Irish should be responsible for the affairs of Ireland and proposed that all Irish members of Westminster withdraw as a rejection of Britain's right to legislate the domestic affairs of the Irish.[78] In the general election of December 1918, Sinn Féin won 73 seats, compared to the Irish Party's six, and 26 for the Unionists.[79] The elected Sinn Féin members refused to join parliament in Westminster and instead established the Dáil Éireann, which was to be "the legislative expression of the Irish Republic," at the Mansion House in Dublin.[80] In 1919, they elected de Valera as their first president. At the same time, the Royal Irish Constabulary (RIC), the national police force, had begun to collapse in Ireland. After the Easter Uprising, nationalist violence, largely perpetrated by the IRA, had begun to increase.

The IRA, under the command of 29-year-old Michael Collins, descended from the Irish Volunteers shortly after the Easter Uprising. As a militant nationalist organisation it was devoted to the achievement of an independent Irish republic through the use of armed force and the overthrow of British rule in Ireland. The IRA acted as the armed wing of the Republican movement, while Sinn Féin provided the political face. It was hoped that the IRA would become the army for the Irish Republic and follow the leadership of the Dáil. However, from the

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[77] Tim Pat Coogan, *The IRA* (Glasgow: William Collins Sons & Co. Ltd., 1980), 39.
[78] Ibid.
[79] Hachey and McCaffrey, 134.
[80] Ibid.

beginning, the Dáil struggled to control members of the IRA, and the organisation operated independently, performing ambushes and raids against British targets. Opinion towards the IRA differed within Sinn Féin, although there was a high level of overlap in membership between the two groups. As a result, the relationship between the armed and political wings of the Republican movement was a complex one.[81]

Prior to the Easter Uprising, the RIC had relied heavily upon the Crimes Special Branch, which had men in every county and the majority of districts, for information to guide law enforcement and counter-subversion operations. The branch was assisted by local policemen who relied greatly upon civilians willing to act as paid informers.[82] However, as nationalists continued to perpetrate acts of aggression against the British government and its policies, the RIC was increasingly viewed by nationalists as "the instrument of British power in Ireland...an army of occupation and traitors to the Republican cause."[83] As a result, "the Nationalist population in general became hostile and refused to cooperate with the authorities, at which time the RIC lost its ability to gather effective intelligence."[84] This attitude led to an increase in terror attacks against RIC barracks, which prompted the British government to close many of them, resulting in a further alienation of RIC members from the general population. As the situation in Ireland became increasingly war-like the RIC found itself ill-equipped and under-armed to properly

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[81] Coogan, 42-4.
[82] Trudi Stafford, *The Collapse of the Royal Irish Constabulary: Policing Insurgency in Ireland, 1914-1921* (MA diss., University of New Brunswick, 2005), 106.
[83] Stafford, 30.
[84] Ibid.

operate. This left large sections of the country under the influence of the IRA. In order to combat what they considered terrorism and guerrilla tactics, the British government recruited a force of mostly former First World War soldiers, known as 'Black and Tans,'[85] to be temporary constables in order to boost the RIC's inadequate numbers, and utilised the volunteer 'B-Specials,' an unofficially Protestant organisation that often carried out attacks on Catholics.[86] These two organisations carried out some of the worst retaliation atrocities against Catholics while attempting to suppress the IRA. This only helped to increase the level of violence in the country.

By 1920, the IRA had developed 'flying columns.' Consisting of approximately 20 to 30 men well-armed with rifles and explosives, these columns performed more dangerous ambushes on RIC patrols and British convoys. However, often innocent civilians were injured or killed in the attacks. Many in the public believed these ambushes were directly the result of the retaliation attacks and murders carried out by members of the RIC, Black and Tans, and B-Specials.[87] *The Times* newspaper stated, "so long as reprisals are committed, the public is forced to infer one of two things – either that executive authority regards them

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[85] The nickname came from their dark green caps and khaki pants. The RIC did not have enough uniforms to properly outfit the new recruits. Often they were given khaki Army pants and dark green RIC shirts and caps. Unfortunately, many of the men's only service experiences were in trench warfare. After returning from the war many ex-soldiers experienced long periods of unemployment and were quick to answer the government's calls for men willing to go to Ireland. They received little to no training and were ill-equipped to be sent into the chaos of the civilian situation in Ireland. Richard Bennett, *The Black and Tans* (Essex: Severn House Publishers Ltd., 1976), 38.

[86] Foster, 208.

[87] Charles Townshend, *The British Campaign in Ireland 1919-1921: The Development of Political and Military Policies* (London: Oxford University Press, 1975), 115.

with a certain leniency or that it is powerless to stop them."[88] By this point, Ireland was in the middle of what is now referred to as the Irish War of Independence (1919-1921).

On Sunday, November 21, 1920, members of the Collins's 'Squad' and the Dublin Brigade of the IRA moved to assassinate the 'Cairo Gang,' a group of British intelligence agents who had been sent to Dublin to investigate prominent IRA members.[89] In total, 31 people were killed, including British soldiers, civilians, and Republican prisoners. The high death toll earned the day the title Bloody Sunday.[90] The attacks brought about the use of internment on suspicion of involvement with the IRA, extended curfews, and "a massive programme of road blocks, searches and arrests."[91] Furthermore, soldiers were no longer permitted to live outside of barracks and within the week over 500 arrests had been made. After Bloody Sunday violence in Ireland increased dramatically as the IRA intensified its guerrilla campaign against the British. The government decided to implement a geographically limited martial law, often referred to as partial law, limiting the measures to Cork, Kerry, Limerick, and Tipperary, not wanting to create more animosity in Dublin while reasserting authority in the outlying counties.[92] Although martial law was to take effect, the RIC continued to operate autonomously.[93] The

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[88] Ibid.

[89] It is generally held that the Cairo Gang received their name because they often met at the Cairo Café in Dublin.

[90] This is not to be confused with the incident on January 30, 1972, when British soldiers shot and killed 14 innocent protestors in Northern Ireland, also referred to as Bloody Sunday.

[91] Townshend, 130.

[92] Ibid., 135.

[93] Martial law is used only in extreme situations of chaos and civil unrest. In essence, it is a

confusion of partial law only added to the chaos of an already dire political and security situation. By 1920, international outrage combined with military deadlock in Ireland forced the British government to again consider Home Rule. Charles Townshend, whose book *The British Campaign in Ireland 1919-1921: The Development of Political and Military Policies* is perhaps the most comprehensive study of the situation, wrote that since the government "[b]y March 1921...was battling with the police over discipline and with the civil authorities over martial law, and the general military situation was not one to encourage optimism, the Government had to begin preparing for the implementation of the Government of Ireland Act."[94]

The fourth, and last, Home Rule Bill was put forward to replace the failed third and was passed by both Houses. It was implemented as the Government of Ireland Act (1920), which partitioned Ireland into two self-governing states with a six-year clause that allowed Northern Ireland the option of joining its southern counterpart. In 1922, the southern half of Ireland seceded from Britain and established its own Republic of Ireland. Almost immediately, Irish nationalists in the six counties that comprise Northern Ireland (Fermanagh, Tyrone, Derry, Antrim, Down, and Armagh) began to struggle for their own freedom from the British crown. The Protestant majority in Northern Ireland fiercely and successfully resisted this.

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declaration that the rule of law is no longer sufficient to maintain order and the military takes on the role of law and order. In Ireland, the Army was viewed by many as an occupying force.

[94] Ibid., 173.

Between June 1921 and March 1972, through the Government of Ireland Act (1920), Northern Ireland had its own parliamentary administration that operated with considerable autonomy from the British government at Westminster. It was responsible for things like education and the police services. In 1932, this government moved onto the Stormont estate, outside of Belfast, which is where the name derives. However, the official title was the Executive Committee of the Privy Council of Northern Ireland. From the 1940s to the 1960s the IRA launched a series of failed small, armed struggles in an attempt to force the unification of the island.

The period lasting from the mid-1960s to 1990s, commonly referred to as 'the Troubles,' had witnessed an escalation in violence pitting Irish nationalist groups against the Stormont Parliament in Northern Ireland and Westminster in Britain. Between 1966 and 1999 alone, 3,636 people were killed and 36,000 injured. Most of the victims were innocent civilians. The tensions were to a high degree centred in the Derry region of Northern Ireland, where in the late 1960s the largely Catholic population was still being governed by Protestant Unionists.[95] The name for the region is a contested issue itself. The word Derry was derived from the modern Irish *doire*, which was derived from the old Irish *daire*, meaning 'Oakwood' or 'oakgrove' due to the number of oak trees that grew in the area prior to British settlement. When the English settlers moved to the region the name was

[95] The other main centre of conflict in Northern Ireland, and the one that experienced the most violence, was Belfast. Belfast has traditionally been much more sectarian in nature than Derry, the Orange-Green line being a good example of this. The Orange-Green line is where the Protestant Shankill Road joins the Catholic Ardoyne on one side and the Falls Road on the other. Much of the violence that later occurred in Belfast involved this area. Peter Taylor, *Loyalists: War and Peace in Northern Ireland* (New York: TV Books, 1999), 70. I have decided to attempt to limit, as much as is possible, my focus to the experiences in Derry.

changed to 'London'derry. However, Irish Catholics in the region never accepted this prefix. In fact, the majority of people who live in the region, Catholic and Protestant, tend to refer to it as simply Derry. Therefore, unless quoting a source, it will be referred to as Derry throughout this paper.[96]

The 1960s experienced a new approach in the attempt to resolve the centuries old issue of Catholic discrimination in the area. The strategy was inspired by the Black civil rights movement in the United States and individuals like Martin Luther King Jr.[97] Prior to the 1960s, the term 'civil rights' had not been used in relation to the aims of the Catholics in Northern Ireland and they had never before attempted a movement that was both "militant and constitutional."[98] On January 29, 1967, the Northern Ireland Civil Rights Association (NICRA) was formed and established six demands: "[o]ne man, one vote in local elections, removal of gerrymandered boundaries,[99] anti-discrimination laws, fair allocation of public housing, repeal of the Special Powers Act, disbandment of the B Specials."[100] The government responded to the growing movement led by NICRA with resistance, initially refusing to consider even some of the modest demands. It was no surprise that the NICRA marches quickly developed into a source of tension and violence between marchers, Unionists, and the police.

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[96] Peter Pringle and Philip Jacobson, *Those Are Real Bullets: Bloody Sunday, Derry, 1972* (New York: Grove Press, 2000), 27.
[97] Bob Purdie, *Politics in the Streets: The Origins of the Civil Rights Movement in Northern Ireland* (Belfast: The Black Staff Press, 1990), 2.
[98] Ibid.
[99] Gerrymandering refers to the act of rearranging the boundaries of political constituencies of a particular region so that the party in power is given an advantage in upcoming elections.
[100] The B-Specials were a part-time auxiliary police force, essentially a Protestant militia which had been used occasionally since the founding of the state. Jennifer Fraus, *Before Sunday: The Life of the Bloody Sunday Victims* (Dublin: Nonsuch Publishing, 2007), 13.

When Ireland was partitioned in 1922, the RIC was disbanded and replaced by the Garda Síochána in the Irish Republic and the RUC in Northern Ireland. Since its establishment, controversy has surrounded the RUC, much of it focusing on who its members were and their relationship with the Stormont government. When the RUC was formed it was to have 3,000 members, with one-third being Catholics who would be predominantly drawn from the former RIC. There were to be two principles followed for its composition: drawing members from the RIC based upon their policing experience and to maintain continuity. In addition, there was to be a sizeable Catholic involvement in order to maintain fairness.[101] Unfortunately, the Catholic quota was a challenge for the RUC to achieve, comprising only 21.1 percent in 1923 and 10 to 12 percent in 1991.[102]

Under the control of the Unionist government, during 'the Troubles' the RUC often faced angry civil rights protestors and became one of the main subjects of contention. The RUC and B-Specials came into direct conflict with civil rights protestors and were seen by many Catholics to be an arm of repression in what was supposedly a liberal democracy.[103] On January 9, 1969, members of the Belfast-based People's Democracy (PD) began a march from Belfast to Derry, advocating for government reforms. However, the night before the marchers were due to arrive in Derry, Protestant Unionist Reverend Ian Paisley held a meeting at the

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[101] John D. Brewer and Kathleen Magee, *Inside the RUC: Routine Policing in a Divided Society* (New York: Clarendon Press, 1991), 2.
[102] Ibid., 3.
[103] It is important to note that in the 1960s, Northern Ireland was, on paper, considered to be a liberal democracy. The tensions the government faced with the CRM were the result of Stormont's continued refusal to allow for a government by discussion in which the desires of the population are enacted by fairly elected representatives.

Guildhall, during which angry marchers clashed with RUC members who, accompanied by Paisleyites, led a baton-charge against the Catholics.[104] Then, on the last day of the march, participants were attacked just outside Derry at Burntollet Bridge by a group of Protestants, who appeared to be assisted by the RUC. A breaking point had been reached and the Catholics of Derry lost their faith in the RUC as a fair and neutral police force. As a result, no-go zones and barricades were established in the Catholic areas of the Bogside and Creggan in which the RUC were not permitted to enter and, therefore, properly operate as police. Several months later, after widespread rioting in the community, the British government was forced to send in the Army to reinstate order.[105]

[104] Paisley was one of the most vocal and active Ulster loyalists and member of the Ulster Unionist Party (UUP) during the CRM, often organising rallies and marches, as well as speaking out against Catholics and Republicans.
[105] This incident will be discussed in greater detail in Chapter 2.

Chapter 2

"You are now entering Free Derry:" The formation of the RUC and rise of the Civil Rights Movement

'Of one thing, I for my part, have no doubt—if it should ever happen that Orangemen disassociate themselves from the political life of Ulster, both Ulster and the Orange institution are doomed...I have said before and I repeat today – the Orange Order is the backbone of Ulster.[106]
Brian Faulkner, MP East Down

We'll walk hand in hand
We'll walk hand in hand
We'll walk hand in hand some day
Oh, deep in my heart
I do believe
We shall overcome some day
We Shall Overcome

Before entering into an analysis of the RUC's relationship with Stormont Unionism and the British Army, and how these relationships affected their dealings with the CRM, it is important to first consider what it was the RUC was created to do. This chapter places the RUC in the historical context of Northern Ireland prior to and during the initial stages of the CRM. It traces how early on the RUC was developed from its RIC origins into essentially the armed wing of Unionism, its members' close ties to the Orange Order, its handling of the Border Campaign against the IRA, and the emergence of the CRM. The early relationship of the RUC with Protestant Unionism and its experience with the IRA during the 1950s and

[106] *Irish News*, July 13, 1960.

early-1960s is critical to understanding the sectarian susceptibility of the force's dealings with civil rights members and the wider nationalist community in the late-1960s and early-1970s. Most significantly, these early years marked the missed opportunity of the Unionist government to utilise the police in a way that would have fostered trust between the RUC and the nationalist community. Instead, it was a period that foreshadowed the violence and discrediting of the coming years.

The Formation of Ulster's Police

Upon the partition of the island into two halves, the RIC was transformed into the unarmed and civilianized Garda Síochána in the Irish Free State and the armed paramilitary RUC in the north.[107] Responsibility for law and order was officially placed under the authority of the Northern Irish government on November 22, 1921.[108] The first Minister of Home Affairs, Richard Dawson Bates, a member of the Ulster Unionist Party (UUP), refused to make a copy of the RUC's code of conduct available to members of parliament, despite their severe resentment of this, because, "[t]he regulations to which the hon. Member refers form part of the Royal Ulster Constabulary Code, which has always been regarded as a confidential document."[109] Chris Ryder has argued there could have been "no worse architect for the development of policing in Northern Ireland" than Bates.[110]

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[107] The Irish Free State was created under the Anglo-Irish Treaty in 1921/22 and included the entire island of Ireland. However, a clause in the agreement had allowed Northern Ireland to opt out of inclusion in the Irish Free State, which it did immediately, choosing to revert to the Government of Ireland Act (1920). The Irish Free State was a dominion of the British Empire and came to an end in 1937 after a nation-wide referendum. Thereafter, the former Irish Free State seceded from Britain and became the Republic of Ireland.
[108] Michael Farrell, *Arming the Protestants: the Formation of the Ulster Special Constabulary and the Royal Ulster Constabulary 1920-27* (London: Pluto Press, 1983), 81.
[109] Northern Ireland, Parliament, HC debate 9 April 1936 vol. 18, p. 1099-1100.
[110] Ryder, *The Fateful Split*, 33.

He was "an uncompromising bigot who regarded all Catholics as nationalists and, as such, enemies to be distrusted and neutralized in every conceivable way."[111]

In fact, it was Bates who first introduced the Civil Authorities (Special Powers) Act (Northern Ireland) 1922, an act which would become one of the central issues of the CRM. The Special Powers Act (SPA), as it was more commonly labelled, provided the police and the Home Affairs Minister with broad sweeping powers such as the prohibition of inquests into deaths, suspension of any or all basic liberties, indefinite internment, the holding of summary jurisdictions, searches without warrants, the banning of meetings and parades, the seizure of land, and the destruction of buildings.[112] Bates' justification for, and the government's acceptance of, the SPA was the violence that was still occurring in the province after the partition of the island. In her study of how Unionist governments utilised the SPA, Laura K. Donohue noted the act was initially successful in curbing political violence: "from a peak of eighty actual and fifty-eight attempted political murders at the time the [Special Powers Act] was passed in April 1922, within five months the number had plummeted to one actual and eleven attempted political murders."[113] As the measures appeared to be working Donohue argues the government shifted their justification for the act and the purpose of the provisions found within; the impetus for creating the SPA was the need to establish law and

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[111] Ibid.

[112] For specifics see, in order: SPA 10.1a; SPA in total; SPA Schedule Paragraph 23, SPA 3.3; SPA Schedule Paragraph 23; SPA Schedule Paragraph 4; SPA Schedule Paragraph 8a-b; SPA Schedule Paragraph 8d.

[113] Laura K. Donohue, "Civil Liberties, Terrorism, and Liberal Democracy: Lessons from the United Kingdom" (BCSIA Discussion Paper 2000-05, ESDP Discussion Paper ESDP-2000-01, John F. Kennedy School of Government, Harvard University, August 2000), 6. Laura K. Donohue p. 1092 (6). http://www.jstor.org/stable/pdfplus/3020863.pdf?acceptTC=true

order in the newly formed country, but by 1933 the act was viewed as necessary for the maintenance of peace and stability.[114]

From the outset the RUC was quite different from the RIC on which it was based. The newly created police force filled its ranks from the top down, relying heavily on former RIC men and employed mostly Protestants associated with the Orange Order. Sir Charles Wickham, an Englishman, was made the first Inspector General (IG) of the RUC, and was directly answerable to the Minister of Home Affairs.[115] The force was to be 3,000 strong, with almost one third of those positions to be held by Catholics, preferably former RIC men.[116] Despite this cap on the number of former RIC Catholics that could enlist there was considerable opposition to even this limited quota in several Orange and Unionist circles. In the end, Catholic involvement in the RUC reached a peak of 552 members, 19.2 percent, in 1924; that number subsequently declined.[117]

Established in 1795 after the Protestant victory at the Battle of the Diamond in Armagh, Northern Ireland, on September 21, the Orange Order honoured King William III, Prince of Orange, and his defeat of King James II. The original purpose of the order was to ensure the safety of the religious freedom of Protestants in the atmosphere of sectarian friction present in Armagh at the time. However, by the 1950s, the message transformed from religious freedom for Protestants to protecting Ulster's position within the United Kingdom. Grand Master of Ireland John M. Andrews stated in 1950:

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[114] Ibid., 6.
[115] Ellison, Graham, Smyth, *The Crowned Harp* 20.
[116] Farrell, *Arming the Protestants*, 188.
[117] Ibid., 190-1.

> While I agree that we are mainly a religious body, the Order has been in the front rank for generations preserving our constitutional position. The Orange ritual lays it down that it is the duty of Orangemen to support and maintain the laws and constitution. It is fundamentally important that we should continue to do so, for if we lost our constitutional position within the United Kingdom 'civil and religious liberty for all' which we are also pledged to support would be endangered.[118]

During the existence of the RIC, officers had been forbidden from being members of the Orange Order while serving as policemen. However, on August 11, 1922, Bates agreed to allow RUC men to be active members of the Orange Order. In January 1923 a special Orange Lodge, the Sir Robert Peel Lodge, was created specifically for RUC men to attend, with Bates and several other government members in attendance on its opening day as well as on numerous occasions afterward. Membership at the Lodge quickly reached 300, which comprised almost one quarter of the RUC as the force was about 1,100 strong at the time.[119] Involvement in the Order was encouraged by the government, fostering strong ties between the police force and the Unionist party.

The Ulster Special Constabulary (USC) had existed long before the regular RUC force. During the escalating violence prior to partition, the government in Westminster began to feel that the insurrection in the north could only be defeated by an organised military force.[120] Although the British Army had already been in Ireland for several years, in October 1920, the USC was sanctioned by Westminster

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[118] "Beneficial Strength of Orange Connections," *Belfast News Letter*, March 3, 2005, 8.
[119] Ellison, Graham, Smyth, *The Crowned Harp*, 22.
[120] For an in-depth examination of the British government and Army in Ireland during partition see Townshend.

as an auxiliary force and in November recruitment officially began. Many who joined were former UVF members. Since the force was established in order to protect British interests against nationalist opposition in Ireland it had an entirely Protestant membership. James Craig (later Lord Craigavon and first Prime Minister of Northern Ireland) as well as Sir Basil Brooke (later Lord Brookeborough and eventually Northern Ireland's longest serving Prime Minister) petitioned Britain to make the USC a permanent part of Northern Ireland's security forces.[121]

The USC was divided into three classes: A-Specials were a full-time reserve force available to serve anywhere in Northern Ireland; B-Specials were a part-time force expected to serve in their communities one or two days per week; and C-Specials were volunteers available for emergency duty.[122] The only unarmed and unpaid group was the volunteer C-Specials. However, the men of this class were issued with licenses to purchase their own guns if they wished.[123] While the A-Specials received regular pay, the B-Specials only received a small compensation to cover expenses such as uniforms. By the time the regular police force was established in 1922, there were over 5,000 A-Specials and almost 20,000 B-Specials.[124] Despite the fact that after partition Northern Ireland's population was composed of both Protestants and Catholics, the Specials remained entirely Protestant. Shortly after the creation of Northern Ireland the A-Specials and C-Specials were disbanded since the state had now formed a regular police force. Perhaps due to their origins the Unionist government utilised the B-Specials as a

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[121] Ellison, Graham, Smyth, *The Crowned Harp*, 25.
[122] Ibid., 25-6.
[123] Ibid., 26.
[124] Ibid., 28.

private militia to suppress nationalist opposition. Michael Farrell in his book *Arming the Protestants: The Formation of the Ulster Special Constabulary and the Royal Ulster Constabulary 1920-27* notes several incidents in which the B-Specials purportedly committed the sectarian murder of Catholics.[125] As a result, the B-Specials were looked on with suspicion and resentment by the Catholic community, becoming one of the central issues of the civil rights protestors.

The Border Campaign

Due to the strong nationalist hostility toward partition in Northern Ireland, unlike the Garda Síochána in the Irish Free State, the RUC was given the responsibility of performing normal law enforcement duties as well as "protecting the new state of Northern Ireland and preventing armed subversion."[126] While the police service in the Irish Free State was developed as an unarmed civilian force, much like the one in England, a different structure was established in Northern Ireland to combat elements of the population which opposed the very existence of the state itself. Wickham wrote in a report in 1926: "[a] comparison of the police system of England and Ireland is not really possible because each was evolved to meet the conditions in two dissimilar circumstances."[127] These differing circumstances became obvious in the late-1950s with the outbreak of the Border Campaign by the IRA.

