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Between Subject and Alien: Decolonization, Citizenship, and the Irish Diaspora in Interwar Britain, 1921-1937

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### Publication Date

2022

Peer reviewed|Thesis/dissertation

UNIVERSITY OF CALIFORNIA SANTA CRUZ

**BETWEEN SUBJECT AND ALIEN:  
DECOLONIZATION, CITIZENSHIP, AND THE IRISH DIASPORA  
IN INTERWAR BRITAIN 1921-1937**

A dissertation submitted in partial satisfaction  
of the requirements for the degree of

DOCTOR OF PHILOSOPHY

in

HISTORY

by

**Daniel McKenna Joesten**

December 2022

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## **Abstract**

### **Between Subject and Alien: Decolonization, Citizenship, and the Irish Diaspora in Interwar Britain, 1921-1937**

Daniel McKenna Joesten

Historians of the British Empire have traditionally viewed the era of decolonization as the period following the end of the Second World War to the late 1960s. One of the critical issues that arose as a result of decolonization after WWII were questions of imperial migration and who had the right to domicile in Britain as a wide array of British subjects from various current and former colonies came to Britain in search of employment, opportunity, and a better life. Their presence, however, called into question Britain's immigration practices, such as the free flow of people from the empire and what characteristics defined a British subject. Looking back to the 1920s and the establishment of the Irish Free State, it is evident that these issues were not new. This dissertation argues that, in crucial respects, the establishment of the Irish Free State raised questions around citizenship that shed light on the paradox of a global British identity. More specifically, this dissertation highlights an earlier case of decolonization that raised tough, fundamental questions about imperial belonging versus local autonomy, which in turn had implications for migratory restrictions that we usually associate with the era of postwar decolonization and Commonwealth migration to Britain.

This dissertation examines the experiences of Irish migrants and the Irish diaspora in interwar Britain through the framework of decolonization studies, applying several theoretical concepts that have emerged in recent studies of the postwar British Empire to the establishment of the Irish Free State decades earlier. This includes grappling with the legacy and consequences of the hard-fought debates between anti-colonial nationalists and British officials and the interdependence of the Irish Free State and Britain before, during, and after decolonization. Race relations, which had a lasting impact on Irish migrants and the diaspora in interwar Britain as the Irish were continuously racialized and discriminated against, also figure significantly in this study. More broadly, there is a continuity between interwar and postwar colonial subjects as, on the individual level, they sought the rights to free movement, domicile, and equal treatment across the empire, including in Britain.

The cases examined throughout each of the following chapters demonstrate the limitations of inclusiveness concerning imperial migration during the interwar period and illustrate that certain classes of Irish migrants did not fit into the changing conceptions of the ideal British subject. Moreover, the Irish experiences explored in this dissertation are a case of imperial and postcolonial migration and an early example of Britain attempting to discriminate between different classes of British subjects in the metropole.

Finally, this dissertation recounts how the British state defined and policed the boundaries of nationality, citizenship, subjecthood, and borders in interwar Britain, and how the Irish maneuvered within those shifting boundaries. As these categories

were in flux, and ill-defined, this dissertation shows how the British state and the Irish negotiated such definitions and boundaries in practice throughout the interwar period.

## Acknowledgments

Researching and writing this dissertation was a long and arduous process, and I owe a debt of gratitude to so many individuals and organizations in my academic, professional, and personal life. First, my advisor and dissertation chair, Marc Matera, who saw this dissertation from inception to completion, always pushed me to see my project in new and exciting ways. Words cannot express how grateful I am for the time Marc dedicated to me over the years (the countless hours in person or over the phone), his exhaustive knowledge of the British Empire, and how he brought out the best in me and my project. I could not have asked for a better mentor. Marc's warmth, kindness, and generosity went beyond the walls of academia, and I am thankful for him always being there for me through some truly tough times.

My dissertation committee was rounded out by Prof. David Brundage, who was always willing to talk candidly about Irish history and migration whenever we had the chance, and whose support was crucial to the completion of my project. I am also extremely grateful to Prof. Nadja Durbach from the University of Utah, who agreed to serve on my committee on short notice. Nadja was my MA advisor at the University of Utah and has been a constant source of encouragement and reassurance for the past ten years.

In the last couple of years of writing this dissertation, I lost two close friends and colleagues in the UCSC History department. Professor Maya Peterson was always generous with her time and support and was especially invaluable in helping



me see this project through its inception and early stages. Likewise, Crystal Smith-Knighton, a friend and fellow British Empire graduate student, read several drafts of the following chapters, offering me insightful and critical feedback. I am grateful for the opportunity to know Maya and Crystal and for their impact on me throughout my tenure at UC Santa Cruz.

Within the UC Santa Cruz community, I am in debt to several faculty and staff who have inspired me as an academic and educator. Within the History Department, I would like to thank (in no particular order) Cindy Morris, Bruce Thompson, Edward Kehler, Greg O'Malley, Kiva Silver, Juned Shaikh, Benjamin Breen, and David Anthony. Outside of the History Department, both Anjali Arondekar (Feminist Studies) and Renya Ramirez (Anthropology) helped me through the early stages of this project.