The last campaign of violence by the IRA had been in the 1940s when, in a series of ill-conceived and uncoordinated attacks, members attempted to force the

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[125] Farrell, *Arming the Protestants*, 298-304.
[126] John Nagle, *We Remember: Memories of Service with the Royal Ulster Constabulary GC 1922 to 1970* (Belfast: Royal Ulster Constabulary GC Foundation, 2010), 11.
[127] Ibid.

union of Northern Ireland with the Irish Free State. As previously mentioned, the SPA had already been established in 1926. It was renewed every year until 1933 when it became a permanent piece of legislation. The government was, therefore, able to crackdown on IRA activity and imprisoned or killed several of their chief officers at the time.

By the time of the United Kingdom general election of 1955 the Sinn Féin party had experienced a resurgence in popular support amongst nationalist voters and was able to run a candidate for all 12 available Northern Irish seats in Westminster.[128] The party managed to capture 56 percent of Catholic votes, which resulted in the capture of two seats: Tom Mitchell for Mid-Ulster and Phil Clarke in Fermanagh-South Tyrone.[129] However, the two men abstained from participating in government at Westminster, as was the practice of the party, due to their belief in the illegitimacy of British interference in Irish affairs. Interestingly, both men, convicted IRA members, were in Belfast's Crumlin Road Gaol at the time and could not have filled their seats even had they desired to. The IRA carefully followed the election and took the votes for Sinn Féin as an endorsement for the IRA as well.[130] M.L.R. Smith in *Fighting for Ireland: The Military Strategy of the Irish Republican Movement* has stated, "not only did the movement take the large vote for Sinn Féin as approval for a military campaign, but also as an endorsement of the general leitmotiv of the republican tradition which itself legitimized violence without

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[128] Kelley, *The Longest War*, 72.
[129] Ibid., 73.
[130] M.L.R. Smith, *Fighting for Ireland? The Military Strategy of the Irish Republican Movement* (New York: Routledge, 1995), 69.

popular consent."[131]

The campaign, labelled Operation Harvest by the IRA, began on December 11 and 12, 1956, with attacks on border posts in Northern Ireland.[132] Between 1951 and 1955 the IRA had raided several Army barracks and ammunition stores in Northern Ireland and England, and were well-supplied with a stockpile of weapons for the ensuing campaign.[133] Over the next six years IRA members primarily attacked RUC and USC men, as well as military and police barracks. In 1958, Irish Prime Minister Éamon de Valera reintroduced internment in the Republic of Ireland due to an increase in violence and the B-Specials were mobilised as a full-time force in the north. These actions hindered the IRA's ability to carry out a successful campaign.[134] In John Nagle's *We Remember: Memories of Service with the Royal Ulster Constabulary GC 1922 to 1970*, a former RUC member explained how the Border Campaign changed policing in Northern Ireland: "[i]t brought a whole change to everything. Sangers were placed outside the stations at the gates, sandbags were placed in the windows, inside and outside the windows...Bren guns and machine guns were in the bedroom and under the bed, and under your pillow you had your .45 revolver."[135] In short, it 'remilitarised' the RUC, reinforcing its paramilitary role and its sectarian character.

Unfortunately for the IRA, they failed to generate enough propaganda for their campaign of violence and as a result lacked the popular support of the

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[131] Ibid.
[132] Kelley, *The Longest War*, 73.
[133] Smith, *Fighting for Ireland*, 67.
[134] Hennessey, *A History of Northern Ireland*, 107.
[135] Nagle, *We Remember*, 14-5.

Catholic community. They appeared to be driven simply by "ideological symbolism" with no clear idea of what could tangibly be accomplished through their campaign.[136] As a result, their popularity among the Catholic bloc had begun to decline. When an election was held in October 1959, the Nationalist party decided to run candidates against them. Sinn Féin retained less than half the votes they had received in 1955.[137] Popular Catholic support continued to decline and in February of 1962 the IRA officially called off their campaign of violence. IRA leadership cited a distracted attitude among the Catholics of Northern Ireland as the main reason for their lack of support and their decision to stop activities.[138] In *Fighting for Ireland*, Smith argued that the largest problem the IRA campaign faced in the early 1960s was "elitism in republican ideology."[139] This elitism manifested itself in the IRA through its assumption that in order to achieve the end they desired – a united Ireland – the means necessary was violence. However, violence appeared to be used simply because it was the traditional weapon of the Republican movement with no accompanying political gestures. As a result, how specifically reunification was to be achieved through the destruction of infrastructure and assaults on military personnel was never made clear to the wider community, and, in fact, the IRA appeared to have misunderstood the role of violence in forcing the direction of politics. The IRA assumed their violence would act as a way to agitate nationalists

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[136] Smith, *Fighting for Ireland*, 70.
[137] Ibid., 71.
[138] "Campaign in six Counties Halted," *The United Irishman,* March 1962. Reprint of the Irish Republican Publicity Bureau (IRPB) statement released on February 26.
[139] Smith, *Fighting for Ireland*, 68.

to unite in their cause, yet made little effort to actually mobilise individuals.[140]

In 1970, Cathal Goulding, chief of staff for the IRA (1962-1972), stated in an interview in *This Week* in 1970, "[t]he fight for freedom had become an end in itself to us. Instead of a means, it became an end. We hadn't planned to achieve the freedom of Ireland. We simply planned *to fight* for the freedom of Ireland. We could never hope to succeed because we never planned to succeed."[141] Although IRA members may have wondered at the failure of their campaign in the early 1960s, it was evident that a lack of clear political goals, violence for violence's sake, and Republican elitism all contributed to the lack of nationalist support and the eventual temporary ceasefire. Barring minor incidents by individual members, the IRA remained largely inactive until the escalation of sectarian tensions in the late-1960s. In the meantime, it shifted to the left ideologically and agreed to give up militarism for political activism. The timing of this was fortuitous, as it coincided with the emergence of the CRM.

Beginnings of the CRM

Prior to the official ratification of the NICRA on April 9, 1967, several organisations had developed in Northern Ireland which aimed for, as at least part of their focus, the attainment of civil rights: the Campaign for Social Justice (CSJ), the Wolfe Tone Society, and the Trade Union Movement were just a few. The Trade Union Movement sprung up as a result of the UUP's poor history in dealing with unemployment, high council rents, labour issues, and use of sectarian tactics.[142]

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[140] Ibid., 68-9.
[141] *This Week*, July 31 1970; Purdie, *Politics in the Streets*, 147.
[142] Purdie, *Politics in the Streets*, 80.

The movement consisted of Protestant and Catholic workers, appealed for one man, one vote, and sought to achieve democratic guarantees. The Trade Union Movement remained an anti-sectarian progressive organisation and struggled to promote equality in the workplace. In fact, in his memoirs Reginald Maudling wrote, "[t]he most sensible and impressive people were the leaders of the local Trade Unions, whose advice I found to be both impartial and invaluable."[143]

Launched by Dr. Conn McCluskey and wife Patricia, on January 17, 1964, at the Wellington Park Hotel in Belfast, the CSJ arose out of the Homeless Citizens' League (HCL) in Dungannon, which had been founded by the couple in May 1963 to combat the shortage of homes and fair allocations in the community. The HCL had been established to deal with the particular issues plaguing Dungannon, but the tactics it used to address minority grievances, such as squatting in protest of inadequate housing, indicated the need for a strong and vocal Nationalist opposition to the UUP. The McCluskeys believed the way to address this was to assemble a group of 13 Catholic professionals, although five Protestants had been approached and refused. The CSJ was extremely important to the creation of the NICRA a few years later and helped to mobilise nationalists for the civil rights cause. An important aspect of the CSJ was that it moved to disassociate itself from the Nationalist party, which it viewed as weak, as well as all other political parties in Northern Ireland. Although sympathetic towards the aspirations of Irish unity, member Brian Gregory once stated, "[s]omebody else can solve the border

[143] Reginald Maudling, Memoirs (London: Sidgwick and Jackson Ltd, 1978), 179.

question. We were concerned with the rights of people living here."[144]

However, it was from the Wolfe Tone Society that the NICRA gained its impetus. Formed in Maghera in August of 1966, the society worked to raise awareness and public demand for democratic reform.[145] On January 29, 1967, the society held a meeting at Belfast's International Hotel which had in attendance representatives from all of Northern Ireland's political parties. However, Unionist representative Senator Nelson Elder walked out after losing the argument to keep the death penalty for the murder of police officers. In total, more than 100 people attended and elected a committee of 13 to create a draft constitution. Five central concerns were issued in a press release afterward: "[t]o defend the basic freedoms of all citizens; To protect the rights of the individual; To highlight all possible abuses of power; To demand guarantees for freedom of speech, assembly and association; To inform the public of their lawful rights."[146] Unfortunately, before the group was able to hold another meeting ratifying a constitution Terence O'Neill's administration issued a ban on all republican clubs.[147] Not only did the newly forming group speak out in opposition to the ban, but a group of students at Queen's University in Belfast formed a new republican club in protest – The People's Democracy – whose members would, as previously indicated, become influential within the CRM.

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[144] Ibid., 95.
[145] Northern Ireland Civil Rights Association (NICRA), "'WE SHALL OVERCOME'....The History of the Struggle for Civil Rights in Northern Ireland 1968-1978" (New York: District Council 37, 1978), accessed 13 November 2011, <http://cain.ulst.ac.uk/events/crights/nicra/nicra781.htm>.
[146] Ibid.
[147] Ibid.

It should be noted that the NICRA consisted of separate county and provincial branches, as well as a variety of similarly composed organisations that shared the same overall goals of civil rights for all. The PD was distinct in that it was a student organisation with a comparatively young median age. The PD had been formed out of a group of several Queen's University students and, at least initially, there was Protestant representation within it. Even so, the group was adamantly non-sectarian in nature and purpose.[148] While it can be said it would have been unlikely for the group to continue as a non-sectarian organisation, and, in fact, it did quickly metamorphosize into a predominantly Catholic membership, it can also be argued that perhaps if not for the incident at Burntollet the PD may have succeeded in gaining a stronger working-class Protestant support base. After all, the organisation was socialist in nature, arguing for the elimination of primarily religious identification in favour of solidarity among the labour and working-class citizens of Northern Ireland. Since there were a large number of Protestants, particularly in Belfast, enduring similar disadvantages and experiences to their Catholic counterparts, the PD's goal was not purely idealistic fantasy. Unfortunately for the PD, the long history of sectarian strife in the country held a stronger pull and the group failed to make the appropriate overtures to members of the Protestant working-class. The NICRA and the PD worked together for a time, but the PD was much more radical and eventually subscribed to a socialist and Marxist view of class-struggle in order to overcome sectarian divisions, which alienated many moderates.

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[148] Ibid., 93.

On June 20 1968, Nationalist MP Austin Currie and several others squatted in a house in Caledon, County Tyrone, which had been allocated by the Dungannon Rural District Council to unmarried Protestant 19-year-old Emily Beatty while several Catholic families numbering six or more remained on a waiting list. Currie and the other squatters were evicted by the RUC, of which one member was Beatty's brother. Although forced to leave, through media coverage Currie's actions had brought international attention to the issue of unfair housing allocation in Northern Ireland. On July 24, 1968, the NICRA and the CSJ held their first protest march in Dungannon to continue to push the issue of fair housing.[149] Approximately 2,000 protestors assembled and were faced by Paisley and 1,500 loyalist counter-demonstrators.[150] Other than two minor incidents the protest was controlled and peacefully completed. The next march associated with civil rights did not go as smoothly.

On September 8, 1968, John McAnerney sent a letter to RUC District Inspector (DI) Ross McGimpsey on behalf of the Council of the Northern Ireland Civil Liberties Association, informing him they were planning a march through the city of Derry to be followed by a meeting in the Diamond on October 5.[151] He outlined that the march would "commence at 3.30 pm. At Dungiven Road, and will proceed to the Diamond via:- Craigavon Bridge, Abercorn Road, [and] Bishop Street."[152] Thereafter followed an exchange of correspondence between the two

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[149] Hennessey, *A History of Northern Ireland*, 138; Purdie, *Politics in the Streets*, 93.
[150] Hennessey, *A History of Northern Ireland*, 138.
[151] Letter, J. McAnerney (Northern Ireland Civil Rights Association) to R. McGimpsey (RUC) 8 September 1968, ... civil rights ... Derry march, Belfast: PRONI, HA/32/2/28.
[152] Ibid.

men through which DI McGimpsey wished to know whether a branch of the association existed in Derry, which it did not, and who would be responsible during the march.[153] During these exchanges the route of the parade was slightly altered to begin at Waterside Station. This meant the march would cross the River Foyle into the predominantly Protestant Waterside area. On October 3, citing Section 2 of the Public Order Act (Northern Ireland) 1951, Minister of Home Affairs William Craig banned all processions in Derry from taking place "within the Walls, and in the Waterside Ward."[154]

The march, which had been organised by the DHAC and the NICRA, had in attendance Gerry Fitt, Eddie McAteer, John Hume, Stormont and British Labour Party MPs, and various media representatives. Due to the government ban the RUC refused to allow the march to proceed and dispersed the crowd through repeated baton-charges during which several people were injured. An inquiry into these events stated:

> It appears to us established on the evidence that at this stage batons were used by certain police officers without explicit order, although this is denied by the police. We regret to state that we have no doubt that both Mr. Fitt and Mr. McAtteer were batoned by the police, at a time when no order to draw batons had been given and in circumstances in which the use of batons on these gentlemen was wholly without

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[153] Letter, J. McAnerney (Northern Ireland Civil Rights Association) to R. McGimpsey (RUC) 24 September 1968, ... civil rights ... Derry march, Belfast: PRONI, HA/32/2/28; Letter, J. McAnerney (Northern Ireland Civil Rights Association) to R. McGimpsey (RUC) 30 September 1968, 'Civil Rights Demonstration,' Belfast: PRONI, HA/32/2/28; Letter, R. McGimpsey (RUC) to J. McAnerney (Northern Ireland Civil Rights Association) 18 September 1968, ... civil rights ... Derry march, Belfast: PRONI, HA/32/2/28.

[154] Document, W. Craig (Minister of Home Affairs for Northern Ireland) 3 October 1968, 'Public Order Act (Northern Ireland) 1951,' ... civil rights ... Derry march, Belfast: PRONI, HA/32/2/30.

justification or excuse.[155]

Shortly thereafter stating, "[o]n the evidence we think that nothing resembling a baton charge took place but that the police broke ranks and used their batons indiscriminately on people in Duke Street."[156] All this was captured by the film crews present, whose footage drew worldwide attention to Derry. Two days of serious rioting between nationalists and the RUC followed in the Bogside, eventually resulting in a barricade being put up by Catholics at Rossville Street.

In a memorandum sent to W. Ivan Woods at the Home Office in London, J.E. Greeves, Secretary of the Ministry of Home Affairs at Stormont, credited the police with advising the ban on allowing the procession to follow its proposed route through Protestant areas.[157] However, a letter from RUC IG Albert Kennedy addressed to Craig on November 22 states:

> Before going to your office I was informed by Mr. Peacocke that the Londonderry police officers were of the opinion that the march should be permitted to proceed along the full route proposed by the organisers and at the beginning of the meeting in your office they expressed the same views. You produced correspondence including letters from the Grand Orange Lodge and the Apprentice Boys conveying the strong views that the marchers should not be allowed through the Unionist areas of Londonderry...From what I have said I think it is clear that the police did not advise you to impose a ban or, indeed, to interfere with the marchers at all but that, in the light of the information in your possession, they accepted the line

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[155] Northern Ireland, Parliament, *Report on Disturbances in Northern Ireland, Report of the Commission Appointed by the Governor of Northern Ireland [Cameron Report], Cmnd. 532* (Belfast: Her Majesty's Stationary Office, 1969), Chapter 4, Paragraph 49.
[156] *Cameron Report*, Chapter 4, Paragraph 51.
[157] Memorandum, J.E. Greeves (Ministry of Home Affairs, Belfast) to W. Woods (Home Office, London) 4 October 1968, ... civil rights ... Derry march, Belfast: PRONI, HA/32/2/26, 1.

of action ultimately decided upon.[158]

It was at this point the RUC recommended re-directing the marchers, as they believed "(somewhat hesitantly) [a ban] could be enforced."[159] Upon reflection afterward the RUC conceded this had been unrealistic as they were largely outnumbered. It is interesting that the government placed the onus of banning the march on the RUC who had, in fact, believed it would have been better to simply let it proceed. Given that the police were continually in contact with the public, they, therefore, had a considerable understanding of the dynamics at work between the communities. Furthermore, they were in many cases more politically astute and flexible than Unionist MPs. Although, for example, allowing a banned non-violent parade to proceed might strictly speaking have been a breach of the law, the RUC were willing to balance the advantages and disadvantages to find the most appropriate way to deal with the situation. In the case of the NICRA march, the RUC believed it was more prudent and in the interests of avoiding large public disturbance to allow the march to proceed despite the government ban. This march was one of the first incidents of 'the Troubles' in which large sections of the Catholic community lost confidence in the impartiality of the police.

The PD then decided to organise a 72-mile march from Belfast to Derry starting on New Year's Day 1969, where they would stage a rally, in order to draw attention to the events that had been taking place in Derry since the march on October 5, 1968. The march was also intended as a test of O'Neill's government's

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[158]Letter, A. Kennedy (Chief Inspector in the RUC) to W. Craig (Minister of Home Affairs for Northern Ireland) 22 November 1968, ... civil rights, Belfast: PRONI, HA/32/2/30, 1-2.
[159] Ibid., 1.

intentions towards the right-wing Protestant element in Northern Ireland, represented by Paisley and Major Ronald Bunting. Major Ronald Bunting was a close ally of Paisley and the two men were at the forefront of the extreme right-wing Protestant element opposed to the CRM. During the PD march from Belfast to Derry Bunting led the loyalist mob against them. In 1966, Paisley had formed the Ulster Constitution Defence Committee (UCDC) which mainly performed counter parades and demonstrations to those of various CRM organisations. These parades and marches were always held on the same day as CRM ones and their routes were intended to overlap and conflict with the aim of forcing the overthrow of O'Neill and his reforms. To supplement this activity Major Bunting led an offshoot of the Ulster Protestant Volunteers (UPV), a Loyalist paramilitary group.[160] The PD organisers deliberately routed the march through Protestant areas in order to test the government and expose its sectarianism. However, civil rights and Nationalist leaders disapproved of the march, fearing the chosen route would only exacerbate sectarian tensions in the area; although the Derry Citizens' Action Committee (DCAC) eventually lent its backing.[161] The marchers experienced low spirits and tense moments along their route, including in Randalston and Toome, County Antrim, owing to confrontations with and harassment by loyalists opposed to the march. However, on the last day of the march leaders were informed by RUC

[160] In an interesting twist, Major Bunting's son, Ronnie Bunting became deeply involved in the Republican movement, first joining the IRA and later the Irish National Liberation Army (INLA). Ronnie Bunting was murdered by the Ulster Defence Association (UDA), a Loyalist paramilitary group, although larger, not much removed from the one Major Bunting supported. In 2006, one of Ronnie Bunting's close friends wrote a memoir which places a large focus on Ronnie's life and Republican involvement and makes for a compelling read: Walter Ellis, *The Beginning of the End: The Crippling Disadvantage of a Happy Irish Childhood* (London: Mainstream Publishing, 2006).
[161] Ó Dochartaigh, *From Civil Rights to Armalites*, 33.

members that a crowd of hostile loyalists had gathered further along the route to oppose their entering Derry via Dungiven. All parties agree that the police did inform members of the possible dangers; disagreement arises over how intense the RUC implied the opposition was. In RTÉ footage of the day Farrell can be seen and heard on the loud hailer stating:

> The police have said they are quite prepared to get us through this obstacle and if we all keep in very close formation on the right hand side of the road the people throwing the stones will be on high ground on the right hand side If we keep in close formation on the right hand side under the hedge, keeping well into the right hand half of the road then we should be okay.[162]

This statement was to prove false, as the marchers faced a well-prepared and extremely hostile crowd wielding previously collected rocks and clubs with nails sticking out of the ends. Subsequent footage shows marchers being chased and assaulted by loyalists, including several off-duty B-Specials.

Numerous marchers, media members, and MPs claimed the RUC was not only guilty of failing to properly protect the participants, but had, in fact, purposely led them into an ambush. Heated exchanges occurred at Stormont between members of the Unionist party and Nationalist opposition MPs. Immediately following the event, marchers shared their experiences with reporters and film crews. The most common complaint was that members of the RUC laughed during the assaults and made limited, if any, effort to dissuade the abusers. In the days following, many people began to state that the police had deliberately led the

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[162] "There is a good possibility some stones may be thrown," RTÉ Libraries and Archives News, Look and Listen, "Civil Rights Movement 1968 - 69 - 04 January 1969," originally broadcast on January 4, 1969 on RTÉ News, accessed 23 December 2011, <http://www.rte.ie/laweb/ll/ll_t11o.html>.

marchers into a trap by rerouting the march through an area they knew there to be an extremely hostile loyalist element. In a confidential letter from Derry County Inspector (CI) Bill Meharg to Greeves, Meharg wrote: "[i]t is entirely wrong for Miss DEVLIN to imply that the marchers were deliberately led by the police into an ambush at Burntollet...Michael FARRELL, one of the organisers, using a loud hailer, addressed the marchers and told them of the dangers ahead."[163] Again, in Farrell's address he also stated that the police had given their assurances that they would protect the marchers and get them through the area in order to continue on to Derry.

The marchers decided to continue and encountered more loyalist opposition along the way. By the time they reached Derry the majority of the marchers were exhausted and injured. The police then dispersed the rally that was waiting in the city centre. In his memoir *Paddy Bogside*, Paddy Doherty relives how at this point fighting broke out between the RUC and Catholic youths, with even the police station coming under attack.[164] The DCAC decided it was imperative to send a delegation to speak with DI McGimpsey and CI Kerr. During discussions the police claimed the DCAC had failed to keep the youth from committing acts of violence, while the DCAC members cited the cause for this as the failure of the police to protect the marchers.[165] Both sides agreed to quell the violence, and the RUC assured the DCAC they would stay out of the Bogside. Unfortunately, the police reneged on this and in the early hours of January 5, RUC men entered the Bogside

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[163] Letter, W. Meharg (County Inspector in the RUC) to Ministry of Home Affairs, Belfast, 19 February 1969, People's Democracy, Belfast: PRONI, HA/32/2/26.
[164] Patrick Doherty and Peter Hegarty, *Paddy Bogside* (Cork: Mercier Press, 2001), 88-9.
[165] Ibid., 89.

on St. Columb's Wells and Lecky Road. It was later determined by the Cameron Report that, "a number of policemen were guilty of misconduct which involved assault and battery, malicious damage to property in streets in the predominantly Catholic Bogside area giving reasonable cause for apprehension of personal injury among other innocent inhabitants, and the use of provocative sectarian and political slogans."[166]

These actions by the police led to the creation of 'Free Derry' and the first no-go zone in the area. The following afternoon residents of the Bogside barricaded themselves with concrete, scraps, lumber, and whatever else could be found; the police were informed they were no longer welcome in the community and armed residents took up the task of policing. Fitt appealed to the residents: "[t]he time has now come when if we cannot be defended by the forces of law and order, then we must defend ourselves."[167] On the wall of a house on the corner of Lecky Road and Fahan Street artist John Casey painted "You are now entering Free Derry" in white paint.[168] By January 7, the barricade was extended to encompass the Creggan, the Catholic community on the hill beside the Bogside. As the situation began to cool, on January 10, Ivan Cooper, representing the DCAC, called on the people of the Bogside and Creggan to dismantle the barricades; by the next morning they were

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[166] *Cameron Report*, Chapter 14, Paragraph 177.

[167] "I urge the people of this area to defend their own district," RTÉ Libraries and Archives News, Look and Listen, "Civil Rights Movement 1968 – 69 – 05 January 1969," originally broadcast on January 4, 1969 on RTÉ News, accessed 23 December 2011, <http://www.rte.ie/laweb/ll/ll_t11o.html>.

[168] The 'Free Derry' slogan was originally painted by Casey on a gable wall at the intersection of Lecky Road, Rossville Street, and Fahan Street. The wall was eventually painted white and the words were professionally redone in black. The 'Free Derry' mural remains and at the site now are memorials for the hunger strikers of 1981 from the H-Block of Long Kesh prison, as well as one for those who died engaging as members of the PIRA's Derry Brigade.

gone.

On January 15, O'Neill ordered an inquiry into the disturbances that had occurred in Northern Ireland since the march on October 5, 1968, and appointed Lord John Cameron as its head. The report was released in September of 1969, to mixed reactions in both the nationalist and loyalist communities. It is significant that in their conclusion, members of the commission felt it necessary to comment on the relationship of the RUC to the Minister of Home Affairs, which was not part of their mandate. They wrote, "[t]he nature of the relationship of the R.U.C. to the Minister of Home Affairs makes it easy for the criticism to be put forward that the R.U.C. is essentially an instrument of party Government" and recommended that enquiries into these matters should be placed in unbiased hands.[169] Unfortunately, by the time the report was released, violence in Derry, and throughout the whole of Northern Ireland, had exploded in intensity.

Eventually the PD decided to stop the marches in Northern Ireland because the negatives far outweighed any positives that appeared to come from them. One of the PD's most prominent members, Eamonn McCann, astutely noted, "the civil rights campaign must acknowledge that it failed in its primary task of building bridges to the Protestant working class." He furthered that, "[w]e have alienated them [Catholics] from their Protestant neighbours more than ever before."[170] All of the CRM organisations later ended their marches due to their constant descent into violence and the negative impact they seemed to be having on the situation in

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[169] *Cameron Report*, Chapter 16, Paragraph 230.
[170] Paul Bew and Gordon Gillespie, *Northern Ireland: A Chronology of the Troubles 1968-1999*, 2nd edition (Dublin: Gill and Macmillan, 1999), 11.

Northern Ireland.

Despite the RUC's predominantly Protestant make-up and involvement with the Orange Order, relations between the police and the Catholic community, despite a few significant incidents, were relatively normal until the march on October 5, 1968,[171] and in many communities they remained normal throughout the duration of 'the Troubles.'[172] However, after the march in Derry the Cameron Commission observed that, "[t]he police handling of the demonstration in Londonderry on 5 October 1968 was in certain material respects ill co-ordinated and inept. There was use of unnecessary and ill controlled force in the dispersal of the demonstrators, only a minority of whom acted in a disorderly and violent manner."[173] In fact, many police officers believed the response had been unnecessary and portrayed them in a poor light.[174]

This was not the first time the advice of the RUC was ignored by UUP politicians at Stormont with regrettable consequences. During the British House of Commons elections of 1964, Liam McMillan ran for the Republicans in West Belfast and located his headquarters on Divis Street. As was fairly standard practice for Republican candidates, an Irish tricolour was placed in the window. Under the Flags and Emblems (Display) Act (Northern Ireland) 1954 it was legal for a police

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[171] Campaign for Social Justice in Northern Ireland, *Northern Ireland: The Plain Truth*, 2nd edition, (Dungannon, NI: CSJ, June 15, 1969).
[172] As discussed briefly in the previous chapter, John D. Brewer and Kathleen Magee have provided an ethnographic study of routine policing in Northern Ireland during this period in *Inside the RUC: Routine Policing in a Divided Society* (New York: Clarendon Press, 1991).
[173] *Cameron Report*, Chapter 14, Paragraph 168-171.
[174] Identified only as "Sergeant Robinson" retired RUC officer. *Battle of the Bogside*, DVD, directed by Vinny Cunningham (London: British Broadcasting Corporation, 2004).

officer to remove any flag or emblem that could cause a "breach of the peace."[175] Although aware of the tricolours presence at Republican headquarters, RUC officers deemed it unnecessary to remove as it was being displayed on a street which was almost exclusively nationalist. Furthermore, they believed it was not worth angering the Catholic population in the area as it was harmlessly located. However, Paisley demanded the tricolour's removal and threatened the UUP that if they didn't order its removal he would organise his followers to march on the headquarters and remove it himself. Ignoring the warnings of the RUC, Unionist Minister of Home Affairs Brian McConnell ordered the tricolour's removal on September 28.

Aware the police were on their way approximately 2,000 Republican supporters marched into the streets around the headquarters forcing the RUC to arrive in armoured cars and use pickaxes to break down the doors and remove the flag.[176] Two days later, in defiance, McMillan posted another tricolour. Again the RUC were forced to enter and remove the flag. That night thousands of nationalists gathered at the Divis Street headquarters and when the RUC attempted to disperse them they responded with sticks, stones, petrol bombs, and whatever other ammunition they could get their hands on. By the time the police managed to regain control of the situation a Belfast Corporation trolley bus had been set ablaze and 30 people, including at least 18 RUC members, had been taken to hospital.[177] Although the next series of violent outbursts didn't occur for another few years, the

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[175] Northern Ireland, Flags and Emblems (Display) Act (Northern Ireland) 1954 (Belfast: HMSO, 1954), Chapter 10, Paragraph 2.1.
[176] Andrew Boyd, *Holy War in Belfast* (New York: Grove Press Inc., 1969), 180.
[177] Ibid., 180-1.

flag incident, as it is often referred to, is significant to understanding how the UUP allowed itself to be manipulated by loyalist blowhards. More importantly, though, it provides another, earlier, example of how UUP MPs often ignored the recommendations of the more flexible and politically astute RUC members. As the pattern later unfolded, the Unionist party used the RUC to repress actions of the nationalist community, forcing Catholics to view the RUC as the iron fist of the Unionist government and as an organisation that treated them as second-class citizens.

Conclusion

The British government could have exerted greater influence during the creation of the security forces in Northern Ireland, due to the province's status as a devolved model of government, and prevented the RUC from becoming predominantly Protestant and perceived as sectarian.[178] However, in reality, Northern Ireland was treated more as a federal system than a devolved one, as the governments, in essence, coordinated their powers, but maintained their own area of influence.[179] This was in large part due to the simple fact that Britain's retention of the six of nine counties of Ulster in Ireland had occurred because of the threats and demands of the Protestant population there, not as the result of an overriding desire of the Westminster parliament to continue to exert influence in the region.

The Special Powers Act became a permanent piece of emergency legislation in 1933. When this happened it created what Donohue has referred to as an

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[178] Michael Cunningham *British Government Policy in NI* 1st ed. P.7
[179] Derek Birrell and Alan Murie, *Lessons in Devolution: Policy and Government in Northern Ireland* (Dublin: Gill and Macmillan Ltd., 1980), 29.

"infrastructure of emergency" through which the process of coping in an emergency situation was institutionalised and assisted the Unionist government to maintain "the status quo rather than...establish law and order."[180] Since the SPA was conceived of as a way to crush IRA and Republican dissent against the existence of the Northern Irish state, the clauses within it were used almost exclusively against the nationalist community. Eventually, the Catholic community's perceptions of the RUC were influenced largely by what the police represented – a Unionist government. Under O'Neill the government spoke of reform, but appeared to move too slowly.[181] Farrell has stated that:

> By 1924 the RUC had become a more strongly Protestant force than the Police Committee had envisaged. It had become partially identified with the Orange Order, it was marked by a good deal of political interference in its appointments, and it was increasingly based on ex-members of the USC. It was less and less likely to win the support of the Catholic minority. The government had done nothing to stop this process and a good deal to hurry it along by its sympathetic response to complaints from the loyalist rank and file.[182]

It is significant to note that the United Kingdom is a unitary state without a written constitution. Instead, the constitution of the United Kingdom "consists of

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[180] Laura K. Donohue. "Civil Liberties, Terrorism, and Liberal Democracy: Lessons from the United Kingdom." BCSIA Discussion Paper 2000-05, ESDP Discussion Paper ESDP-2000-01, John F. Kennedy School of Government, Harvard University, August 2000 <http://www.hks.harvard.edu/var/ezp_site/storage/fckeditor/file/pdfs/centers-programs/centers/taubman/working_papers/donohue_00_civillib.pdf >, 7.
[181] On November 28, 1968, the O'Neill government implemented the Electoral Law Act (Northern Ireland) 1968, which abolished university seats, plural voting based on the occupation of a business premises, created four new constituencies and altered others, changed the voting age, established a permanent Boundary Commission, and formalised a review of seat distribution during elections. However, other reforms, such as fair housing allocation, had yet to be addressed in a significant way. Northern Ireland, Parliament, Electoral Law Act (Northern Ireland) 1968 (Belfast: HMSO, 1968).
[182] Michael Farrell, *Arming the Protestants* 195.

the effective parts of a considerable number of historic charters and statutes, laws of constitutional importance enacted by Parliament, judicial interpretations of Parliamentary acts and common-law rights."[183] As a result, there were no formal guarantees of basic rights for the citizens of Northern Ireland. Therefore, while similarities have been observed between the CRM in Northern Ireland and the Black civil rights movement in the United States during relatively the same period there were significant differences. Perhaps the most important was that the CRM in Northern Ireland lacked the important avenue of civil rights litigation for securing their rights and, by extension, dealing with police brutality, which those in the United States were able to utilise to aid their cause.[184]

Instead, members of the CRM and nationalist community continued to practice politics in the streets by holding illegal marches, and the clashes with the police and security forces continued to rise. These frustrations continued throughout 1969 and exploded in August with three days of rioting and the return of the barricades to the Bogside and Creggan.

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[183] Hiram Miller Stout, *British Government* (New York: Oxford University Press, 1953), 21-2.
[184] For a full discussion of litigation and government in Northern Ireland see K. Boyle, T. Hadden, and P. Hillyard's *Law and State: The Case of Northern Ireland* (London: Martin Robertson & Son & Co., 1975).

Chapter 3

"This is a tragedy for the city of Londonderry:"[185] 'Battle of the Bogside'

It is old but it is beautiful,
Its colours they are fine.
It was worn at Derry, Aughrim,
Enniskillen and the Boyne.
My father wore it when a youth
In bygone days of yore;
On the Twelfth I proudly wear
The Sash my father wore.
The Sash

My district consist of the area in which most of the rioting in recent years has taken place, on the fringes of the Bogside area, the area in which there are no pavements - they have all been ripped up and used as missiles - an area in which there is no streetlighting - it has all been shot out by British soldiers for fear of snipers. It is an area in which there is no social life of any kind. It is an area in which people lock their doors once it gets toward darkness, for fear of intruders.[186]
Father Edward Daly

Introduction

Nineteen sixty-nine was a volatile year throughout the globe, particularly in Europe where post-war political instability was still proving to be an issue. Italy was, as William I. Hitchcock has put it, "a hair's breadth away from open civil war." In Czechoslovakia student Jan Palach performed self-immolation in protest of the Soviet-installed government, and West German Chancellor Willy Brandt began his

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[185] Northern Ireland, Parliament, HC debate 14 August 1969 vol. 73, p. 2250.
[186] W.H. Van Voris, *Violence in Ulster: an oral documentary* (Amherst: University of Massachusetts Press, 1975), 126.

program of *Ostpolitik*.[187] Northern Ireland was no exception to this. The year brought universal adult suffrage, a new Inspector General of the RUC, a new Prime Minister, the first death of 'the Troubles,' the arrival of the British Army, two government reports on police conduct, the murder of the first police officer during 'the Troubles,' and a split in the IRA – to name just a few noteworthy developments. It was also the year of the famous "fateful split" between the Catholic population of Northern Ireland and the RUC.[188] Perhaps the most significant event of the year, and for the continuing conflict, was the 'Battle of the Bogside,' which took place from August 12 to 14. The battle re-established the no-go areas in the Bogside, Creggan, and Brandywell districts, and illuminated the need for immediate restructuring of the security forces in Northern Ireland if they were to resume any effectiveness. IG Albert Kennedy had tried to warn the government in 1968, "I am afraid that the small police force we have in Ulster will be up against a problem of maintaining law and order unprecedented in the history of the Province, and one which they may find quite impossible to cope with successfully."[189] No longer IG during the events of August, Kennedy's predictions proved disastrously accurate.

Background to the 'Battle of the Bogside'

In January of 1969, Kennedy abruptly resigned from the RUC after 44 years of service, eight of which had been spent as IG.[190] He was replaced in February by

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[187] William I. Hitchcock, *The Struggle for Europe: The Turbulent History of a Divided Continent, 1945 to Present* (New York: Anchor Books, 2003), 259.
[188] Northern Ireland, Parliament, *Violence and Civil Disturbances in Northern Ireland in 1969, [Scarman Report] Cmnd. 566* (Belfast: HMSO, 1972), Chapter 3, Paragraph 6.
[189]Letter, A. Kennedy (Chief Inspector of the RUC) to the Ministry of Home Affairs, Belfast, 25 November 1968, ... civil rights ... law order, Belfast: PRONI, HA/32/2/28, 2.
[190] "List of Inspectors General and Chief Constables," The Royal Ulster Constabulary George Cross, accessed 11 June 2011, < http://www.royalulsterconstabulary.org/cofficers.htm>.

Anthony Peacocke, described by former colleagues as "transparently honest and sincere, speaking his mind without becoming lost in police jargon."[191] Significantly, Peacocke and Kennedy held opposing views on CRM membership, with Peacocke believing the IRA was actively involved in the movement and Kennedy writing in 1968:

> In my opinion, a number of people on what I may call the loyalist side are confused and are not making any distinction between the I.R.A. and Civil Rights marchers and those belonging to similar organisations. It seems to me that enough is not being done by responsible people who should, I suggest, be busy pointing out the differences between the two kinds of activity I mentioned, and stirring themselves to call for a better understanding, especially in regard to interference with those who, peacefully, are stating their grievances publicly.[192]

By the time Peacocke became IG many far right unionists shared his belief that the CRM was a cover for IRA activities. In particular, staunch loyalist Paisley was continuing to fan the flames of Protestant fears of a Catholic takeover in Northern Ireland. While it is true that IRA members were involved in the CRM, there was a general consensus among the leadership that a policy of abstentionism should be adopted. After all, as many saw it, the CRM had managed to achieve more in a few short months via politics and lobbying than the IRA had succeeded after decades of violence. That is not to say, however, that support for abstentionism was unanimous. In fact, it was a fairly contentious policy from the start, with many traditional Republicans arguing to continue their role as the armed wing of Sinn

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[191] Ryder, *A Force Under Fire*, 108.
[192] Letter, A. Kennedy (Chief Inspector of the RUC) to the Ministry of Home Affairs, Belfast, 25 November 1968, ... civil rights ... law order, Belfast: PRONI, HA/32/2/28, 1.

Féin. In an interview with the *Belfast Telegraph* in February 1969, Goulding articulated the IRA's reasoning for abstentionism, "[the CRM] is not a specific IRA assignment. Our attitude is that we want to see everyone in the six counties, whether Protestant or Catholic, active in the movement to attain civil rights for the people here."[193] The unification of the two Irelands was still the overall goal of the IRA and the CRM was viewed by it as a means to an end. In the end, the policy of abstentionism would become a serious issue for the IRA.

Despite O'Neill's efforts to maintain control of government he was rapidly losing support amongst UUP members. In addition, nationalists who had supported O'Neill because of his platform of reform were beginning to feel changes were not happening soon enough. French philosopher Alexis de Tocqueville aptly recognised in the nineteenth century that "[p]atiently endured so long as it seems beyond redress, a grievance comes to appear intolerable once the possibility of removing it crosses men's minds."[194] O'Neill had managed to put himself in the unenviable position of running a country in which the citizenry was polarised between those who feared too many concessions were being granted and ones who felt it was too little too late. UUP member and former Derry mayor Major Gerard Glover wittily commented that O'Neill's reforms were "like inviting your mother-in-law to come for the weekend – the intentions are good, but the results are frequently bad."[195]

Derek Birrell and Alan Murie have noted that between 1969 and 1971 the proportion of UUP MPs who voted against the Northern Irish government at least

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[193] *Belfast Telegraph*, February 10, 1969, cited in Purdie, *Politics in the Streets*, 150.
[194] Alexis de Tocqueville, *The Ancien Regime and the French Revolution* (New York: Garden City, 1955), 167.
[195] Van Voris, *Violence in Ulster*, 106.

once was higher than in any other comparable parliament.[196] This can in large part be accredited to the lack of party options for loyalist MPs and voters. It was only after 1969 that splinter parties came into existence and unionists were presented with a variety of parties with loyalist allegiance. Prior to this, unionists were politically limited to the UUP.[197] In addition, Niall Ó Dochartaigh has commented that in the late 1960s the Protestant working class was becoming more active in politics and their affiliation was more to the right than even previous Unionists had been, being more zealous about the repression of Catholics.[198] In January, several Unionist MPs resigned from the cabinet due to their lack of confidence in O'Neill's government, including Deputy Prime Minister and Minister of Commerce Brian Faulkner.

Despite the issues plaguing O'Neill and his reforms, universal adult suffrage was passed by a slim majority on April 23. O'Neill had managed to successfully concede to the NICRA its central demand – one man, one vote. However, still lacking popular support within the UUP, on April 28, O'Neill resigned as leader of the party. On May 1, James Chichester-Clark, O'Neill's cousin, became the fifth Prime Minister of Northern Ireland, beating Brian Faulkner by one vote in a Unionist party election.[199] In an attempt to reunite the divided party factions he made Faulkner Minister of Development. Chichester-Clark also announced that the reforms promised during O'Neill's time in office would continue. In response, the NICRA decided it would lessen its campaign to allow time for the new government

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[196] Birrell and Murie, *Policy and Government in NI*, 66.
[197] Ibid., 109.
[198] Ó Dochartaigh, *From Civil Rights to Armalites*, 72.
[199] Hennessey, *A History of Northern Ireland*, 162.

to prove itself. However, Northern Ireland was about to enter marching season, a time when historically sectarian tensions rise throughout the country.

During rioting on William Street in the Bogside following a DCAC organised march on April 19, the RUC had fired live rounds for the first time in Derry. Nationalists were outraged that the police had shot at protestors. In his book *Paddy Bogside*, Patrick Doherty reflected that "[i]t didn't occur to anyone (except the hard-pressed constables) that a few hundred rioters against six policemen might constitute an unfair fight."[200] After the onset of the CRM, police officers in Northern Ireland found themselves facing situations for which they were undermanned, unprepared, and untrained. With insufficient numbers they were finding it difficult in many situations to effectively maintain crowd control. The rogue officers within the RUC combined with the actions of the B-Specials were tarnishing the reputation of the entire force. As a result, in addition to the pressure of their new responsibilities they were also receiving heavy criticisms for how they handled, or mishandled, them. During cabinet debates on January 29, Dr. Robert Nixon, Unionist MP for North Down, addressed the situation:

> These two men resigned because the work became oppressive; because they could be called out of their beds at half-past one in the morning without prior warning and told that they were to be in Derry at 4 o'clock; because they were taken away from their wives at a minute's notice; because they had no redress; because they were overworked; and because senior officers even over the age limit were being recalled to do pressed work again.[201]

It is evident that morale within the RUC was poor by January 1969 and only

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[200] Doherty and Hegarty, *Paddy Bogside*, 107.
[201] Northern Ireland, Parliament, HC debate 29 January 1969 vol. 71, p. 510.

continued to worsen as the year wore on.

Several members of the RUC who were chasing a group of rioting youths followed them to 42-year-old Samuel Devenny's house where the young men ran out the back.[202] For unknown reasons, the RUC men assaulted Devenny and several others present in the house, including his daughter who had thrown herself over her father's body to protect him from the blows. Devenny, who had a heart condition and previously had battled a bout of tuberculosis, ended up in hospital with injuries to his skull, mouth, eyes, as well as internal bleeding.[203] The result of this incident had been to inflame anger amongst the nationalist population as Devenny was well-known as non-aggressive. On July 17, Devenny, who had never fully recovered, died of a heart attack, which his family credited as the result of the beating he had endured. His funeral was attended by approximately 20,000 people and although the RUC remained off the streets, tensions in Derry were high.[204]

Devenny's family continued to petition for an investigation into police brutality in relation to his death:

> It is not in any way my clients intention to obstruct the due process of law but I am sure that you will only too

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[202] The spelling of Devenny's name is inconsistent and is divided between sources as either Devenny or Devenney. For example, the *Derry Journal* article which is sourced below includes the extra "e," whereas Patrick Doherty does not. I have chosen to utilise the spelling which omits this extra vowel. My reasoning for this is that the Devenny family's attorney uses this spelling, as does the Police Ombudsmen for Northern Ireland in her report.

[203] Ryder, *A Force Under Fire*, 109.

[204] "Devenney Inquest Opens Tomorrow," *Derry Journal*, July 22, 1969, 1. The RUC had been informed by the DCAC that they were not acceptable for even traffic control the day of Devenny's funeral. Doherty and Hegarty, 111. Although not the first person to die during 'the Troubles,' the beating of Devenny and his eventual death was highly publicised. His death came only three days after the first official death of 'the Troubles.' On July 14, Catholic Francis McCloskey, aged 67, died as the result of a blow to the head sustained during a baton-charge by RUC outside an Orange Hall in Dungiven.

> readily realize the experience they have suffered has reasonably affected their attitude towards an investigation which they would consider to be partial.[205]

A year later, Arthur Young, who was IG at the time, called for an investigation into the assault and detectives were brought in from Scotland Yard. On October 21, Detective Chief Superintendent (DCS) Kenneth Drury, who headed the inquiry, delivered 12 copies of his report to government and police officials. By November, Young stated there was "a conspiracy of silence" among members of the RUC that resulted from a misplaced sense of loyalty.[206] On October 4, 2001, the Office of Police Ombudsman finally communicated the results of the previous investigation to the Devenny family.[207] Mrs. Nuala O'Loan stated, "I am of the view that the then Chief Constable did not deal with the family appropriately" as they had never been told the results of the original inquiry.[208] Most significantly, the Ombudsman reiterated DCS Drury's words that: "[w]hilst it is appreciated that the officers...on duty in the riot area on the day in question were under extreme provocation, being constantly attacked and sorely tried, there is no evidence that their action could be justified in any way and this code of conduct can never be condoned in any force

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[205] Letter, V. Hanna (Solicitor) to County Inspector, Londonderry, of the RUC, 28 April 1969, ... victims ... civil rights, Belfast: PRONI, HA/32/2/26, 2.

[206] Police Ombudsman for Northern Ireland, *Report of the Circumstances of the Death of Mr. Samuel Devenny, (4 October 2001)*, (Belfast: Police Ombudsman for Northern Ireland, 2001), 2.

[207] What the Ombudsman performed wasn't an investigation per se. She simply reviewed the case and communicated the findings of Drury's investigation to the family, and the public, something which had not been previously done, in an attempt to offer some element of closure on the issue.

[208] Police Ombudsman for Northern Ireland, *Report of the Circumstances of the Death of Mr. Samuel Devenny, (4 October 2001)*, (Belfast: Police Ombudsman for Northern Ireland, 2001), 3.

responsible for the preservation of law and order."[209] Unfortunately, no statement of similar condemnation was released in the weeks or months following Devenny's death.

In the days after Devenny's beating, even moderate Catholics began to turn away from the RUC. Upon his death, RUC support among moderates completely eroded. On July 20, the day after Devenny's funeral, the Derry Citizens Defence Association (DCDA) was formed to protect Catholics in the city, and the issue of policing had become the main, if not only, issue on the minds of nationalists.[210] After months of politics on the streets and escalating violence, tensions in the region were high, which led Doherty and many others to believe that it didn't matter who insulted whom first, emotions were too high.[211]

'Battle of the Bogside'

The period from Easter until the end of August is traditionally known as marching season in Northern Ireland. Although predominantly loyalist, there are a large number of nationalist parades as well. The most important parade of loyalist tradition in Derry takes place on August 12. Organised by the Apprentice Boys of Derry, the parade celebrates the victory of Protestant King William of Orange over Catholic King James II at the Battle of the Boyne on August 12, 1690. Although the parade doesn't enter the Bogside, the marchers trace their way along the old city walls just outside. Traditionally, several of those marching throw pennies down from the walls into the Catholic Bogside, an arrogant display of superiority and

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[209] Ibid., 4.
[210] Ó Dochartaigh, *From Civil Rights to Armalites*, 311.
[211] Van Voris, *Violence in Ulster*, 130.

particularly insensitive during the 1960s when unemployment in the community was rampant.

As a result, nationalists have viewed the Apprentice Boys' parade as an annual display of Protestant ascendancy over the Catholics in the north, particularly Derry. Neil Jarman has noted that "[p]arades are expressions of culture, displays of faith *and* acts of domination; and they are intimately linked to the wider political domain. They work both as a part of an internal dynamic and to consolidate difference."[212] Jennifer Lynn Edwards has furthered this argument in *Construction and Maintenance of Power Through Ritual: The Orange Order and Orange Parades in Northern Ireland*, stating, "[a]dditionally, according to the research on Northern Ireland, it may be argued that Protestant (as well as Catholic) rituals reify sectarianism in Northern Ireland, thus perpetuating the power structure in Northern Irish society."[213] As a result, tensions between Catholics and Protestants tend to be more pronounced during marching season. Considering the division that accompanies marching season during relatively peaceful years, it is easy to understand why many wanted the particularly contentious Apprentice Boys' parade banned in August 1969.[214]

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[212] Neil Jarman, *Material Conflicts: Parades and Visual Displays in Northern Ireland* (Oxford: Oxford International Publishers Ltd., 1997), 124.
[213] Jennifer Lynn Edwards, *Construction and Maintenance of Power Through Ritual: The Orange Order and Orange Parades in Northern Ireland* (Oklahoma: Oklahoma State University, 2005), 25, accessed 22 September 2011, <http://search.proquest.com/docview/305387722?accountid=14611>.
[214] Marching season remains a challenging issue, during which sectarian clashes continue to occur. As recently as July 2011, parades in Northern Ireland broke down into a riot. By July 12, in Belfast, 24 PSNI officers had been injured, petrol bombs had become common and at one point a bus was hijacked and driven towards police lines. In an article for *The Guardian*, Henry McDonald wrote that parading in 2010 in Belfast led to the injury of about 80 PSNI officers and that Sinn Féin's MLA for North Belfast Gerry Kelly condemned both

As usual, approximately 15,000 Apprentice Boys arrived in Derry for the march, as well as 700 RUC members.[215] In preparation for the potential violence that would occur, the DCAC erected barricades on Abbey Street, at the entrance to the Little Diamond, and at Marlborough Terrace.[216] The police also erected their own crush barricades at William Street and Waterloo Street to prevent anyone from leaving the Bogside, fearing the residents would attack the city centre.[217] As was tradition, the marchers yelled insults down to the Bogsiders which they returned with abuse of their own. Doherty remembers that "[s]tones soon replaced insults, and the battle began."[218] In 1972 the *Sunday Time*s Insight Team observed that the Apprentice Boys parade was "an annual political experiment...If the Catholics take the insult lying down, all is well. In August 1969, after nearly ten months of intense political excitement, the Bogsiders were not prepared to lie down."[219]

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nationalist youths involved in the violence as well as the Orange Order for refusing to compromise with Catholics who lived along the parade route. In his article McDonald noted the rising concern over the apparent increase in sectarian violence that accompanied that year's marching season. Two days after McDonald's article Fionola Meredith also wrote an article commenting on the "sharper edge of aggression this time." See Henry McDonald, "Northern Ireland marching season ends with new outbreak of violence," *The Guardian*, 12 July 2011, accessed 7 August 2011, <http://www.guardian.co.uk/uk/2011/jul/12/northern-ireland-marching-season-violence> and Fionola Meredith, "Northern Ireland in July – silly season is here again," *The Guardian*, 14 July 2011, accessed on 7 August 2011, http://www.guardian.co.uk/global/2011/jul/14/northern-ireland-orange-parade-riots?intcmp=239>.

[215] Ryder, *A Force Under Fire*, 110.

[216] Doherty and Hegarty, *Paddy Bogside*, 128; See Appendix 2.

[217] Russell Stetler, *The Battle of Bogside: the politics of violence in Northern Ireland* (London: Sheed and Ward, 1970), 71.

[218] Doherty and Hegarty, *Paddy Bogside*, 129.

[219] The London *Sunday Times* Insight Team, *Northern Ireland: A Report on the Conflict* (New York: Times Newspapers Ltd., 1972), 115. The *Sunday Times* Insight Team is a group of investigative journalists established in the 1960s to focus on long term, or ongoing, investigations of significance.

At around 2:30 p.m. the violence began in earnest at Little James Street and William Street. The RUC eventually launched a charge down William Street, with several dozen loyalist marchers in tow, throwing stones as they went.[220] This onslaught was stopped by Bogsiders and a stalemate resulted for several hours. Ivan Duncan, an RUC Sergeant in 1969, spoke to how lamentable the situation on the streets were that day:

> Your object was to stop rioters encroaching on the commercial centre of the city. That was your duties. Don't let them into the centre of the cities. So you baton-charged, retreated, you baton-charged, retreated. You had to stand there and wait for them, for the next charge to come from them. It was a very sad situation there that we were put into, but it wasn't the fault of the men on the ground. It was the fault of further up the command.[221]

Finally, around 7:15, 100 RUC and between 50-200 Protestants breached the barricades at Little James Street, with Protestants breaking windows of the homes as they made their way towards Rossville Street.[222] Catholics in the area saw this as a repetition of the events of January and April; the last time a charge like this had been performed by the RUC Sammy Devenny and his family had been beaten.[223] To say the Catholics of the Bogside were unwilling to accept this is an understatement of the sentiments prevalent at the time. The Scarman Report later stated that the "Rossville Street incursion" led even moderates to "think that the police must be

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[220] Ó Dochartaigh, *From Civil Rights to Armalites*, 120.
[221] Later in the battle Duncan was hit by a petrol bomb thrown from the Rossville Flats. Pictures of him ablaze became quite famous during coverage of the battle. Duncan was hospitalised at Altnagelvin Hospital and had to remain off duty for approximately nine months while he recovered. *Battle of the Bogside*, DVD, directed by Vinny Cunningham.
[222] Ibid., 120.
[223] *Scarman Report*, Chapter 3, Paragraph 6.1.

resisted."[224] By this point many of the police officers had been on duty since 8:30 a.m. and were facing a situation that seemed only to be worsening. In a documentary that played on BBC Four in 2004, Doherty allowed, "[t]o be fair to the police, I think they took the full rattle of the stones for about two hours before they moved. And there was a tumultuous cheer in the Bogside when the police got on their vehicles and made the charge into the Bogside."[225] However, the atmosphere changed once the full reality of the fact that it was not only the RUC entering the Bogside, but Protestant rioters as well settled in. One of the more serious allegations to come out of the 'Battle of the Bogside,' similar to the Burntollet incident, was that the police had allowed Protestant civilians to run free in attacks on Catholics. On August 17, the *Sunday Times* reported that exhausted RUC men were seen lending their batons and riot shields to Protestant civilians in order to get a brief respite.[226] Callaghan later reflected on how the situation of the police was impossible since they hadn't even been provided with the proper basics – such as refreshments, shelter, and short reprieves – in order to appropriately handle the riot, things which had made rioting in Grosvenor Square in London months earlier result with a far different outcome.[227]

One of the most distinguishing features of Rossville Street, which serves as the entrance to the Bogside, is the Rossville Estates, three nine-story flats. In anticipation of the RUC attempting to enter the Bogside Catholic youths had created

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[224] Ibid.
[225] *Battle of the Bogside*, DVD, directed by Vinny Cunningham.
[226] "The Disunited Kingdom," *The Sunday Times*, August 17, 1969, 10.
[227] *Battle of the Bogside*, DVD, directed by Vinny Cunningham.

"open-air petrol bomb factories" on top of the Estates.[228] Due to the buildings' height and location police could not get into the Bogside; petrol bombs rained down on them every time they tried. As a result of the intensifying fight RUC reinforcements were called in from across Northern Ireland. Furthermore, plans were in motion to authorise the use of CS gas by the RUC, the first time it had been used in the United Kingdom. At approximately 11:45 p.m. the first canisters of CS gas were fired; the police preceding them with a warning over a loudhailer, a warning most, if not all, failed to hear.[229] When the fighting eventually ceased a total of 1,091 canisters had been fired into the densely populated residential area.[230] The Scarman Report, as well as accounts of those involved, has argued the use of CS gas had the opposite of the intended effect on the situation. Doherty wrote, "one thing is for sure: instead of subduing us, it only stoked our anger and stiffened our resolve,"[231] while the Scarman Report stated that the use of CS gas worked "to stoke even higher the fires of resentment and hatred."[232] Journalists noticed that on the first night of rioting the barricades were manned mostly by male youths, but that by the second night it was predominantly older men who had

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[228] Desmond Hammill, *Pig in the Middle: the Army in Northern Ireland, 1969-1984* (London: Methuen, 1985), 2.
[229] Stetler, *Battle of the Bogside*, 83.
[230] Dr. Raymond McClean, *The Road To Bloody Sunday* (Northampton: Guildhall Printing Press, 1997), 78. An inquiry was later called to investigate the medical impact of using CS gas in Derry which produced two reports on their findings: Great Britain, Parliament, *Report of the Enquiry into the Medical and Toxilogical Aspects of CS (Orthochlorobenzylidene Malononitrile). Part I. Enquiry into the Medical Situation following the Use of CS in Londonderry on 13th and 14th August, 1969 [Himsworth Report], Cmnd. 4173* (London: HMSO, 1969); Great Britain, Parliament, *Report of the Enquiry into the Medical and Toxilogical Aspects of CS (Orthochlorobenzylidene Malononitrile). Part II. Enquiry into Toxological Aspects of CS and Its Use for Civil Purposes [Himsworth Report], Cmnd. 4775* (London: HMSO, 1971)
[231] Doherty and Hegarty, *Paddy Bogside*, 132.
[232] *Scarman Report*, Chapter 3, Paragraph 6.

taken over the posts as it now seemed their homes and families were in danger.

On August 13 the situation rapidly deteriorated. The RUC barracks at Rosemount had been set on fire by nationalists in an attempt to prevent their use as reinforcements; a rumour was spread that St. Eugene's Cathedral was under attack by Protestants, which mobilised large numbers of Catholic moderates; and calls had been made by the NICRA members in Derry for demonstrations in other parts of the country to help relieve the police presence in the city. Violence had now sprung up in Coalisland, Newry, Strabane, Lurgan, Armagh, Dungiven, Enniskillen, and Dungannon. However, the most serious crisis took place in Belfast. As previously discussed, traditionally much more sectarian than Derry, once actions began in the city it rapidly exploded into a situation that could not be controlled. In his autobiography, current Teachta Dála (MP) for Lough in the Dáil Éireann of the Irish Republic and Sinn Féin President, Gerry Adams discussed how he was part of the group responsible for mobilising nationalists in Belfast, "[a]s we assembled in front of Divis Flats our mood was one of anger."[233] Police stations on Andersontown, Hastings Street, and Springfield Road were attacked and the possibility of sending reinforcements from Belfast eroded with them.

Although the happenings in Belfast are not the focus of this paper, it is important to note that what began as rioting to relieve the pressure on Derry turned into an explosion of violence previously not experienced in the city. The Ardoyne and Falls Road were the hardest hit by violence. The RUC opened fire on rioters using Browning machine-guns mounted on Shorland armoured vehicles.

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[233] Gerry Adams, *Before the Dawn: an autobiography* (New York: William Morrow & Co., 1996), 101.

Four Catholics, including nine-year-old Patrick Rooney, were killed by the RUC's indiscriminate use of firepower. Protestants angered by the actions of the nationalists throughout the country were outraged, physically assaulting Catholics and setting fire to the majority of houses on Conway Street, as well as in other predominantly Catholic areas.[234] Entire streets were set ablaze in Belfast and when the rioting finally came to an end 179 buildings had to be destroyed, 94 needed major repairs, and 323 required minor repairs of some sort. Of the damaged buildings 83.5 percent belonged to Catholics, resulting in nationalists viewing the events in Belfast as an attempted pogrom by Protestants.[235] On August 17, in response to the actions of Protestants, RUC, and USC men, an article appeared in the *Sunday Times* questioning the Stormont government's inability to control its own armed forces and its choice to deploy the B-Specials.[236]

With the situation worsening in Belfast on, August 14, IG Peacocke sent the following letter to the GOC Ian Freeland:

> In view of the continued worsening of the situation in Londonderry City on this date as outlined in the attached copy of a warning message sent to the Home Office, London, and the fact that this situation has deteriorated further since the timing of the message to the Home office, I now request the assistance of forces under your command in Londonderry City. [237]

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[234] *Scarman Report*, Chapter 1, Paragraph 23.
[235] Ryder, *A Force Under Fire*, 113.
[236] "The Disunited Kingdom," *The Sunday Times*, August 17, 1969, 10. Although the *Sunday Times* article was right to criticise the actions of the police, particularly in Belfast, it is somewhat unfair to question Stormont's deployment of the B-Specials. The British government refused to offer military assistance unless all domestic security options had been exhausted by Stormont, which included the use of the auxiliary police. Therefore, while many recognised that releasing the B-Specials onto the streets would anger the Catholic population, they were left with little choice.
[237] Letter, A. Peacocke (Inspector General of the RUC) to General Officer Commanding, 14 August 1969, law order; deployment of British troops, Belfast: PRONI, HA/32/2/55.

British troops from the 1st Battalion Prince of Wales' Own Regiment took control in the streets of Derry shortly after 4:00 p.m. The following day it was decided to put troops on the streets of Belfast as well as the situation there seemed to be only worsening. In Derry, after negotiations between Doherty on behalf of the DCDA and Colonel Todd at Victoria Barracks, the Army agreed to remove the B-Specials and RUC from the streets and to allow the barricades and 'Free Derry' to remain.[238] The residents of the Bogside and Creggan were now responsible for policing within 'Free Derry' and three days of intense rioting came to an end. In Belfast, in an attempt to regain peace, the Army eventually created a Peace Line along what was referred to as the Orange-Green line by residents of the city, where the Catholic Falls and Protestant Shankill Road meet.[239]

Although this was the first time since the establishment of Northern Ireland that the British Army was patrolling the streets of Northern Ireland they had already had a presence in the country since April of 1969. Due to several acts of sabotage on key pieces of infrastructure, such as electricity substations and water pipelines, by the UVF, the Ministry of Defence (MOD) at Westminster agreed to send in the 1st Battalion Prince of Wales' Own Regiment on April 26 in order to assist the battalions already garrisoned in Northern Ireland – the 2nd Queen's Regiment, the 1st Battalion Light Infantry, and 17th/21st Lancers minus two

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[238] Doherty and Hegarty, *Paddy Bogside*, 148-9.
[239] Hamill, *Pig in the Middle*, 15. The Army erected the Peace Line on September 9, 1969, and a variation of it is still present in Belfast today. In fact, over the years several more peace lines were built and Belfast now has 99 of them. Sean O'Hagan wrote an informative article about these dividers, see "Belfast, divided in the name of peace," *The Observer*, January 22, 2011, accessed 17 March 2012, <http://www.guardian.co.uk/uk/2012/jan/22/peace-walls-troubles-belfast-feature>.

squadrons.[240] However, it is significant to note that the majority of nationalists considered the arrival of the Army on the streets as a victory over what they viewed as the discredited RUC and a clear weakening of Stormont's ability to govern since it was forced to call upon Britain to intervene in order to restore order in the country.

At Stormont, the debates of August 14 were focused on the on-going chaos in Derry as well as reflections on the challenges facing Nationalist MPs. It is clear that at this point many in parliament were misunderstanding the situation as an IRA-organised conspiracy to overthrow the government, rather than a nationalist uprising to defend their communities, with the Northern Irish Prime Minister stating, "[t]his is not the agitation of a minority seeking by lawful means the assertion of political rights. It is the conspiracy of forces seeking to overthrow a Government democratically elected by a large majority."[241] Both Hume and Currie pointed to the government's historic and continued inability to treat the official opposition party with anything other than contempt, arguing that democratic means were not working the way they should in order to alleviate Catholic grievances. Currie further stated that he intended "to treat this Parliament with the contempt it has showered upon members of the opposition for so many years."[242]

Although the debate was heated, both sides agreed that the violence which had consumed Derry and Belfast, as well as several smaller cities, was unfortunate and a threat to the progressive nation each desired Northern Ireland to become.

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[240] Dr. David Charters in unpublished draft based on documents from the UK National Archives.
[241] Northern Ireland, Parliament, HC debate 14 August 1969 vol. 73, p. 2251.
[242] Ibid., 2253-63.

While Unionist politicians argued the RUC was unfairly facing the brunt of nationalist violence, they seemed unable to recognise the police force's lack of preparedness and that its position of attempting to suppress a popular insurrection was due largely to the poor political decision making on the UUP's part since the beginning of the CRM. Nationalist MPs attempted to convince the government to rid the RUC of the few unacceptable police officers who had committed sectarian crimes in the past in order to re-establish the force's credibility with the Catholic population and astutely pointed out that "the R.U.C. has been used as a political force, not as a force which is intent on keeping law and order within this country;" a charge the UUP was unwilling to accept.[243] In the remaining days of August and months of 1969 the RUC was to undergo the "fateful split" cited in the Scarman Report. During these debates the Nationalists highlighted the hypocrisy of the government allowing an Orange parade while banning CRM marches, which the parliamentary secretary to the Ministry of Home Affairs, Mr. John Taylor, refuted by pointing out that members of the Apprentice Boys were not the ones who had started the rioting in Derry.[244] Despite the accuracy of his statement given the tensions that had been building in the city in the months leading up to it, it is hard to imagine that a parade in which Protestants toss pennies from the walls into the Catholic Bogside, an area in which hundreds were crammed into inadequate housing, that violence wouldn't erupt.

Aftermath

In the days and weeks that followed the 'Battle of the Bogside,' law and

[243] Ibid., 2255.
[244] Ibid., 2275.

order was the paramount topic of discussion. On August 19, the governments of Northern Ireland and England released a joint statement, dubbed the Downing Street Declaration, in which they said:

> The GOC will assume full command and control of the Ulster Special Constabulary for all purposes including their organisation, deployment, tasks and arms. Their employment by the Northern Ireland Government in riot and crowd control was always envisaged as a purely temporary measure. With the increased deployment of the Army and the assumption by the GOC of operational control of all the security forces, it will be possible for the Special Constabulary to be progressively and rapidly relieved of these temporary duties at his discretion, starting in the cities.[245]

The constitutional challenges that arose from the British Army assuming control of law and order in Northern Ireland were a source of contention from the moment troops arrived in Derry until the implementation of Direct Rule in 1972, and will be discussed in more detail in the following chapter. In an attempt to rectify confusion over who had the ultimate authority, by October, the directive was modified so that the GOC was no longer given full control, but was instead responsible for the "'co-ordination of the tasking of the RUC' in relation to 'security operations.'"[246]

In hindsight it appears as though 1969 was the year of government inquiries and commissions in Northern Ireland. The Cameron Report, as previously discussed, had been ordered on January 15, an advisory committee was called together on August 26 to examine the RUC and USC and make recommendations to

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[245] Great Britain, Parliament, *Text of a Communiqué and Declaration issued after a meeting held at 10 Downing Street on 19 August 1969, [Downing Street Declaration] Cmnd. 4154* (London: HMSO, 1969).
[246] *Saville Inquiry Report*, vol. IX, Chapter 193, Paragraph 26.

improve law and order in Northern Ireland, and the following day a tribunal of inquiry was commissioned to investigate the acts of violence that had occurred since the beginning of 1969 with particular attention being paid to the 'Battle of the Bogside.' The advisory committee responsible for law and order recommendations released their findings on October 10 in the Hunt Report. Among several things, the report recommended that the RUC should be disarmed, the USC disbanded, a Police Authority established, and closer ties with police forces within the United Kingdom should be fostered. The same day, Englishman Arthur Young, Commissioner of the City of London Police, was made Chief Constable (CC) of the RUC at the request of British Prime Minister Harold Wilson in order to oversee the implementation of the Hunt Report's recommendations.

Several MPs had wanted to wait until after the weekend to release the Hunt Report, fearing anger from Protestant citizens over the disbanding of the USC. Unfortunately, the findings were made public on a Friday, typically a night of drinking and socialising. Protestants were outraged by what they viewed as a betrayal of their personal police force and rioting on the Protestant Shankill Road in Belfast quickly erupted. Armed, and in many cases inebriated, Protestants moved to again set fire to Catholic premises. The violence which the report had sparked resulted in the shooting murder of Constable Victor Arbuckle by loyalists during rioting. He was the first police officer to be killed during 'the Troubles,' and the irony was lost on no one that it had been by loyalists. Two Protestant rioters were also killed during the disturbances when they were shot by soldiers trying to quell the violence. Instead of calming, the violence in Northern Ireland seemed to be

continuing at a steady pace, which would eventually increase and peak in 1972.

Conclusion

After years of cramming Catholics together in the Bogside and Creggan the Unionists had, as Doherty noted in his memoir, created an "Achilles heel for themselves" and provided the potential for 'Free Derry:'[247]

> In the ultimate act of civil disobedience, the citizens of the Bogside and the Creggan, 33,000 in all, declared themselves independent from the civil authority and sealed off their ghetto from the rest of the city with barricades of rubble, slabs of concrete, old bedsteads, iron girders, planks of wood with rusty nails, burnt-out trucks and cars. Inside this Catholic enclave the rule of law did not exist.[248]

In *The Social Construction of Communities* (1972) Gerald D. Suttles discussed the concept of a "defended community" as it applied to the United States. However, many of the features he described were paralleled in 'Free Derry,' "[t]he residential group which seals itself off through the efforts of delinquent gangs, by restrictive covenants, by sharp boundaries, or by a forbidding reputation – [are] what I will call the defended neighborhood."[249] After the 'Battle of the Bogside' the nationalists in 'Free Derry' kept the barricades surrounding their community. Furthermore, armed men were placed on watch at each to ensure that Protestants, the police, and the Army were kept out. The DCDA took over policing duties as well, dealing with everything from vandalism to rape within the community.[250] Thus, nationalists had

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[247] Doherty and Hegarty, *Paddy Bogside*, 151.
[248] Peter Pringle and Philip Jacobson, *Those Are Real Bullets: Bloody Sunday, Derry, 1972* (New York: Grove Press, 2000), 35.
[249] Gerald D. Suttles, *The Social Construction of Communities* (Chicago: University of Chicago Press, 1972), 21.
[250] Doherty and Hegarty, *Paddy Bogside*, 184-5.

created their own defended community, operating autonomously within the country without interference from government and the security forces.

The residents of the Bogside and Creggan, and eventually nationalists throughout the country, rose up with such rapidity and fierce opposition to the government that the ordinary process of democracy was forced to take a backseat to armed intervention. However, considering the history of Stormont's treatment of the Nationalist Party it is evident the system in Northern Ireland in 1969 was a broken one in need of radical reform. An example of the evident inadequacies was during a press conference after the 'Battle of the Bogside' during which one of the journalists asked Home Affairs Minister Robert Porter what should be done about complaints of police behaviour. Porter responded with "'[w]ell, if there's any complaints about the police you should bring them to the appropriate authorities.' Someone asked, 'Who are the appropriate authorities?' And Porter said, 'The police.' The journalists just broke into hopeless laughter."[251] It is evident the government was ill-equipped to deal with a strong and vocal Catholic opposition; none more ill-prepared than the underfunded and understaffed RUC.

The arrival of the British Army in Northern Ireland initiated confusion surrounding which government and which authorities were truly in charge, and highlighted the faults of a devolved model of government in a state embroiled in such intense sectarian strife. The Army had been brought in "in support of the civil power," but problems arose over what effect this would have on the role of policing in Northern Ireland – would the Army commanders be in charge of the RUC or

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[251] Van Voris, *Violence in Ulster*, 141.

would the GOC be answerable to the IG? Furthermore, was Westminster now in charge of law and order for the state since it was their Army on the ground or would Stormont have a level of authority over the soldiers? Confusion over which responsibilities belonged to whom plagued both governments and the security forces over the next few years as violence in the region reached new heights. These challenges will be discussed in the following chapter.

Impacting upon these issues was the fact that as early as May there was a mutual breakdown of trust between RUC members and MPs. The RUC was frustrated by ministers' attempts to interfere in police affairs, particularly the Minister of Home Affairs. Home Affairs Minister Porter was well aware of the distrust with which he was being viewed and objected equally to the fact he was only being given information which the IG deemed "it fit that he should hear."[252] The UUP government had been using the police as a political tool for decades and had a history of ignoring astute police recommendations, such as the flag incident in 1964 and the October 5, 1968, NICRA march, continually placing the RUC in riot situations for which they were neither properly trained nor equipped.[253] By 1970, the Minister of Home Affairs was no longer responsible for overseeing the police, instead the role was added to the Prime Minister's portfolio, which was then limited via the Police Authority; this will also be further explored in the next chapter.

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[252] Minute, CGS to Secretary of State for Defence, 19 May 1969, item 29, London: The National Archives (TNA), DEFE 13/903.

[253] Republican Labour Party (RLP) MP for Belfast West Gerry Fitt had brought attention to this problem in the House on August 14, stating: "I believe the R.U.C. has been used as a political force, not as a force which is intent on keeping law and order within this country." Northern Ireland, Parliament, HC debate vol. 73, 14 August 1969, p. 2255.

Shortly after the 'Battle of the Bogside,' the *Sunday Times* reported that the concern of nationalists in Northern Ireland was no longer civil rights, but that "the question of the existence of Ulster [was] visibly in balance."[254] Therefore, when the British Army was brought in to aid the civil powers in reasserting control it was because the RUC and USC had proved incapable of maintaining law and order, not because Stormont recognised there were fundamental problems in the country's infrastructure that required redress. In the weeks following the 'Battle of the Bogside' the government made overtures at addressing the issue of law and order and the widely spread unacceptability of the RUC and USC to the nationalist community. However, Frank Burton and Pat Carlen have noted that by the time the Scarman Report was published it was considered to be irrelevant to the majority of the population in Northern Ireland since it had now "moved from community riots to guerrilla warfare."[255] Unfortunately, beginning with the turn against O'Neill, by the winter of 1969 the government had missed its opportunity to implement anything short of a complete overhaul of Stormont's political machinery, if not its eradication.

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[254] "The Disunited Kingdom, "*The Sunday Times*, August 17, 1969, 10.
[255] Frank Burton and Pat Carlen, *Official Discourse: on discourse analysis, government publications, ideology and the state* (Boston: Routledge, 1979), 94.

Chapter 4

"Anyone who isn't confused here doesn't really understand what is going on:"[256] The situation deteriorates

It is a great worry here in Northern Ireland because there are so many weapons about on both sides of the community.[257]
Lt. Gen. Sir Ian Freeland, GOC NI

It has to be recognised that the one point in common among Ulstermen is that they are not fond of Englishmen who tell them what to do.[258]
Bernadette Devlin, MP

It is not our government, and that's why you're here, because it's not our government.[259]
John Hume, MP

After the events of August policing had become the major focus of those in power. After all, in order for Stormont to regain autonomy from Westminster, the Unionist party needed to regain control on the streets and establish the RUC as a police force worthy of the trust of *all* citizens. As former head of the Northern Ireland Civil Service and Cabinet Secretary from 1963 to 1972, Kenneth Bloomfield wrote in his memoir *A Tragedy of Errors: The Government and Misgovernment of Northern Ireland*, "the Stormont Government could pursue any policies it wanted,

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[256] Hamill, *Pig in the Middle*, 32.
[257] Iain Hamilton, *The Irish Tangle, Volume 6 of Conflict Studies* (London: Institute for the Study of Conflict, 1970), 6.
[258] Great Britain, Parliament, HC debate 22 April 1969, vol.782, col. 287-8.
[259] Independent Television (ITV), *The Troubles*, 5-part documentary (1980-1), Peter Heathwood Collection on CAIN, DVD #s D00260, D00270, D00290, D00300, D00280.

as long as they were acceptable to Callaghan and Wilson. Such transparent subordination made a mockery of the very idea of devolved government, and led to Stormont having responsibility without power, to turn the Baldwinian wisecrack on its head."[260] However, given Stormont's recent behaviour and unwillingness to compromise Westminster's decision to put tighter reigns on the government of Northern Ireland, at least temporarily, made sound political sense. A critical step towards Stormont regaining power, and not simply responsibility, was being able to demonstrate that it could successfully run Northern Ireland without the Army's assistance.

The debates at Stormont during the winter of 1969-70 often centred on the issue of policing and reform. Shortly after the 'Battle of the Bogside,' the main topics of discussion tended to be the conditions in which RUC members were expected to work as well as the Hunt Report's recommendations, particularly a change of uniform for the police in order to break with the past and assist in the creation of a new image. Although the government initially agreed to implement the reforms suggested in the Hunt Report, many UUP MPs in Stormont reacted negatively to the proposed change of uniform. Nationalist MPs, however, were adamant in their arguments that in order for the Catholic population to accept the RUC as a non-sectarian force the uniform absolutely needed to change. During debate on October 29 John Hume stated, "Hon. Members opposite are shouting 'nonsense' but I want to say that the present uniform is regarded by many people as the uniform which woke them out of their beds in the small hours of the

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[260] Kenneth Bloomfield, *A Tragedy of Errors: The Government and Misgovernment of Northern Ireland* (Liverpool: Liverpool University Press, 2007), 180.

morning."[261] Unionist arguments for why the uniform should remain unchanged were weak and misguided in comparison to the advances that could have been made in gaining Catholic favour by conceding the issue. Unfortunately, the Unionist government made the decision to only provide a minor visual indication that the RUC was a reforming force and changed the uniforms to a *slightly* lighter green than they had previously been. Needless to say, the Catholic community hardly considered this the positive break from the past the recommended English blue would have been. The reluctance of the Unionist government to grant even this minor concession was viewed as an indication of how inconsequentially they treated police reform. Decades later, when the RUC was transformed into the PSNI, a new uniform was finally implemented.

Concern surrounding the morale of RUC members had been brought up in debate at the beginning of 1969 by Robert Nixon, UUP MP North Down. However, by the end of the year additional attention was now being paid to the working and living conditions of members of the police force, with many noting that in order to raise morale, and attract a better calibre of officer, the standards in which the members lived needed to be brought to par with the rest of the United Kingdom. This was a concern shared by members on both sides of the House. Independent MP for Mid-Londonderry, Ivan Cooper's[262] statements appropriately reflect the

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[261] Northern Ireland, Parliament, HC debate 29 October 1969 vol. 74, p.731-2.
[262] Although it may seem strange in regular circumstance to include an explanation of an MPs religious and political affiliations, given the political climate of Northern Ireland in the 1960s and 1970s Ivan Cooper appears as one of a limited number of anomalies and, therefore, a short discourse is necessary. Born into a working-class Protestant family in Killaloo, County Derry, Cooper eventually moved to the Bogside. Cooper believed that both Protestant and Catholic working-class citizens in Northern Ireland deserved equal rights

growing sentiment among Stormont MPs:

> these people are living in positively mediaeval conditions: ill-heated barracks; sanitary conditions which could only be compared with some of the descriptions that we have heard of housing in various parts of the constituency; cold; bad lighting; and very bad cooking facilities where these men have got to make meals in the local station...Let us face it, what the Hunt Report really said was that we have got to try to attract a better calibre of people and to make the Royal Ulster Constabulary more attractive from a recruitment point of view. I would urge the Minister to improve the living conditions and then the job will be improved and made a good deal more attractive.[263]

The argument set out by Cooper and others made logical sense. In order to expect higher standards from members of the police, the force should be provided with a higher standard of conditions in which to live and work.

In addition to concern over working conditions, a proposal had been made to reduce the number of weeks RUC recruits underwent training from 18 to 12 weeks. This suggestion was based on the fact that since the RUC was to now become an unarmed police force the additional weeks spent training were unnecessary. However, not all MPs from either side were convinced of the validity of this reasoning. For example, during debate on November 18, Harry West, UUP MP for Enniskillen, argued it made no sense for recruits not to undergo training in the use of firearms because although they were no longer an armed force, arms

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and joined the NICRA from the outset. He quickly made a name for himself and became president of the DCAC and was committed to non-violence. In 1970, Cooper became one of the founding members, along with John Hume, Paddy Devlin, and Gerry Fitt (all Catholics), of the nationalist Social Democrat and Labour Party (SDLP) and represented the party in Stormont from 1970 until it was prorogated. Due to Cooper's involvement and strong ties with nationalist movements he has been on occasion assumed to be Catholic by casual observers and was considered a traitor by many Protestants during 'the Troubles.'

[263] Northern Ireland, Parliament, HC debate 12 November 1969 vol. 74, p. 1225-6.

would remain available for emergency use. Therefore, West emphasised, since RUC members would potentially be required to use arms at some point they should be provided with adequate and proper training in their use before an emergency situation arose.[264] Although nothing came of this suggestion, the debate over training was simply another moment in an unfortunate history of filling a police force with members who were ill-equipped and unprepared for the situations in which, recent history indicated, they had been and would most likely again be involved. The government was still not learning from its past errors that in order to maintain a professional and talented constabulary, time, money, and training needed to be invested from the outset.

Perhaps the event that would have the most significant impact on the RUC in future years occurred on December 18, 1969, although it wouldn't become public knowledge until January 11, 1970, and that was the split of the IRA into two factions – the Official Irish Republican Army (OIRA) and the Provisional Irish Republican Army (PIRA, Provos). After the 'Battle of the Bogside' and the ensuing events in Belfast, nationalists blamed the IRA for not protecting them against the Protestants and changed the IRA graffiti around Belfast to read "I Ran Away" in mockery. Within the IRA members disagreed over how to respond to the violence threatening the nationalist community, ending with the split into two factions. For a brief time, the OIRA and the PIRA maintained a feud between one another as well as the security forces in Northern Ireland. Eventually by the summer of 1972, OIRA declared a ceasefire, which quickly led to the Provos commonly being referred to as

[264] Northern Ireland, Parliament, HC debate 18 November 1969 vol. 74, p.1433-4.

simply the IRA.[265] As of 2001, the Sutton Index of Deaths, based upon Malcolm Sutton's book *Bear in mind these dead...An Index of Deaths from the Conflict in Ireland 1969-1993*, listed the number of deaths at the hands of the IRA as 1,824 from July 1969 to December 2001.[266]

The split in the IRA and the decision of the Officials to end abstentionism meant an increase in violence targeting police officers and soldiers. Security personnel became targets for gun and bomb attacks even while off-duty. While speaking to the Saville Inquiry, Constable Douglas Hogg stated:

> Prior to the troubles starting in the late 1960s, Londonderry had been a very sought after posting. A lot of officers married local girls and stayed in the area. I believe that until the 1960s there were a number of pubs which the RUC used, actually situated in the Bogside. By 1972, however, a Londonderry posting would usually last two years and in general only, young single men would be sent. It was a case of turn up, do your two year stint and leave as quickly as you could.[267]

In *The Fateful Split*, Chris Ryder noted that a small number of RUC officers had early on attempted to warn those in influential positions that they and government would not be ready for the explosion in the foreseeable future. They had been ignored, but in the end were tragically right.[268]

The Reforms

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[265] The PIRA consisted of members who had remained constant in traditional Republican tactics of violent armed struggle, remaining the armed wing of the political Sinn Fèin. The OIRA, on the other hand, was led by men who were willing to use paramilitary politics and put the use of arms on hold. Goulding was in charge of the OIRA, while PIRA was led by Seán MacStíofáin. Moloney, *A Secret History of the IRA*, 70-1.

[266] Malcolm Sutton, "An Index of Deaths from the Conflict in Ireland," CAIN, accessed 3 July 2011, <http://cain.ulst.ac.uk/sutton>.

[267] *Saville Report* vol. VII, Chapter 134, Paragraph 40-1. In particular, see the attached evidence JH9.1, page 2.

[268] Ryder, *The Fateful Split*, 123.

On March 26, the Police Act (Northern Ireland) 1970 was implemented by the Stormont government. The Act created the Police Authority for Northern Ireland (PANI), a Police Advisory Board, and a Police Association for Northern Ireland. The creation of these bodies had been one of the suggestions in the Hunt Report and their purpose was to establish an appropriate system of fair and balanced checks on police behaviour and function. The IG was now responsible to the PANI, rather than to the Minister of Home Affairs, as had previously been the practice. Additionally, the PANI was placed in charge of making the appointments of individuals to the position of IG, with the Prime Minister only fulfilling a formal role of approval.[269] These bureaucratic bodies were intended to reinforce the RUC's independence from the government, and, therefore, political influence and pressure. However, K. Boyle has noted in *Law and State: The Case of Northern Ireland* that, "the new Police Authority failed to assert itself in such a way as to alter the public conception of the police force as an agent of the unionist Government."[270] In addition, the authority of these bodies was challenged from the outset when the SDLP refused to give "recognition to the RUC through participation in the Authority."[271] Since the SDLP was the political party which represented the majority of Catholic voters their decision to disregard the PANI only added to its challenges to represent and instil change and reform.

Shortly after the implementation of the Police Act, the B-Specials were

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[269] Note, Peter Gregson (Cabinet Office) to Graham Angel (Home Office) 8 September 1970, London: TNA, DEFE 15/474.
[270] K. Boyle, T. Hadden, and P. Hillyard, *Law and State: The Case of Northern Ireland* (London: Martin Robertson & Son & Co., 1975), 21-2
[271] John D. Brewer, Adrian Guelke, Ian Hume, Edward Moxon-Browne, et al, *The Police, Public Order and the State* (London: The Macmillan Press Ltd., 1988), 54-5.

formally disbanded on April 30 and replaced by the Ulster Defence Regiment (UDR). The UDR was established as a part-time military defence force under the command of the GOC and recruited locally.[272] It was intended to replace the discredited B-Specials and was under no circumstances to act as crowd or riot control. The UDR was required to consist of Catholics and Protestants and reach a membership of 4,000 strong. Many in the Protestant community, particularly former B-Special men and their families, believed the formation of the UDR was based on a system of "reverse discrimination."[273] A note written on September 23, 1971, opined what the obstacles that faced UDR recruitment were, concluding with the suggestion that although the government could not be seen to have been recreating the USC under a new title, "a little under-the-counter work might be undertaken to bring forward potential recruits who had previously been rejected or discouraged from joining the UDR at a time when it was fashionable to denigrate the USC."[274]

Initially, the regiment was able to recruit a significant number of Catholics. Unfortunately, due to the introduction of the, largely, Catholic-targeted internment in 1971 as well as intimidation from Republican organisations like the PIRA these numbers declined rapidly and the force became almost entirely Protestant.[275] In several cases the UDR meetings were held at former B-Special drill halls. Even though they had taken the Oath of allegiance to the Queen the loyalty of Catholic

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[272] For a thorough discussion of the UDR see Chris Ryder's *The Ulster Defence Regiment: An Instrument of Peace?* (London: Methuen, 1991).
[273] 'Obstacles to Recruitment of the UDR,' 23 September 1971, ... law order, Belfast: PRONI, CAB/9/G/89/4, 2.
[274] Ibid., 4. See Appendix 1 for table of former B-Special enrolment into the USC.
[275] Brewer, Guelke, Hume, Moxon-Browne, *The Police, Public Order and the State*, 66.

members was often questioned, and Protestants were seen to be favoured for promotion. There were a number of instances of the IRA threatening, intimidating, and even murdering Catholic UDR officers as warnings to others not to join or to cease their current involvement. As a result, by November 1971 Catholic representation in the UDR had fallen by half to eight percent.[276] Eventually, the UDR faced criticism similar to those of the B-Specials before them: some members were accused of committing sectarian crimes, UVF members managed to gain admission to the force, and the regiment as a whole was accused of unduly harassing Catholics at roadblocks.[277] In 1992, the UDR was amalgamated with the Royal Irish Rangers to form the Royal Irish Regiment as part of a program of reduction in troop size, with the added hope the name change would assist in an image makeover.

As previously discussed, reaction to the loss of the B-Specials had brought forth violent reactions from many Protestants, particularly in Belfast. However, Nationalist MPs in Stormont saw their disbandment as a genuine move toward police reform in Northern Ireland. By May, Cooper addressed the government with the following words of praise for the reforming police force:

> I must confess I have been impressed by some of the young police officers whom I have met who have been on duty near my home. I have discovered that they are young men who are eager to try to persuade public opinion that they are determined to police impartially and to police for the good of all the people. I believe many of our young recruits in the force are genuinely trying to do this and I must confess I welcome it.[278]

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[276] Ryder, *The Ulster Defence Regiment*, 49.
[277]Brewer, Guelke, Hume, Moxon-Browne, *The Police, Public Order and the State*, 66.
[278] Northern Ireland, Parliament, HC debate 20 May 1970 vol. 76, p. 705-8.

It appeared that at this early stage in the police reforms, the RUC was managing to regain some of the confidence they had lost from the Catholic population of Northern Ireland.

In order to implement the recommendations outlined in the Hunt Report, Wilson requested that Sir Arthur Young be made CC of the RUC; this became official on October 10, 1969, the same day as the Hunt Report was published.[279] Although Young obviously could not please all members of the public all of the time – Captain Robert James Mitchell, UUP MP North Armagh, in Stormont placed the responsibility of the poor morale of RUC members squarely on Young's shoulders[280] – generally speaking most considered he was doing a fine job of accomplishing the difficult task which had been set before him: "[t]he police under Sir Arthur Young, disarmed and beginning to smile, are recovering their morale and increasing their numerical strength."[281] However, on November 23, 1970, Young resigned from the position of CC in order to return to London and his growing family. Young's intention to resign had been known by Home Secretary Reginald Maudling and Prime Minister Chichester-Clark since August. In fact, during dialogue over who should replace him as CC, Young had offered to keep the

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[279] Following the Hunt Report's recommendations, the old rank structure of the RUC was abolished and was brought into line with the English system. As a result, the title of Inspector General was replaced by Chief Constable.

[280] Captain Robert James Mitchell had said in the House that he believed, "[t]here is nothing more important in any force than esprit de corps and nothing disgusts me more at this moment, and has for some time, than the way in which the spirit of the Royal Ulster Constabulary has been destroyed by the activities of the Inspector General who was appointed to run it." Northern Ireland, Parliament, HC debate 20 May 1970 vol. 76, p. 631.

[281] Letter, Oliver Wright (Deputy Home Office Representative to Northern Irish Government) to James Callaghan (British Home Secretary) 6 March 1970, London: TNA, DEFE/13/1397, 3.

position until a suitable replacement could be found.[282] Young believed the next CC should not be English – he felt his position had always been precarious because of his Englishness – but from within the RUC and suggested that his Deputy CC Graham Shillington would be an admirable man for the job.[283] However, initially the Home Secretary disagreed with Young and preferred the idea of another Englishman, but British Prime Minister Edward Heath believed the appointee should at least be Roman Catholic.[284] By September both cabinets were in agreement that it would poorly affect RUC morale if the position was not filled by an Irishman already in the force.[285]

Robert Edward Graham Shillington was described in a *Telegraph* article after his death in 2001 as "immensely well-liked and respected within the RUC, as much for his leadership qualities as for his lack of airs."[286] In one of his first statements as CC, Shillington appealed to the citizens of Northern Ireland to assist the RUC in maintaining law and order and removing guns, bombs, and violence from their streets. In addition, Shillington spoke of the rising rate of, for lack of a better term, normal crime, which warrants lengthy quotation here:

> I think we must all be more conscious than ever of crime in our midst, not just riot and disorder but ordinary crime such as stealing and house-breaking and the like which is the bane of law-abiding

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[282] Letter, A. Young (Chief Constable of the RUC) to R. Maudling (British Home Secretary) 31 August 1970, ... policing, Belfast: PRONI, CAB/9/G/96/1, 1.
[283] Ibid., 3.
[284] Note, 'Note of a Cabinet Discussion on Tuesday 15 September 1970 - RUC Appointments,' 15 September 1970, ... policing, Belfast: PRONI, CAB/9/G/96/1, 1.
[285] Note, 'Note of a Conversation which the Prime Minister had with the Home Secretary on Tuesday, 15 September 1970,' 15 September 1970, ... policing, Belfast: PRONI, CAB/9/G/96/1, 1.
[286] "Sir Graham Shillington," *The Telegraph*, August 16, 2001, accessed 17 March 2012, <http://www.telegraph.co.uk/news/obituaries/1337555/Sir-Graham-Shillington.html>

> citizens...Two years ago we were able to claim that in Northern Ireland not only did we have less crime than any other comparable area of the United Kingdom but we caught more offenders. That is no longer so. A large proportion, and at times virtually the entire Force, had been committed to dealing with disturbances and associated activities. Hundreds of thousands of police man hours have been expended in this way – to the advantage of the ordinary criminal. The community has paid the price: more crimes, fewer detections. The sooner we can give more attention to this aspect of our work the better it will be for everybody, except of course the law breaker. It is our intention, consistent with our other duties, to reach as quickly as possible a situation where the criminal is more effectively dealt with.[287]

Shillington's comments astutely spoke to a concern which had been growing among peaceful individuals throughout the country and who, it is important to remember, were the majority. The issue of rising crime rates had been brought up numerous times throughout the year by MPs on both sides of the Stormont parliament and continued to plague the country for years to come. Shillington further stated he would like to see the day when there would be more police involvement in normal peacekeeping in the communities, which would allow for a withdrawal of the Army.

In March 1971, the police found itself embroiled in a new scandal. During debates in Stormont it was revealed that Paisley had access to confidential police reports. It was unknown how Paisley had received these, but he made use of their information during debates in January. Unfortunately, Paisley was not the only one in receipt of these documents. William Craig, MP for Larne, admitted on a television programme that he also had access to reports. Hume argued during the March

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[287] G. Shillington, 'Statement by Chief Constable, Mr G.E. Shillington at a news Conference on Wednesday, 18th November, 1970,' 18 November 1970, ... policing, Belfast: PRONI, CAB/9/G/96/1, 3.

session of Stormont that these revelations proved at least a section of the RUC was directly involved in UUP politics and hardly contributed to its image as an impartial police force. Paisley responded by making similar accusations about Hume and refused to divulge his source.[288] Despite the fact the PANI as well as several other checks had been introduced in order to restore the professionalism and impartiality of the RUC, evidently the force was still being used as a political tool, if albeit unwittingly.

RUC and Army Relations

When the British Army arrived in Northern Ireland to bring to an end the 'Battle of the Bogside,' it introduced a new layer of confusion to the already complicated problem of law and order in the country. Shortly after the arrival of soldiers, the *Sunday Times* reported on the conflicting statements of those in charge, "[g]overnment officials claimed: 'This is entirely a matter for the GOC Northern Ireland.' But a spokesman for the General said: 'We are in aid of the civil power. And it is at the request of the civil power that we take action.'"[289] On May 12, 1971, Arthur Hockaday sent a confidential letter to David West, then civil advisor to the GOC Northern Ireland, in an attempt to clarify the security situation. In it, Hockaday outlined that soldiers were responsible to the courts of Northern Ireland for their actions under the civil law, to the Secretary of State for Defence for all actions connected to the performance of their military duties, and that the Secretary of State was responsible to parliament at Westminster for matters

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[288] This debate can be found in the Stormont Papers, see Northern Ireland, Parliament, HC debate 9 March 1971 vol. 79, p.389 and continuing.
[289] "Belfast: troops take over, police out," *The Sunday Times*, August 17, 1969, 1.

relating to British soldiers – with soldiers not being responsible to the Stormont Government and vice versa.[290] The Army was acting at the request of Stormont who was, therefore, financially responsible for the Army while they were in Northern Ireland. However, the Northern Irish government could not be permitted complete control over their operational use as they were accountable to the government at Westminster. As a result, Stormont could request the use of troops for actions in Northern Ireland, but could not dictate the details of their operational use.

Although representatives from both governments continually worked to assure the public and other MPs there was no real confusion or tension surrounding who was responsible for what and to whom – "[i]t works perfectly well because both sides know exactly what their responsibilities are" – members from the RUC and the Army repeatedly expressed opinions which depicted the uncertainty of the circumstances.[291] In his statement to the Saville Inquiry General Sir David Ramsbotham, who had been Military Assistant to the Chief of the General Staff (1971-3), wrote of how it was unclear to whom the Army was actually subordinate.[292]

Confusion over responsibility and authority aside, several former RUC members in discussion of the early years after the Army's arrival have expressed that the reality of the situation was that without Army support or agreement there

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[290] Letter, A. Hockaday (Ministry of Defence) to D. West (Civil Adviser to General Officer Commanding Northern Ireland) 12 May 1971, ... law order ... political developments, Belfast: PRONI, HA/32/2/35, 1-2.
[291] *Saville Report*, vol. IX, Chapter 193, Paragraph 20.
[292] Ibid., Paragraph 22.

was little the RUC could do on the streets.[293] In testimony given to the Saville Inquiry RUC Inspector Harry Dickson had the following to say about policing in Derry:

> During my service in Londonderry the army, rather than the RUC, was in complete control of security. The Bogside was a no-go area for the RUC and we primarily policed peaceful areas, such as the Fountain, Foyle Street and the Strand Road. If a serious incident occurred in the Bogside then the RUC would be escorted into the Bogside by the army in order to secure the area and arrange for a scene of crime officer and the CID to attend.[294]

Impacting upon the RUC's inability to perform normal policing in areas such as Derry was the fact that in situations where the Army found themselves in challenging situations the RUC was called upon to assist. For example, on July 24, 1971, a four-ton Bedford lorry being operated by the Army mounted a sidewalk in the Bogside and crushed to death a nine-year-old boy who had been in the vicinity. Army personnel were forced to evacuate the scene and the RUC were called in to investigate, secure the scene, and receive the brunt of the anger of a crowd of 150-200 bystanders who had gathered.[295] This was only one in a number of unfortunate accidents involving the Army and innocent civilians being maimed or killed. Due to incidents such as the one outlined above, Chichester-Clark's hope that the Army would be "the vehicle in which the R.U.C. could travel to 'public acceptability'"

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[293] Superintendent Patrick McCullagh testified that, "there was very little we [the RUC] could do in terms of public order if the army did not agree with us." Ibid., Chapter 193, Paragraph 38.

[294] *Saville Report*, Harry Dickson's evidence JD3, page 5.

[295] G. Gilbert, 'Fatal Motor Accident in Bogside, Londonderry, on 24th., July, 1971, involving military vehicle,' 5 August 1971, ... victims, Belfast: PRONI, HA/32/2/45.

remained unfulfilled.[296]

The first British soldier to be killed during 'the Troubles' in Northern Ireland was Gunner Robert Curtis who was shot by the PIRA while patrolling in the New Lodge Road area of Belfast on February 6, 1971. The incident was the culmination of several days of rioting in the Ballymurphy and Crumlin Road areas, and was demonstrative of the escalating tensions between the Army and nationalists during this period. The murder of a soldier pushed 'the Troubles' onto a more violent path, which for months had been the intentions of the IRA. In response, Northern Ireland's Prime Minister James Chichester-Clark stated the government was now at war with subversive organisations.[297] Unfortunately, by the end of the year 11 policemen and 40 soldiers would be murdered in Northern Ireland.[298] Although the RUC had voted on September 15, 1970, to remain unarmed,[299] due to the escalating violence and the increasing number of personal attacks on police officers by paramilitary groups, Shillington informed Faulkner he was arming men going out on duty with revolvers in order to protect his officers.[300]

In 1970, Chichester-Clark had begun to lose support amongst members of

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[296] Note, 'Note of a Meeting in the Prime Minister's Room, Stormont Castle at 10.30 a.m. on Wednesday, 22nd April 1970,' 22 April 1970, ... law order, Belfast: PRONI, CAB/9/G/89/2, 2.

[297] Eamon Phoenix, "35 years since first British soldier shot dead in Troubles," *Irish News* February 7, 2006.

[298] Richard Doherty, *The Thin Green Line: A History of the Royal Ulster Constabulary GC, 1922-2001* (Barnsley, South Yorkshire: Pen & Sword Military, 2004), 102, and the Sutton Index of Deaths on CAIN.

[299] The officers voted in favour of the recommendations in the *Hunt Report* and while they didn't desire to be individually armed, they did believe that weapons should be readily available if and when they were needed. Press Release, 'Representative Body - Press Release,' n.d., ... policing, Belfast: PRONI, CAB/9/G/91/2.

[300] Footnote 3 on page 98 of Doherty's *The Thin Green Line*. This was later made official policy. See 'Internal Security - Role of the Police - Position before the Hunt Report,' 3 August 1971, law order; policing, Belfast: PRONI, CAB/9/G/89/4, 2-3.

the Unionist Party. The disarming of the RUC and disbanding of the B-Specials had made him unpopular with many Protestants who feared the loss of their favoured force. As early as July 25, the *Loyalist News* wrote, "we loyalists have no confidence in the present government" and cited the banning of Protestant parades, an act it considered appeasement to nationalists, as one of the largest contributing factors.[301] By September 21, 1970, the *Belfast Telegraph* reported the Unionist Party had passed a vote of no confidence concerning the government's law and order policies.[302] The political situation for Chichester-Clark continued to deteriorate into the New Year. After rioting in the Shankill area of Belfast in January 1971 and the murder of three young soldiers by IRA members, also in Belfast, in March, Unionist MPs demanded his resignation. On March 20, Chichester-Clark resigned as Prime Minister stating, "I have decided to resign because I can see no other way of bringing home to all concerned the realities of the present constitutional, political and security situation."[303] He believed that too many Unionists, and members of the general public, had unrealistic expectations concerning the possibility of pleasing everyone in Northern Ireland. Three days later, on March 23, Brian Faulkner defeated William Craig in the Unionist Party leadership election and became the sixth Prime Minister of Northern Ireland. The task facing Faulkner was to be much more challenging than that which had defeated Chichester-Clark.

In separate incidents on July 8, 1971, Séamas Cusack and Desmond Beattie

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[301] "Double Crossing Government," *Loyalist News* 27th *edition*, July 25, 1970, accessed 3 April 2012 <http://cain.ulst.ac.uk/ephemera/periodical/Loyalist_News_250770r.jpg>
[302] *Belfast Telegraph*, September 21, 1970.
[303] Henry Kelly, *How Stormont Fell*, 13.

were shot and killed by British troops in the Bogside. These incidents were the first time citizens were killed by the Army in Derry. Controversy surrounded the deaths with civilians claiming the men were unarmed and innocent and the Army stating they had been attacked by guns or bombs. The SDLP called for an official inquiry into the deaths of Cusack and Beattie, but were only granted an unofficial inquiry headed by Lord Anthony Gifford. As a result, the SDLP withdrew from Stormont on July 16, and took with them much of Stormont's legitimacy as they represented a significant portion of the Catholic community.[304] After this the situation in Derry rapidly deteriorated. Until the end of October 1971, the Bogside and Creggan were considered military no-go zones – all military posts were positioned on the edges of the community. However, at the end of October, 8th Infantry Brigade was ordered to begin the process of "softly" re-imposing the rule of law in 'Free Derry' as IRA membership seemed to be increasing.[305] The civilians of the Bogside and Creggan responded to this increase in military personnel negatively and the situation in the area became openly hostile with Army posts routinely being fired on.

As previously mentioned, the RUC had already determined they could not

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[304] Unfortunately, the Army and the RUC refused to participate in the inquiry, and, therefore, their perspective from the day is absent. In the end, the inquiry determined that neither Cusack or Beattie had been armed. Northern Ireland Socialist Research Centre, *Inquiry into the Circumstances Surrounding the Deaths of Seamus Cusack and George Desmond Beattie* (Belfast: Northern Ireland Socialist Research Centre, 1971) accessed 14 March 2012, < http://cain.ulst.ac.uk/othelem/docs/gifford/gifford71.htm>.

[305] *Saville Report*, vol. I, Chapter 8, paragraph 128-54. These documents are discussions on how to best re-establish government authority in 'Free Derry.' In the end, a "soft" approach was finally decided on in an attempt to avoid sparking more violent confrontations with paramilitary groups. After Bloody Friday, July 21, 1972, in which 26 IRA bombs were detonated in Belfast killing 11 and injuring 130, Secretary of State for Northern Ireland William Whitelaw decided the no-gos had to be retaken. As a result, on July 31, Operation Motorman was undertaken and successfully re-imposed law and order in the no-gos. This was the largest British military operation since Suez in 1956.

enter the Bogside without Army escorts. With the banning of the Army from the Bogside followed by the violent challenges from IRA members that accompanied the Army's attempts to impose law and order in the community, it was felt by all security forces that a new and more effective solution was needed.

Internment

Due to the increasing violence, the Stormont parliament, with the reluctant backing of the British government, decided to introduce internment without trial, a move which was intended to target IRA members in order to curtail their activity. Although internment had been used in the past with success, particularly during the Border Campaign, the decision to reintroduce interment was much debated by members of both governments, as well as the security forces. In 1970, it was felt by many the potential negative outcomes of internment outweighed the positives[306] and that it was an "inadequate answer to a very big problem."[307] However, as the violence on the streets of Ulster increased Faulkner stated, "after weighing all the relevant considerations, including the views of the security authorities and after consultation with Her Majesty's Government in the United Kingdom last Thursday to exercise where necessary the powers of detention and internment vested in me as Minister of Home Affairs."[308] GOC Lieutenant-General Sir Henry Tuzo and Chief of the General Staff (CGS) Michael Carver, as well as certain other military officers, were strongly opposed to the introduction of internment, believing it would only

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[306] 'Conclusions of a meeting of the Cabinet,' 20 July 1970, ... law order ... political developments, Belfast: PRONI, CAB/4/1535, 3.
[307] 'Conclusions of a Meeting of the Joint Security Committee,' 3 August 1970, ... law order, Belfast: PRONI, HA/32/3/3, 2.
[308] Press Release, Statement by B. Faulkner (Northern Irish Prime Minister) 9 August 1971, ... internment, Belfast: PRONI, PM/5/169/14, 1.

intensify the trouble they were experiencing on the streets in Northern Ireland. Heath wrote in his memoirs how Tuzo had "expressed doubts about whether internment could be militarily effective in the long run," but he and others were overruled by the politicians who felt the time for decisive action had arrived.[309]

In his memoir, Bloomfield wrote "[h]indsight is a wonderful thing, and it is difficult to argue that a measure which failed was anything other than a bad idea."[310] However, he believes it is important to remember that violence had been steadily increasing in the region and intense pressure was being placed upon Faulkner to rid the country of terrorism. The British government felt it had become clear that internment would have to be used eventually, and that sooner rather than later was the preferable option.[311] Furthermore, the stability of Faulkner's government was fragile and its support among even moderate loyalists was weak, with militant Protestants pushing for its collapse. What Westminster desired least was being forced into introducing Direct Rule in Northern Ireland and, therefore, further implicating England in the violence. Other possible ways to combat terrorist activity were also brainstormed at the time, such as "continuous harassment" of known IRA members, but it was believed that none of the other options provided any margin for greater success than interment, which *had* proved successful in the past.[312] Bloomfield does concede that not enough was done to indicate that the target was terrorism and not simply IRA involvement, and that

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[309] Edward Heath, *The Course of My Life: My Autobiography* (London: Hodder and Stoughton, 1998), 428; See also *Saville Report*, vol. I, Chapter 8, Paragraph 37 and attached evidence G3BA.48.13.1; and *Saville Report*, vol. I, Chapter 8, Paragraph43.
[310] Bloomfield, *A Tragedy of Errors*, 190.
[311] *Saville Report*, vol. I, Chapter 8, Paragraph 40.
[312] Ibid., Paragraph 37. In particular see evidence G3BA.48.13, pages 1-2.

"[a] substantial swoop on loyalist extremists would have underlined a more obviously even-handed approach."[313] In the end, it was decided that internment was far preferable to Direct Rule, the solution that was to be used only if absolutely necessary and one which the British government wished to avoid at any expense.

One of the significant problems with the implementation of internment was the fact the Army and RUC distrusted one another's intentions and intelligence.[314] The Army believed the list which the police had provided was influenced by politics, while the RUC thought the Army's list displayed inadequate knowledge of the region.[315] The Army lacked the full cooperation of the RUC and the police indicated they were unwilling to detain the individuals lifted for the full period allowed by the SPA.[316] Due to the tension between the two forces, GOC Tuzo feared the likelihood of a leak of information from the RUC and it was decide the sweep should take place a day earlier than originally planned. As a result, on August 9, 1971, at 4:00 a.m., 350 individuals were arrested in Northern Ireland. By the end of 1971, 900 people had been imprisoned without the right to a trial.[317] However, the list of suspects' names was long out of date and resulted in the arrest of many innocent people, while a large number of the more recent members of the IRA

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[313] Bloomfield, *A Tragedy of Errors*, 190-1.
[314] Both the Army and RUC were separately gathering information from the Protestant and Catholic communities. However, neither organisation trusted the other's ability to accurately ascertain information. The Army felt members of the RUC were too closely connected to the communities and, therefore, their facts were biased, while the RUC felt the Army was too distrusted as a British outsider to be able to ferret out appropriate leads. As a result, too little information sharing took place.
[315] The London *Sunday Times* Insight Team, 264.
[316] Dr. David Charters in unpublished draft based on documents from the UK National Archives.
[317]Don Mullan and John Scally, eds., *Bloody Sunday: Massacre in Northern Ireland, The Eyewitness Accounts* (Colorado: Roberts Rinehart Publishers, 1997), 14.

remained off the radar and out of custody.

On August 31, 1971, the British government ordered an inquiry into allegations of physical brutality by the security forces during interrogations that resulted from interment. Some of those who had been lifted, detained, and released reported that the security forces had subjected them to sleep deprivation, wall-standing, hooding, and white noise, among other similar treatments. The findings of the report were published on November 16 with the result that those in charge stated "our investigations have not led us to conclude that any of the grouped or individual complainants suffered physical brutality *as we understand the term*," rather it was "physical ill-treatment."[318] The nationalist community was outraged at the denial of what they believed was quite clearly torture performed, in the majority of cases, on men not involved with current IRA activity. On March 13, 1972, Amnesty International released their own report, which, under the chairmanship of Mr. Thomas Hammarberg, found that "ill-treatment used amounted to brutality" and was a direct violation of the Declaration of Human Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms.[319]

The Response to Internment & Bloody Sunday

The response from the IRA was a dramatic increase of violence. From January to just prior to internment 34 people were killed in violent incidents

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[318] Great Britain, Parliament, *Report of the enquiry into allegations against the security forces of physical brutality in Northern Ireland arising out of events on the 9 August 1971 [Compton Report] Cmnd. 4823* (London: HMSO, 1971), Chapter VIII. Italics are my own emphasis.

[319] Richard Deutsch and Vivien Magowan, *Northern Ireland, 1968-73; A Chronology of Events* vol. 2 (Belfast: Blackstaff Press, 1974), 161.

related to 'the Troubles,' but in the three days immediately after internment 22 people were killed.[320] To further highlight the increase, between July 4 and December 13, 1971, there were 380 confirmed shooting incidents, 211 explosions, and about 180 nail bombs were fired and thrown at security forces in the area.[321] In *A Secret History of the IRA* Ed Moloney noted that after internment sectarian violence forced up to 7,000 Catholics and 2,000 Protestants from their homes.[322] This spike in violence had been precisely what GOC Tuzo and CSG Carver had been worried about when they advised against interment. Maintaining law and order in Northern Ireland had now become even more difficult for Army and RUC personnel.

In a disturbing twist of events, perhaps no action or campaign waged by the IRA could have drawn mass Catholic support for the Republican movement as much as internment did. As Moloney observed, "internment had united Northern Catholics against the state in a way nothing else had done since 1921."[323] The Northern Irish and British governments had grossly underestimated the situation that had been unfolding over the past few months, particularly the already deteriorating relations between Catholics and soldiers in Belfast. By the beginning of January 1972, the Army could no longer perform foot patrols south of William Street during the day due to sniper fire.[324] In the last two weeks of January there were 80 separate IRA and hooligan-led incidents. As a result of these attacks two

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[320] Ibid., 102.
[321] See evidence G41.263, page 1, attached to *Saville Report*, vol. I, Chapter 8, Paragraph 63.
[322] Ed Moloney, *A Secret History of the IRA* (New York: W.W. Norton, 2002), 101.
[323] Ibid., 102.
[324] See Appendix 3 for map.

security personnel were killed and two others wounded. As a consequence of the increase in violence from the IRA, sections of the Protestant community lost confidence in the ability of the Army and the RUC to protect them. In response, paramilitary and vigilante groups began to establish themselves in Protestant neighbourhoods, even further stretching RUC and Army resources.[325] Concurrent to internment without trial was a six-month ban on all public demonstrations. In response to these violations of rights, the NICRA called for an illegal public march to be held on January 30, 1972. Furthermore, a week prior to Bloody Sunday a smaller demonstration against internment was held outside the camp at Magilligan. This demonstration was broken up by about 300 soldiers who used excessive violence.[326] John Hume, who was present at the demonstration, questioned the soldiers' right to prevent the protestors from continuing:

> John Hume: Under what law is it prohibited, or under what authority is it prohibited, can you tell me?
>
> Unidentified Soldier: It is prohibited by the police and by the government.
>
> Hume: Well the police tell me, the police tell me it is you who is in command here, not them.[327]

It is evident from this exchange that confusion over which security force was in charge of operations in Northern Ireland was still present among the Army and RUC.

Due to the events of the previous months, it was, therefore, the belief of the

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[325] McKittrick and McVea, *Making Sense of the Troubles*, 86.
[326] Mullan and Scally, 14.
[327] ITV, *The Troubles*, Peter Heathwood Collection, DVD #s D00260, D00270, D00290, D00300, D00280.

Army that if the NICRA march took place on January 30 as planned the IRA would use it as an opportunity to cause serious harm and damage in the area. There was disagreement at various levels among police officers and Army personnel on whether the march should be allowed to proceed or not. RUC Chief Superintendent Frank Lagan, Commander of N Division, which included Derry, and Superintendent Patrick McCullagh believed attempts to stop the march would simply result in chaos and violence as there would be no way to contain the marchers and hooligans. Lagan and McCullagh advocated allowing the march to proceed as planned and photographing those involved for arrest later. However, CC Shillington disagreed with their advice and believed, along with the majority of high ranking Army officers, the marchers should be allowed to proceed in the Bogside and Creggan, but be prevented from reaching the Guildhall in the city centre.[328] Although the events of the NICRA march were an Army-led operation, they deserve a discussion here for the impact the aftermath had on the RUC and Northern Ireland itself.

By all accounts the NICRA march on January 30, 1972, started off well. It was a sunny day and in the hours leading up to the march there was excitement in the air. It was no secret that the march had been banned by the government, but it was also well-known the NICRA had brokered an arrangement with the IRA to withdraw its units from the area for the duration of the march in order to reduce the danger of any serious incidents occurring and thereby endangering the

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[328] *Saville Inquiry*, Chief Superintendent Lagan's evidence JL1, pages 5-11, as well as Brigadier MacLellan's evidence B1209, pages 028-032.

protestors.[329] Although it began an hour behind schedule, the march proceeded peacefully, winding its way through the Bogside and Creggan until it reached the junction of Rossville Street and William Street.[330] At that point, there was confusion over a last minute route change and approximately 200 marchers found themselves in confrontation with soldiers at the barricades.[331] In order to maintain order during the march, the Army had erected 26 barriers to cordon off the Bogside and Creggan from the rest of Derry. Each of these barriers was to be manned by a platoon from 8th Infantry Brigade.[332] As was standard practice in Derry, if rioting occurred water cannons, rubber bullets, and CS gas were to be used. The Support Company of the 1st Battalion of the British Parachute Regiment (Paras or 1 Para) were to arrest any IRA members or hooligans present at the march. While the Saville Report deemed that the "decision to use 1 PARA as the arrest force is open to criticism, as being a force with a reputation for using excessive violence," they concluded that General Ford had no reason to believe the soldiers of the Parachute Regiment would fire unjustifiably.[333] In addition, the 22nd Light Air Defence Regiment (22 Lt AD Regt) was placed along the walls of Derry as an extra

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[329] *Saville Report*, vol. I, Chapter 9, Paragraph 411-13. See evidence attached to Paragraph 411, Closing Submissions on behalf of the Family of James Wray, FS4.85-6 (paragraphs 3.123-6); *Saville Report*, vol. I, Chapter 9, Paragraph 519 and attached evidence from Brendan Duddy AD199.1-6; *Saville Report*, vol. I, Chapter 9, Paragraph 526 and attached evidence from Anthony Martin AM24.9-10 (Paragraphs 9-13); and *Saville Report*, vol. I, Chapter 9, Paragraph 527.

[330] See Appendix 4 for map.

[331] *Saville Report*, vol. II, Chapter 15, Paragraphs 1-13 and 33.

[332] See map attached to *Saville Report*, vol. II, Chapter 12, Paragraph 4 to see placement of barriers and battalions and regiments responsible for them. Additionally, all of the *Saville Report*, vol. 2, Chapter 12 deals with the deployment of the Army and their specific roles on Bloody Sunday.

[333] *Saville Report*, vol. I, Chapter 4, Paragraph 8.

precaution to contain rioters.[334] Finally, the RUC was to assist the Army in the detention and processing operation. As always, the Army responded to the stone throwing with rubber bullets and water cannons. However, without warning soldiers began firing live rounds at the protestors and within 30 minutes of the first shot being fired 13 civilians lay dead, another 14 injured.[335]

Two days after the events of January 30, British Prime Minister Edward Heath asked Lord Chief Justice, Lord Widgery, to conduct a public inquiry, the hasty findings of which were to be disputed for decades.[336] On January 29, 1998, then Prime Minister Tony Blair requested the inquiry performed by Lord Widgery be reopened because "we believe that the weight of material now available is such that the events require re-examination. We believe that the only course that will lead to public confidence in the results of any further investigation is to set up a full-scale judicial inquiry into Bloody Sunday."[337] Due to the rapid completion of Lord Widgery's inquiry, Blair explained, he was unable to examine all available and relevant evidence. In order to avoid a repeat of these shortcomings the new inquiry, headed by Lord of Appeal in Ordinary, Lord Saville of Newdigate, was

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[334] The map attached to *Saville Report*, vol. II, Chapter 12, Paragraph 44 shows the placement of the 22 Lt AD Regt on the walls of Derry. Due to the influx of army personnel required for the Operation Order for Bloody Sunday, several companies (or in the case of 22 Lt AD Regt, batteries) to be detached from their own battalions and regiments and attached to another. This meant that some, but not all of the 22 Lt AD Regt were used as snipers on the walls. See *Saville Report*, vol. II, Chapter 12, Paragraph 6 for more on this. *Saville Report*, vol. II, Chapter 12, Paragraphs 15 and 28-9 specifically discuss the placement of the parts of the 22 Lt AD Regt placed along the walls.

[335] John Johnston died six months later, which his family attributed to the injuries he sustained on Bloody Sunday. Ibid.

[336] The inquiry fell under the Tribunals of Inquiry (Evidence) Act created in 1921 and still in place in Britain. Eamonn McCann, *The Bloody Sunday Inquiry: The Families Speak Out* (London: Pluto Press, 2006), 1.

[337] *Saville Report*, vol. I, "General Introduction."

provided with an open timeline and no limitation on funding. As a result, the inquiry took 12 years to complete, produced a report of approximately 5,000 pages long separated into 10 volumes, and cost an estimated £195 million.[338]

On June 15, 2010, the same day the Saville Report was publicly released, British Prime Minister David Cameron spoke the words that victims and their family members had waited over 38 years to hear: "[t]he conclusions of this report are absolutely clear: there is no doubt; there is nothing equivocal; there are no ambiguities. What happened on Bloody Sunday was both unjustified and unjustifiable. It was wrong."[339]

The impact of Bloody Sunday on Northern Irish and British politics was felt almost immediately. On January 31, Taoiseach Jack Lynch recalled the Irish Ambassador to Great Britain from London, as well as announced a day of mourning in the Republic of Ireland to be held two days later. On the same day, in Northern Ireland, the SDLP called for Catholics in public life to withdraw their services, and in London, Bernadette Devlin crossed the floor of the House of Commons and punched Home Secretary Reginald Maudling in face because he continued to state the Paras had only opened fire after first begin fired upon themselves, to which she retorted, "[o]n a point of order, Mr. Speaker. That is the second time the Minister has stood up and lied to the House. Nobody shot at the paratroops, but somebody will shortly."[340] Opinions on the actions of British soldiers over the weekend

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[338] James Clarke, "Was the Bloody Sunday report value for money?" *BBC News*, accessed June 14, 2010, <http://www.bbc.co.uk/news/10292828>.
[339] Great Britain, Parliament, HC debate 15 June 2010, vol. 529, col. 739.
[340] Bernadette Devlin, Great Britain, Parliament, HC debate 31 January 1972, vol. 830, col. 36-7.

divided the House at Westminster, with some MPs standing firmly behind the men and others hesitant to give their full support without first discovering the details of the day. In his memoirs, William Whitelaw, Secretary of State for Northern Ireland (1972-3), wrote, "[t]here was an emergency debate at Westminster when Labour divided the House."[341] Previously, the Labour and Conservative parties in Britain had reached a bi-partisan agreement on the situation in Northern Ireland in order to provide a degree of consistency in policy and direction. Shortly after Bloody Sunday, Wilson, leader of the opposition, declared an end to this agreement, citing that the Conservative government was dragging their feet in regards to the crisis in Northern Ireland. He then demanded all security and law and order powers be transferred from Stormont to Westminster.[342]

On February 2, as a crowd of approximately 20,000 gathered in the Bogside for the funerals of 11 of those killed on Bloody Sunday, a mob consisting of tens of thousands converged on the British embassy in Dublin and burned it to the ground.[343] In addition, Republican paramilitary violence was on the rise, with bombings now occurring on a fairly regular basis. In the two weeks following Bloody Sunday there were numerous bombings, shooting incidents, and riots on almost a daily basis through Northern Ireland. The RUC was understaffed and underequipped to deal with this sudden increase in crime. In fact, on February 7, only eight days after Bloody Sunday, the RUC reported that 320 vehicles had been hijacked in that week alone. In the meantime, the British government had refused

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[341] William Whitelaw, *The William Whitelaw Memoirs* (London: Aurum Press, 1989), 79.
[342] Brian Faulkner, *Memoirs of a Statesman* (London: Weidenfeld and Nicolson, 1978), 141.
[343] Deutsch and Magowan, *Northern Ireland, 1968-73*, 153.

Secretary General of the United Nation's Dr. Kurt Waldheim's offer of United Nations assistance, arguing they did not want international interference in domestic affairs.[344] In response to the political chaos occurring in both Northern Ireland and Britain, Dr. Maurice Hayes, chairman of the Community Relations Commission – which had come into being in 1969 in Northern Ireland in order to foster better relations within the communities – resigned, citing that the "present security policies were alienating almost the whole Catholic community and that politicians on all sides had not engaged in constructive discussion."[345] Furthermore, the Unionist government "had showed a lack of urgency in the restructuring of the political and social institutions in Northern Ireland which was required."[346]

During the upheaval that was taking place after Bloody Sunday, politicians in both governments were attempting to brainstorm solutions to what was by this point quite obviously a serious collapse of law and order in the face of disintegrating political power. Fearing the British government was beginning to capitulate to the intimidation of Republican paramilitaries, Craig created the Ulster Vanguard. In their "Declaration of Intent and Covenant to Act" the Vanguard stated their purpose, "[w]e, as loyal subjects of Her Majesty the Queen, Loyalists of Ulster, do hereby declare our intent to maintain Ulster's allegiance to the Crown, our British heritage, traditions and way of life and more specifically to prevent the inclusion of Ulster in the Irish Republic."[347] They refused electoral and parliamentary reform

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[344] Ibid., 154.
[345] Ibid., 155.
[346] Ibid.
[347] Ulster Vanguard, "Ulster Vanguard Rallies – Declaration of Intent and Covenant to Act," (1972) Belfast: PRONI, HA/32/5/10.

and vowed to protect Ulster's fate from being decided by Republican paramilitaries. Craig and the Vanguard held rallies throughout Northern Ireland and were warily regarded by the majority of politicians in Northern Ireland and Britain, as the politicians believed their actions were only serving to heighten loyalist fears. In his memoirs Faulkner even wrote, "[c]omparisons with Nazi rallies could scarcely be avoided" and attacked them in the press, appealing for calm among Northern Irish Protestants.[348]

Father Daly, later Bishop of Derry, whose attempt to help Jack Duddy after he had been shot was captured in perhaps the most famous image of Bloody Sunday, said, "[i]n later years many young people I visited in prison told me quite explicitly that they would never have become involved in the IRA but for what they witnessed, and heard of happening, on Bloody Sunday."[349] In fact, the IRA itself claimed they experienced a watershed of recruits who joined in the aftermath of Bloody Sunday. The RUC and Army had been experiencing enough challenges prior to Bloody Sunday in arresting members and keeping IRA control in sections of Derry to a minimum, so this increase in membership taxed their resources even further and meant there was a severe shortage of trained policemen. Furthermore, attacks on officers and soldiers while off-duty increased dramatically and became a regular and sinister occurrence.

By February 22, the violence in Northern Ireland showed no indication of relenting when the Parachute Regiment's headquarters at Aldershot in Hampshire,

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[348] Faulkner, *Memoirs of a Statesman*, 145.
[349] David McKittrick and David McVea, *Making Sense of the Troubles: The Story of the Conflict in Northern Ireland* (Chicago: New Amsterdam Books, 2002), 77.

England, was bombed by the OIRA. Seven people died as a result, including a Catholic priest. Heath wrote in his memoirs that the attack on the Aldershot barracks was the first time in over a century that violence related to Northern Ireland had occurred on the mainland.[350] Three days later, Northern Ireland's Minister of State for Home Affairs, John D. Taylor was the victim of an attempted assassination by the OIRA, hit by six bullets while in Armagh. In response to the rising bloodshed, a week later, Faulkner announced the UDR would be offered full-time service in order to relieve some of the strain on the regular police force and allow the RUC to once again begin performing regular police duties. The main responsibility of the UDR would now be guarding police stations.[351] In his memoirs, Whitelaw reflected, "[t]he Royal Ulster Constabulary, as I came to learn, is a brave and much to be admired police force, often operating in difficult circumstances. But the terrorist situation of 1971-2 was well beyond the capacity of any police force."[352]

Debate over the situation in Northern Ireland heightened on both sides of the Irish Sea. While Faulkner and his MPs attempted to calm the tensions at home, mostly increasing fears from the Protestant community over the status of their country, Heath and his colleagues worked daily to find a solution that would not only help the people of Northern Ireland, but also restore Britain's tarnished image domestically and on the international stage. Faulkner continued to give speeches reminding the people of Northern Ireland, mostly those in the Catholic community,

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[350] Heath, *The Course of My Life*, 436.
[351] Press Release, Statement by B. Faulkner (Northern Irish Prime Minister) 7 March 1972, ...victims; law order, Belfast: PRONI, PM/5/169/13.
[352] Whitelaw, *The William Whitelaw Memoirs*, 81.

that the individuals who sat in Stormont were the democratically elected representatives for the majority and publically chastised nationalists for taking their grievances to the streets.[353]

Even prior to Bloody Sunday, in fact, prior to internment, the British government had begun to feel that in order for there to be a change in the Northern Irish situation, a power-sharing agreement of some sort was necessary between the Protestant and Catholic communities. The popular consensus among high-ranking British Conservatives was that the Catholic community in Northern Ireland should not only be free from discrimination, but should also be able to play a proper role in the governing of the country at both the local and national level.[354] Heath further believed it was important to include the Republic of Ireland in these discussions because of the history of the island and the simple fact that the Republic, in its constitution, still laid claim to Northern Ireland.[355] As Maudling has put it, working

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[353] "But the fact of the matter is that the elected representatives of the minority have no need to voice their case or their views on the streets, thereby endangering public safety – they have the forum of Parliament and they have an open and pressing invitation from the Government – who, let it not be forgotten, are the democratically elected representatives of the majority, to sit down and reach sensible agreed solutions to our problems. There is no use their demanding Unionist capitulation – that will never be given." Speech, 'Speech by the Prime Minister, Mr. Brian Faulkner, addressing the Clevely Committee,' 1 February 1972, Bloody Sunday, Belfast: PRONI, PM/5/169/13.

[354] Although they have slightly differing opinions on other matters, both Heath and Maudlin spoke of this need for better Catholic representation at the local and national levels in almost identical terms in their memoirs. Maudling, *Memoirs*; Heath, *The Course of My Life*.

[355] Article 2 of the Constitution of Ireland, ratified in 1937, states, "[t]he national territory consists of the *whole island of Ireland*, its islands and the territorial seas." Italics are my own emphasis. The reference to the entire island as one territory had always been a source contention among Northern Irish Unionists. As part of the Good Friday Agreement under the Nineteenth Amendment of the Constitution Act, 1998, the wording was modified in order to reflect the existence of two separate states. The Bunreacht na hÉireann – Constitution of Ireland can be accessed on the Department of the Taoiseach's website at: <http://www.taoiseach.gov.ie/attached_files/html%20files/Constitution%20of%20Ireland%20%28Eng%29Nov2004.htm>.

towards power-sharing was like "trying to walk up an escalator that was moving down."[356] Now that the crisis had escalated the British government determined that something significant had to be altered in the system in Northern Ireland if any attempts at peace were to be achieved. Perhaps belatedly, British politicians were realising that although Northern Ireland ran democratically in theory, the *type* of democracy practiced there, election by universal franchise, was not the one best suited for the composition of the country, and probably a form of proportional representation could have allowed a better integration and more positive contribution from the minority community.[357]

However, as previously mentioned, many Protestants were weary of political reform after internment and Bloody Sunday, both of which had contributed to the rise of paramilitary violence. Thanks in part to the militant arguments of organisations such as the Ulster Vanguard many Protestants viewed suggestions of electoral and parliamentary reform as capitulation to Republican violence, and feared this would mean the sacrifice of their country. For those reasons, the timing of these suggestions, although understandable, was poor. Therefore, when Heath presented his cabinet's proposals to Faulkner on March 22, it was not surprising that Northern Irish Unionists, Faulkner included, rejected them. The suggestion which sparked the most debate was the transfer of law and order to Westminster. This was seen by Unionists as a move which would essentially strip Stormont of any real governmental powers, leaving them powerless to enforce the laws it enacted. Faulkner and the colleagues he had

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[356] Maudling, *Memoirs*, 183.
[357] Ibid., 185.

travelled with to 10 Downing Street, Deputy Prime Minister Jack Andrews, Sir Harold Black, Ken Bloomfield, and Robert Ramsay, fought to gain concessions from Heath's government, but as the meeting wore on Faulkner has said it became more and more obvious the British cabinet had already made-up their minds, leaving no room for negotiation.[358]

The following day, Faulkner presented Heath's proposals to his cabinet at Stormont. The five proposals were: the transfer of law and order to Westminster; an immediate referendum about the Border with more to be held in 15 to 20 year increments; proper representation of the minority in government and parliament; creation of a Secretary of State for Northern Ireland to be advised by a Northern Ireland Commission; and a gradual reduction and eventual elimination of internment.[359] During the meeting all ministers present signed a letter addressed to Heath in which they stated "they had found both the proposed transfer of law and order powers and the possibility of further radical changes unrealistic and unacceptable and offering no clear advantage to those suffering in Northern Ireland."[360] The letter concluded by informing Heath the entire Stormont government intended to resign. As a result, on March 24, Heath announced the prorogation of Stormont Parliament and the introduction of Direct Rule from Westminster as of March 30, with Whitelaw as Secretary of State for Northern Ireland. This was intended to be a temporary measure until a Northern Irish power-sharing government of proportionally represented Protestants and

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[358] Faulkner, *Memoirs of a Statesman*, 152.
[359] Maudling, *Memoirs*, 187.
[360] 'Conclusions of a Meeting of the Cabinet held at Stormont Castle,' 23 March 1972, direct rule, Belfast: PRONI, CAB/4/1647, 2.

Catholics could be established and was covered under the legislation of the Northern Ireland (Temporary Provisions) Act (1972). However, other than a short-lived attempt in 1973-4, Northern Ireland continued to be ruled by the government at Westminster until the provisions of the Good Friday Agreement took effect in 1999.

The proposals put forward by Heath after Bloody Sunday in 1972 were precisely the kinds of reforms that were required in 1969-70, when the CRM was just beginning to become active. The reforms suggested would have ensured the Catholic community in Northern Ireland felt properly represented by their government and would have helped to diminish the alienation Catholics felt from being treated as though they were second class citizens. Meaningful participation in local and parliamentary governments had long been the demands of SDLP politicians who had constantly lamented the lack of serious attention they were given in Stormont and the challenges they faced in achieving any positive influence. Although police reform was necessary to ensuring the creation of an RUC force trusted and respected by both communities in Northern Ireland, the reforms to the constabulary that were actually carried out were constantly undermined in the eyes of the Catholic population by the way in which they had to be wrestled from the unwilling hands of Unionist MPs. Furthermore, the simple fact that when a reformed RUC was placed back in the hands of the people who abused the use of the organisation in the first place, there was little real good the reforms could do since the force remained under the control of their political abusers.

Conclusion

The reforms the Unionist government attempted beginning in the last quarter of 1969 unfortunately unfolded during a time of increasing paramilitary violence. Deepening the challenges was the fact that although the initially proposed reforms were greeted with cautious optimism by nationalists, decisions made by the government made it nearly impossible, and rarely desirable, for Nationalist MPs to promote the reforms and intentions of the government to their constituents. The rapid Protestantisation of the UDR, though not exclusively the fault of the government, combined with the policy of interment that obviously targeted the IRA, angered the Catholic population. In addition, the government found itself in a weakened state even among Protestant voters and the PIRA had managed to exploit the no-gos while the security forces were scrambling to adjust to their revised roles.

What was needed in Northern Ireland in 1969 and continuing through to 1971 was political reconciliation between the Nationalist and Unionist parties in government. During House debates on August 14, Currie vocalized one of the main problems, "I have said before and I repeat that our present troubles are almost entirely due to the failure of the Unionist Party and successive Unionist Governments to treat the parliamentary Opposition in this House as a parliamentary Opposition ought to be treated and as a parliamentary Opposition is treated in other democratic communities."[361] The Nationalist party needed to be treated as a real opposition, and the government parties needed to come to some

[361] Northern Ireland, Parliament, HC debate 14 August 1969 vol. 73, p.2263-4.

sort of power-sharing agreement.[362] Perhaps then the police reforms would have been properly implemented and able to gain the trust of the people of both communities. As it were, minimal reforms took hold and the police were wielded by the same government as before in a similar way.

While the politicians were busy politicking and looking for ways to appease Nationalist MPs without losing power, the RUC was now forced to face the brunt of public opinion, this time accompanied by the Army. Strengthened Republican and Loyalist paramilitaries meant the RUC now came under attack even while off duty. In four years the RUC went from being the first police force in the British Isles to have evidential breath-testing equipment to accurately gauge a suspect's blood-alcohol level,[363] to being unable to maintain basic law and order in areas of Belfast and Derry:

> By 1972, Londonderry was a very eerie place to be an RUC officer. The street lights in and around the Creggan and the Bogside were usually all broken and this made things particularly difficult. There were a lot of deaths occurring around the time, civilians, RUC officers and soldiers were all being killed.[364]

Nineteen seventy-two witnessed the peak of violence in Northern Ireland's most recent 'Troubles,' with 467 people being killed, 121 of those being labelled assassinations (81 Catholics and 40 Protestants).[365] It has been estimated that more than 150 killings committed by soldiers during 'the Troubles' were not

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[362] Shortly after the introduction of Direct Rule, power sharing *was* attempted as part of the Sunningdale Agreement (1973). Unfortunately, many loyalists were vehemently opposed to a power-sharing executive and a general strike began in protest, which led to the resignation of Chief Executive Brian Faulkner and the collapse of the agreement.
[363] Doherty, *The Thin Green Line*, 70.
[364] *Saville Report*, Constable Hogg's evidence JH9, page 2.
[365] Deutsch and Magowan, Northern Ireland, 1968-73; A Chronology of Events vol. 2, 255.

properly investigated because of an agreement between Attorney General Sir Basil Kelly, the Army, and the RUC. In a confidential memo it was stated that Kelly wanted to be informed of charges against soldiers in advance since the situation in Northern Ireland was delicate and the prosecution of soldiers could have a negative impact on morale.[366] Instead of RUC officers handling the investigations, Royal Military Police (RMP) were put in charge. However, Paul O'Connor of the Pat Finucane Centre has said, "RMP investigations into killings then were known as tea and sandwich inquiries."[367] In essence, this meant that a "culture of impunity" developed among British troops in Northern Ireland.[368] Not all of these killings have been fully investigated, leading journalist Owen Bowcott to write that, "Lord Saville's critical conclusions...will encourage relatives of those shot dead by the army on other occasions to press for the revival of police investigations."[369]

In the months leading up to Bloody Sunday frustrations had been growing within the Army ranks that they were being perceived as ineffective and cowardly. Colonel Wilford, Commanding Officer of 1 Para, when speaking to journalist Peter Taylor expressed his frustrations "that to him and his soldiers the sight on television of soldiers never going forward and just standing like 'Aunt Sallies' in the face of hooligans attacking them was 'quite horrifying' and that his soldiers were

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[366] Memo, J.M. Parkin (Head of Command and Control at the British Army Headquarters in Northern Ireland) to Basil Kelly (Attorney General of Northern Ireland) 6 December 1971, "Declassified Documents," Pat Finucane Centre, accessed 5 August 2011, <http://www.patfinucanecentre.org>.

[367] Owen Bowcott, "Saville inquiry: Over 150 killings by soldiers during Troubles in Northern Ireland never fully investigated," *The Guardian*, June 20, 2010, accessed 21 June 2010, <http://www.guardian.co.uk/uk/2010/jun/20/saville-inquiry-killings-soldiers-troubles-northern-ireland>.

[368] Ibid.

[369] Ibid.

never going to act in that way. "[370] The Saville Inquiry believed it was likely that these sentiments were shared by those within the Parachute Regiment.[371] Much like the members of the RUC during the 'Battle of the Bogside,' members of the Army were frustrated by their inability to effect immediate change on the atmosphere in Northern Ireland, particularly in Derry. And much like how the 'Battle of the Bogside' signalled the need for a new solution to 'the Troubles' to the Stormont government – the arrival of the Army – Bloody Sunday indicated the same need to the government at Westminster – Direct Rule.

So what impact did internment, Bloody Sunday, and Direct Rule have on the CRM and RUC in Northern Ireland? The government's botched attempt at internment actually initially increased support for the CRM. Catholics who would have identified as moderate and relatively apolitical were outraged by how pointed towards their community internment had been. Perhaps if internment had been successful in apprehending a significant number of IRA members who were actually active in 1971 and a large number of Protestant paramilitaries there would have been a far different response from the nationalist population. However, it wasn't effective in this regard and, therefore, when the CRM planned protest marches, including the ones at Magilligan Strand on January 22, 1972 and in Derry on January 30, 1972, participation from the traditionally moderate sections of the Catholic population was large. For a brief period it appeared as though taking politics to the streets in Northern Ireland was going to become much more inclusive. Unfortunately, this influx of support was short-lived.

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[370] *Saville Report*, vol. I, Chapter 9, Paragraph 763.
[371] Ibid.

Where internment had worked to rally the nationalist community around the CRM, Bloody Sunday in turn radicalised large numbers of Catholics, particularly young men. Numerous sources cite how after Bloody Sunday the number of new recruits who contacted local IRA branches exploded. Although the RUC and Army often faced challenges attempting to keep the peace during CRM marches, it was far preferable to the personal attacks by the IRA individual members came under even while off-duty. Shootings between paramilitaries and police officers and soldiers became a regular occurrence in Derry and Belfast, with indiscriminate bombings happening almost as frequently. As support for the IRA increased, the soundness of CRM marches eroded. The atmosphere in Northern Ireland progressively became more and more dangerous, and the IRA was now openly infiltrating the CRM and using it as a cover for more deadly operations. It was no longer possible for the NICRA and similar organisations to claim peaceful protests and they risked putting the lives of their members in danger by bringing them into situations where gunfire between the IRA and security forces would likely be exchanged.

Further impacting on the job of the RUC was the precarious position of the Stormont parliament. As discussions on how to handle the Northern Irish crisis increased at Westminster and on the global stage, it became more obvious to Protestants in Northern Ireland that the very existence of their state was in question, and at any moment it might be abolished. Although introduced as a temporary measure, Direct Rule effectively panicked militant, and even some moderate, Protestants in the country. The RUC and Army now had to combat not only Republican lawbreakers, but organised Loyalist violence as well. Enforcing

basic law and order in Northern Ireland's major cities had become virtually impossible as all resources were being utilised to quell terrorist activity. Thankfully, this most extreme situation only seemed to last until the year's close, but not before making it the bloodiest year in conflict.

Under Direct Rule Westminster could have forced the implementation of all recommendations from the Hunt Report, as well as imposed any additional police reforms it deemed necessary. However, the reason the British government made no changes to the RUC in 1972 was they were simply too busy attempting to arrange a power-sharing agreement between Protestant and Catholic politicians in Northern Ireland, which they established under the Sunningdale Agreement, agreed upon on November 21, 1973.[372] Since Direct Rule was intended as a temporary measure to be replaced by a new Northern Ireland Executive, Westminster didn't see the need to attempt police reform in the interim. It was hoped that once the Northern Ireland Executive took office at Stormont that it could then decide on the necessary police reforms, as there would then be a proportionate representation of the Catholic community's concerns involved in the discussions. As a result, the British politicians involved focused their energies on arranging and finalising the Sunningdale Agreement, not the police. Unfortunately, the Sunningdale Agreement broke down after five months on May 28, 1974, without making any improvements

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[372] The Sunningdale Agreement was the result of tripartite talks including the Republic of Ireland. The agreement established the Northern Ireland Executive, the Northern Ireland Assembly, and the Council of Ireland. The Council of Ireland was to include representatives from both Irish governments and Britain who would work to improve relations between the two states and was the most contentious issue of the Sunngindale Agreement, due in large part because the Republic of Ireland's constitution still laid claim to the northern state. See footnote 355.

to policing in the country.

Most significant for academics working on the CRM in Northern Ireland is that the actions taken by the British security forces and government on and shortly after Bloody Sunday brought to an end the peaceful CRM, and solidified the violent radicalisation by Republican groups like the IRA, which had begun with internment, and led to an intensification of sectarian violence, including on the Loyalist side, that lasted for 20 years. The disaster of Bloody Sunday and the overt responsibility the actions of its soldiers placed on the British government also brought about the end of Stormont's 50-year reign and the introduction of Direct Rule from Westminster. Most significantly for the police, the violence directed towards security personnel after the attempted reforms of the Hunt Report and the events of Bloody Sunday increased dramatically until Operation Motorman in 1972, while police officers and Army personnel remained the main targets of violence and criticism throughout the rest of the decade. Significant reform of the RUC was stalled, and 'normal' policing of the nationalist communities was not restored until after the Good Friday Agreement (1998).

Chapter 5

"A ray of hope, a beam of light/An end to thirty years of night:"[373] A Conclusion

We cannot stress too strongly the catastrophe which must befall any society which ceases to respect the rule of law or takes the law into its own hands.[374]
The Hunt Report

If men of moderation have nothing to hope for, men of violence will have something to shoot for.[375]
Harold Wilson, British PM

If ever there were a case of the sins of the fathers being visited upon the children to the umpteenth generation, the Irish problem is it.[376]
Oliver Wright, British Diplomat

In the years following its creation, the RUC became a largely Protestant organisation. Many members were former B-Specials and held membership at an Orange Lodge. Due to the close relationship this Protestant connection forged with the ruling political party in government, the UUP, Stormont took to treating the police, particularly the auxiliaries, as a political tool through which it could suppress nationalist dissent. Despite the fact it was police officers who, through

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[373] The Divine Comedy, "Sunrise," *Fin de siècle*, CD (Hollywood: PID, 2001). The song was originally released in 1998 with the opening lines, "I was born in Londonderry/I was born in Derry City too," which appropriately captures the contested history of Northern Ireland.
[374] Northern Ireland, Parliament, *Report of the Advisory Committee on Police in Northern Ireland [Hunt Report], Cmnd. 535* (Belfast: HMSO, 1969), Chapter 1, Paragraph 13.
[375] Great Britain, Parliament, HC debate 25 November 1971 vol. 826, col. 1586.
[376] Letter, Oliver Wright (Deputy Home Office Representative to Northern Irish Government) to James Callaghan (Northern Ireland Prime Minister) 6 March 1970, London: TNA, DEFE/13/1397, 1.

regular duties, were routinely in contact with members of both the Protestant and Catholic communities, their recommendations were often ignored by MPs. Since the RUC was developed with the dual role of enforcing law and order as well as protecting the existence of the state it was much more heavily armed than other police forces in the United Kingdom. However, regardless of this history, the RUC was still ill-equipped to deal with the riot and terrorist activities it encountered beginning in the late-1960s.

Many in the Catholic community recognised the way in which the RUC was used to maintain the UUP's status quo and resented the police for what was perceived as full acceptance of the politics they enforced. This resentment was reinforced by the way in which the Nationalist Party was treated in Stormont. It was an acknowledged fact that the Nationalist Party, which was the official opposition, would never manage to become the ruling party simply due to the communal voting that took place in Northern Ireland. As a result, the Unionist Party was stagnant in their governing, rarely seeing the need to make concessions to the opposition. With the Nationalist Party essentially unable to effect any change through legislation, Catholics took their politics to the streets, hoping to catch the attention of the government at Westminster. After all, as a devolved state within the United Kingdom, all citizens of Northern Ireland were entitled full British rights, which was what the NICRA and other CRM organisations were demanding.

A significant roadblock to the success of police reform was the lack of progress in the political arena. It was often argued that before any sort of change

to government could take place the violence needed to stop on the streets. Even Harold Wilson, leader of the opposition at the time, argued this in Westminster during House of Commons debates on November 25, 1971.[377] However, the evidence doesn't seem to suggest this was the appropriate order during the early stages in 1968-9. At that time, the IRA had agreed to a policy of abstentionism in order to allow the CRM the chance to achieve civil rights for the Catholic population in Northern Ireland. In fact, as previously discussed in Chapter 3, the CRM had managed to achieve more in a few short months than decades of Republican violence had. While that doesn't mean all IRA members completely ceased activity, it was significantly reduced. Furthermore, the split into the PIRA and the OIRA only occurred once it appeared the Unionist government had no intentions of enforcing meaningful change.

A power-sharing agreement and some form of proportional political representation were necessary in Northern Ireland in 1968-1971. The nationalist community needed to see that it was being appropriately and effectively represented in Stormont and unionists need to recognise that giving proper due to the minority would bring a reduction in support for paramilitary activity as that avenue would no longer be seen as advantageous. Unfortunately, given the sectarian history of the country, political reform was viewed as a threat by many Protestants, who feared unification with the Catholic Republic of Ireland, which is why even after the introduction of Direct Rule a lasting power-sharing agreement could not be achieved until the Good Friday Agreement.

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[377] Great Britain, Parliament, HC debate 25 November 1971, vol. 826, col. 1571-678.

As it was, several government inquiries were called to look into the behaviour of the police in Northern Ireland between 1968 and 1972, and although several of these reports made numerous recommendations on police reform, the Unionist side of Stormont stalled and argued over whether they were truly necessary. Despite the fact RUC officers recognised that in order to maintain decent relations with the nationalist community it was important to allow them some leeway within the law as it applied to peaceful marches and the flying of the Irish tricolour, they were constantly sent in to fulfil the repressive demands of the Unionist government without having the appropriate number of officers or training for riot situations. When the British Army was brought in after the 'Battle of the Bogside' it was because the police had been unable to assert law and order, not because the Stormont government had admitted to fundamental flaws in their infrastructure. Even after having to request British Army assistance, the Unionist government dragged its feet in enforcing simple police reform such as a change in colour of the RUC's uniform. Eventually the Catholic community perceived the police to be exactly the same as the government it represented, and due to the continual repression and rejection of progress the nationalist community abandoned any hopes it had for reform without the assistance of the government at Westminster.

As previously mentioned, several inquiries have been carried out on the RUC and the B-Specials during 'the Troubles.' The Cameron Commission (1969) and the Scarman Tribunal (1972) were both critical of the sectarian nature of the forces and their violent conduct. The most common recommendations made by

citizens and investigative committees, such as the Hunt Committee (1969), were for the abolition of the B-Specials, the disarming of the RUC, repeal of the SPA, and for the end of the dual role of the police in order to make them acceptable to all citizens in Northern Ireland.[378] As a result of the Police (Northern Ireland) Act 2000, after the end of the armed conflict the RUC was reformed into the PSNI. This transformation was part of a decade long series of reforms of policing in Northern Ireland agreed upon in the Good Friday Agreement. The agreement required an Independent Commission on Policing for Northern Ireland, later known as the Patten Commission. It examined the policing situation in Northern Ireland and proposed reforms for the police apparatus in order to establish a force acceptable by both communities. In the preamble to the Agreement the participants wrote:

> The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.[379]

Reform of the RUC was deemed a necessary part of any peace process arrangement. Suggestions made in the commission's findings, labelled the Patten Report, were intended to de-politicise the police in Northern Ireland by making it a community-based force consisting of both Protestants and Catholics on a representative basis.

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[378] Brewer and Magee, *Inside the RUC*, 3.
[379] Independent Commission on Policing in Northern Ireland, *A New Beginning: Policing in Northern Ireland – The Report of the Independent Commission on Policing in Northern Ireland [Patten Report]*, (Belfast: Independent Commission on Policing in Northern Ireland, 1999), Accessed 7 April 2011, <http://cain.ulst.ac.uk/issues/police/patten/patten99.pdf>, 4.

Although community-style policing – in which the primary goal is to work in conjunction with the individuals and groups in the community to determine how to resolve the issues which affect the quality of life in the community – may not sound much like a radical concept, it was, as Mike Brogden and Preeti Nijhar have put it, "far removed from the traditional militaristic style and function of the Royal Ulster Constabulary."[380] The objective of the Patten Report was to transform policing in Northern Ireland into a matter of collective responsibility. It was determined that "[t]he police should be accountable, representative, effective and efficient, free from control of any one section of the community and operate within a Human Rights framework."[381] The parliamentary bill that resulted from the Patten Commission altered and rejected certain central values of the report, which wasn't entirely surprising given the fact that a large number of Protestants found several of the suggestions in the report insulting and unnecessary.[382] Fortunately, one of the reforms that was adopted was the name change of the force to the PSNI.

In addition to the transformation of the RUC into the PSNI, the Historical Enquiries Team (HET) was established to re-examine more than 2,500 deaths that occurred between 1968 and the signing of the Good Friday Agreement as a result of violence related to 'the Troubles.'[383] The HET is an independent police team composed of former officers throughout the United Kingdom who report directly to the CC. The purpose of the HET is to "provide as many answers as possible for

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[380] Mike Brogden and Preeti Nijha, *Community Policing: National and international models and approaches* (Devon, UK: Willan Publishing, 2005), 216.
[381] Ibid., 217.
[382] Ibid., 220.
[383] HET website, Accessed 17 May 2012, < http://www.psni.police.uk/historical-enquiries-team/historical-enquiries-team>.

families seeking information about their loved ones."[384] While it does not mean all of the cases are solved or result in charges, they provide each family with a report on the death of their loved one and aim to answer some of the questions surrounding the cases; Samuel Devenny's family was provided with such a report. The Patten Commission also recommended a policing board to enforce accountability, a new code of ethics prioritising human rights, and the creation of a Police Ombudsman. The reforms implemented received approval from all major parties in Northern Ireland and for the most part appear to be working well.

In 1971, Ian Paisley said, "I believe that when this dark night, and it may become darker in the coming months, is over a better day will dawn for this community and once again Ulstermen will have the security they deserve, and the peace, prosperity and progress which is rightly theirs."[385] It is arguable that Paisley never spoke more balanced and informed words than those. The situation in Northern Ireland continued to deteriorate in the remainder of 1972, bringing with it the arrival of the sectarian murder; an unfortunate reality that affected many families in the province. It has only been in relatively recent years that Northern Ireland has appeared to achieve a relatively stable peace. There has continued to be paramilitary violence directed at police officers; most recently Brendan McConville, 40, and John Paul Wootton, 20, were charged with the murder of Constable Stephen Carroll, 48, on May 17, 2011, in Belfast. However, the police in Northern Ireland have finally managed to warrant and earn the trust and respect of the majority of

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[384] "Background," HET: policing the past, accessed 17 May 2012, <http://www.psni.police.uk/historical-enquiries-team/het-background.htm>.
[385] Northern Ireland, Parliament, HC debate, 22 June 1971, vol. 82, p. 59-61.

citizens, regardless of religious or political affiliation. For example, in 2007, Sinn Féin finally recognised the PSNI in what Taoiseach Bertie Ahern called "a landmark decision" that "opens the way for inclusive support for policing throughout Northern Ireland."[386] This was viewed by many as an overture indicating a significant shift in Republicans' relationship with the state.

In the article "Human Rights and Democratic Police Reform in Northern Ireland," Steven T. Engel declared:

> There is, in the peace process a catch-22: power over policing will not be devolved until the threat of paramilitary violence is minimized, but the paramilitary organizations are unwilling to disband until power over policing is devolved. While this is not the only set of issues constraining the police reform process, it provides a stark reminder that police reform does not occur in a vacuum. If democratic policing reforms are to take hold, they must be accompanied by democratic reforms throughout the political and economic system.[387]

Such was the case in Northern Ireland. The only reason the reforms proposed in the Patten Report were able to, eventually, be successfully implemented was due to the fact that democratic reform was occurring in the political arena of Northern Ireland, with an apparent genuine effort at power-sharing being made by all parties represented in Stormont. It was these political reforms and a genuine desire to govern the country in a fair and balanced way, with representation for all citizens, which was sorely lacking and crucial to the state of affairs in Northern Ireland in

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[386] "SF delegates vote to support policing," *RTÉ News*, February 28, 2007, accessed 7 October 2012, <http://www.rte.ie/news/2007/0128/northpolitics.html>.
[387] Steven T. Engel, "Human Rights and Democratic Police Reform in Northern Ireland," in *Democratic Policing in Transitional and Developing Countries*, Nathan Pino and Michael D. Wiatrowski eds. (Abingdon, Oxon: Ashgate Publishing Group, 2006), 177.

the years between 1969 and 1971.

Almost 10 years later, during debates in the House of Commons at Westminster in 1979, Joan Maynard, MP for Sheffield Brightside, declared, "[w]e have never been able to maintain a Northern Ireland state, since its very inception, without some kind of repressive law."[388] It was an honest analysis of the tenuous relationship that existed between the governments at Westminster and Stormont. It was also a statement that could have easily applied to the way in which Unionists had maintained the status quo in Northern Ireland for decades. The lack of credibility given to the Nationalist party in Stormont and its inability to "form a coherent opposition" accorded the proper respect and treatment deserving of its official opposition status had serious implications for police reform.[389] Mistrust, not always unwarranted, existed between the UUP and Nationalist Party. As a result, often suggestions and arguments by Nationalist MPs were ignored or ridiculed, while UUP MPs who attempted to advocate limited, or on occasion superficial, reform were treated in kind. In order for police reform to have properly taken shape and achieve success, democratic reforms needed to be undertaken in government in order to attain reconciliation between the parties and work towards the necessary power-sharing.

Although the October 5, 1968, NICRA march is often viewed as a turning point due to the sectarian violence that erupted involving RUC members, this view rests on an assumption that the situation in Northern Ireland prior to this clash

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[388] Great Britain, Parliament, HC debate 2 July 1979, vol. 969, col. 987.
[389] Note, Burke Trend (Cabinet Secretary) to Edward Heath (British Prime Minister) 2 September 1970, London: TNA, PREM 15/474, 1.

was fine. However, the RUC was created to be the armed wing of Unionism and to protect the state from nationalist resistance to partition and, therefore, the very existence of Northern Ireland. As a result, the force enjoyed little autonomy from the Unionist government and was utilised for decades more as a political tool than the enforcers of law and order. After all, by 1933, the SPA had become a permanent piece of legislation and clauses within it were routinely used against the members of the nationalist community at the behest of Unionist MPs. Eventually, both the state and the police in Northern Ireland were reformed: the government to make it more acceptable and the police to separate them from the interference of the state.

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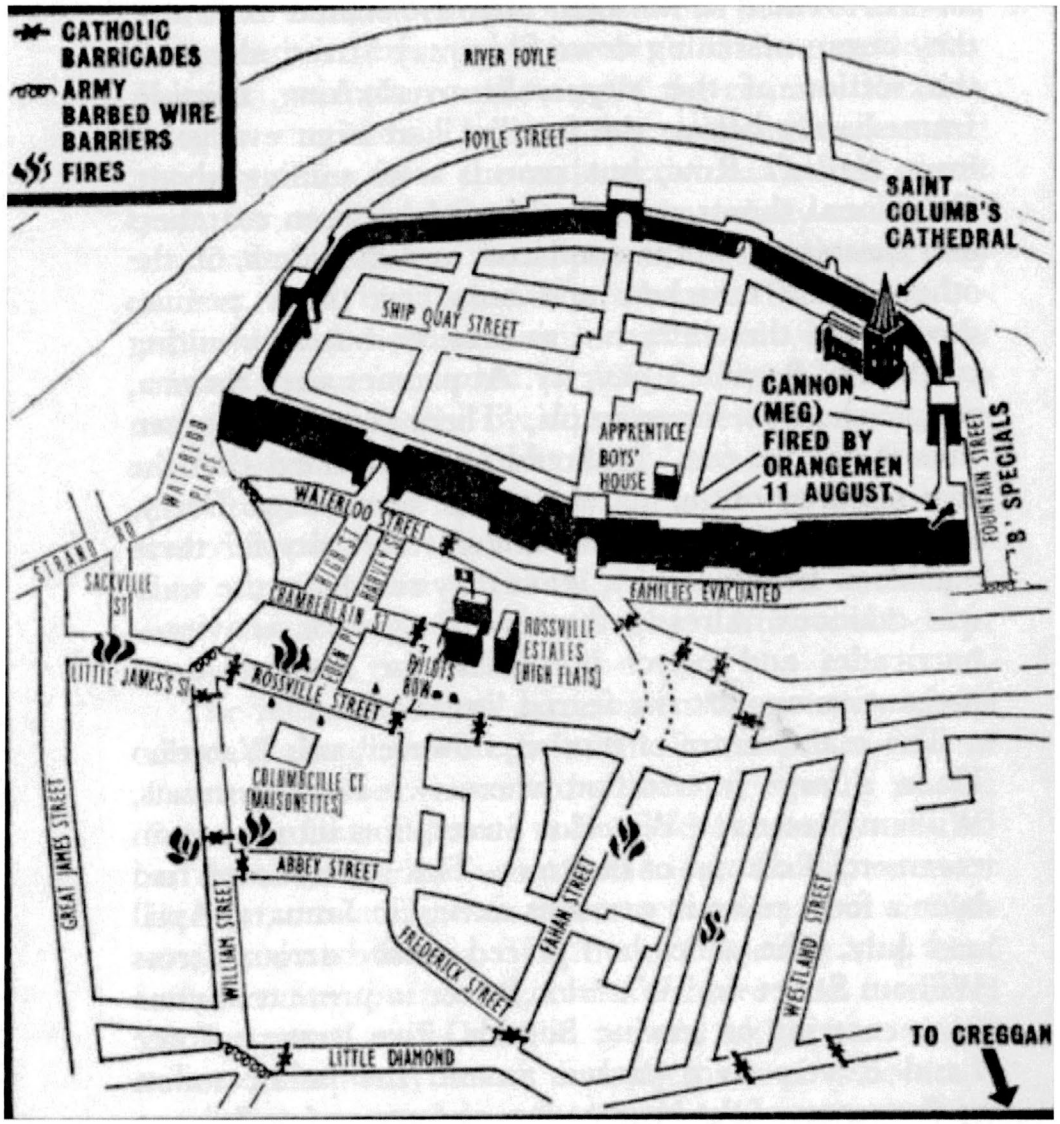
Appendix 1

Location	*Applications*	*Accepted*	*USC*	*Accepted*
Antrim (1UDR)	575	221	220	93
Armagh (2UDR)	615	370	402	277
Down (3UDR)	460	229	195	116
Fermanagh (4UDR)	471	223	386	193
Londonderry (5UDR)	671	382	338	219
Tyrone (6UDR)	1187	637	813	489
Belfast (7UDR)	797	378	70	36

The table above shows the breakdown by battalion area. Information courtesy of Chris Ryder, *The Ulster Defence Regiment: An Instrument of Peace?* (London: Methuen, 1991), 39.

Appendix 2



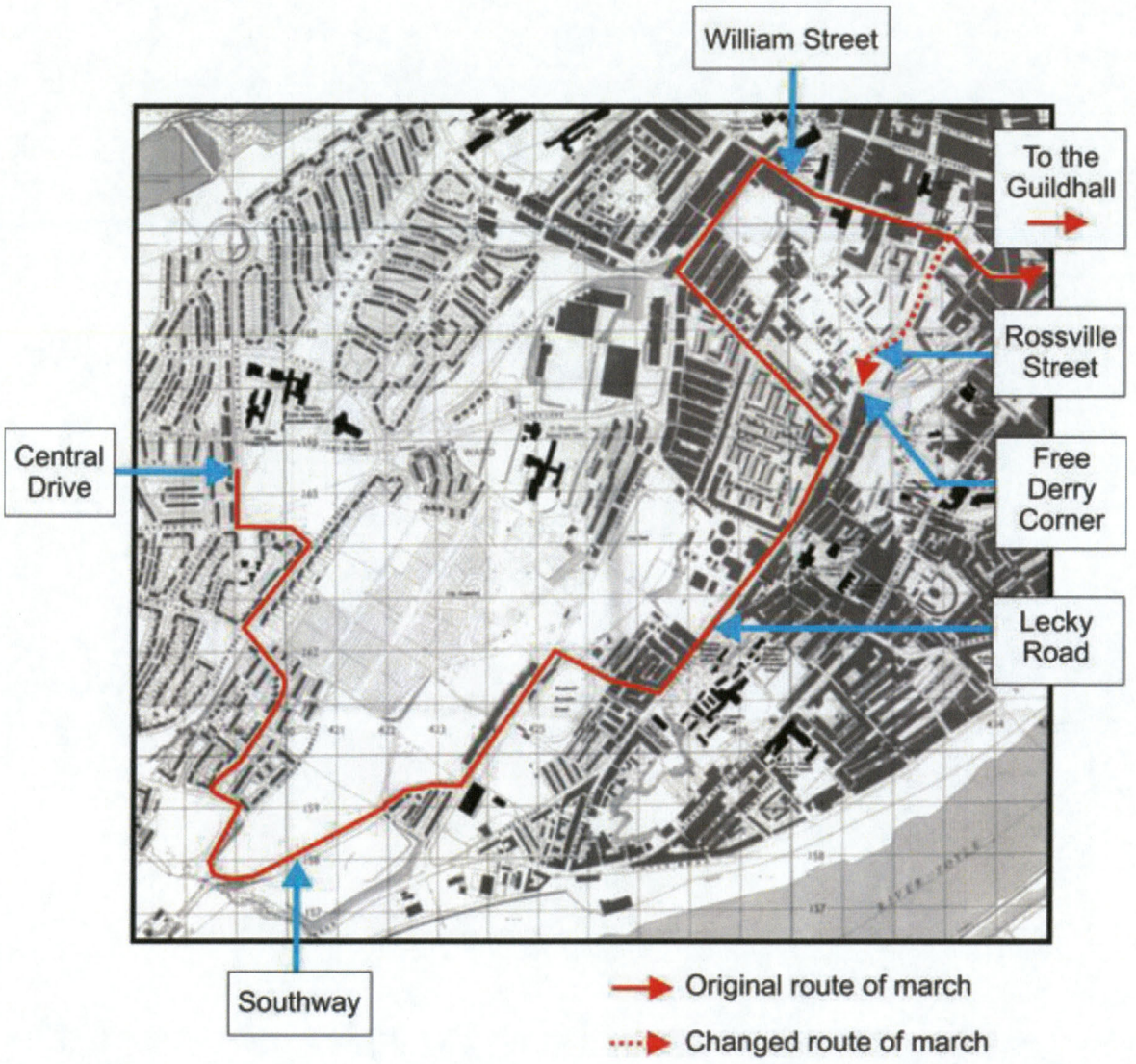
The above map shows the placement of barricades during the Battle of the Bogside in August of 1969. Russell Stetler, *The Battle of the Bogside: the politics of violence in Northern Ireland* (London: Sheed and Ward, 1970).

Appendix 3



The above map shows the section of Derry comprising part of the Bogside and indicates the locations of the several of the streets where the most clashes occurred between nationalists and the police and military. For reference, the River Foyle, which runs through the city, is to the right of the area shown in the map. *Saville Report*, vol. I, Chapter 1, Paragraph 7.

Appendix 4



The map above depicts the NICRA parade route followed on January 30, 1972. *Saville Report*, vol. I, Chapter 3, Paragraph 4.

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