For the past couple of years, I have been a part of a writing group organized by Professor Matera. Many thanks to Lisa Jackson, Linda Ulbrich, Christian Alvarado, Leonard Butingan, and the aforementioned Crystal Smith-Knighton, each of whom read several versions of these chapters over the years and provided me with the most helpful suggestions and feedback. This dissertation would not have been the same without your feedback and suggestions.

There have been several individuals both inside and outside my cohort that have been a constant source of friendship and moral support throughout the past eight years. I am grateful for Bristol Cave-LaCoste, Sean Lawrence, Erik Bernardino, Taylor Kirsch, Jaclyn Schultz, Andrei Tcacenco, Samantha Williams, Danielle

Kuehn, Donald Hickey, Marc Emile Johnston, Kiran Garcha, Priscilla Martinez, Kyuhyun Han, and Steven Green. Each of you helped me navigate the rigors of graduate school, and I am thankful for you. I would particularly like to thank Troy Scott, whose unyielding friendship and encouragement inspired me to write a more scintillating dissertation.

This dissertation would not have been possible without the generous financial support of the UC Santa Cruz History Department, the Humanities Institute at UC Santa Cruz, and the Royal Historical Society of Great Britain. These organizations made several overseas research trips to Ireland and the U.K. possible over the last several years.

My family has been a source of inspiration and support my whole life. My father, James Joesten, always taught me to read and be well-informed if I was to have an opinion. His love of books and lifelong learning influenced me to continue educating myself and drove me to be a more well-rounded individual. My mother, April McGuire, has always connected me to our own Irish diaspora here in the United States. Her exhaustive research on our family's history rivals most historians, so I think she should receive an honorary degree. My siblings, Josh, Ryan, Elizabeth, and David have always provided me with love and comic relief when I needed it most. I am also grateful to my McGuire, Circo, Vaughn, and Nicholas extended family for their encouragement.

Finally, and most importantly, I would like to thank my wife and life partner, Katrina Joesten. Trina has been my rock all throughout my time as a graduate

student. She has been my travel companion to conferences and research trips, listened to me talk at length about the Irish in Britain, taken notes when I got an idea while driving, and given me feedback on my dissertation. More crucially, however, Trina has been there for me through all the moments of doubt and misgivings, encouraging me to press on and always believing in my abilities as a writer and scholar. I could not have completed this without you.

This dissertation is dedicated to Trina and our beautiful children, Henry and Emma. I love you all so much.

## Introduction

“There is this question I wish to ask you,” Major Frank Hall of MI5 said as he sat across from arrested Irish Nationalist Roger Casement in late April 1916, “Do you claim to be a British subject?”<sup>1</sup> Casement had been captured off the coast of Ireland, attempting to smuggle weapons from Germany to aid in the Easter Rising.

“I suppose in law I am,” Casement replied, “I do not claim and as far as possible I have divested myself of any right to claim. I should never put forward the plea that I was a British subject.”

“Perhaps I should explain how it affects you.”

“I should never seek protection as a British subject.”

“Under the present law - emergency legislation - British subjects are treated or can be treated differently from aliens of any kind, in respect of the form of trial. Now supposing you had a choice, as a British subject, of trial, would you rest upon your rights as a British subject?”

“No. I should regard that as mean. I should allow you to deal with me as you please”<sup>2</sup>

Before his involvement in the Irish Nationalist movement, Roger Casement was the quintessential imperial British subject. Though born and educated in Dublin,

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<sup>1</sup> Interrogation of Sir Roger Casement by MI5, KV 2/8, British National Archives (BNA)

<sup>2</sup> Ibid.

Casement spent the majority of his life in service of the British Consul, where his work in the Belgian Congo and Amazon River Basin helped expose atrocities committed against indigenous peoples for the sake of rubber extraction. His status as a British subject allowed him to rise through the ranks of imperial service and the right to move freely between colonies and the metropole. In the decade leading up to his arrest, Casement became more involved in the Irish Nationalist cause, his attitude toward British imperialism hardened, and he no longer identified as a British subject. Thus, when given a choice by Major Hall as to whether he wished to represent himself as a subject or an alien, Casement chose alien.

A few short months following this interrogation, Casement was convicted of high treason and hanged at Pentonville Prison in London. Though Casement would not live to see it, Ireland would achieve some measure of independence in 1922 when it joined the British Commonwealth as the Irish Free State following the Anglo-Irish War (1919-1921). As part of the Commonwealth, Britain still considered individuals in the Irish Free State to be British subjects, at least legally, though, in practice, this was not universally followed. Major Hall's remark to Casement during his interrogation made it seem like there was a clear distinction between subjects and aliens, but in the long history of Anglo-Irish relations, this was rarely the case. Throughout the interwar era following Irish decolonization, the period covered in this dissertation, the line between subject and alien remained blurry for the Irish. This was especially true for the thousands of Irish migrants coming to Britain in the 1920s and 1930s (as well as for the Irish diaspora well-established in British communities)

as British politicians, bureaucrats, and social welfare institutions sought to selectively grant or deny the Irish the right to domicile based on race, class, and character in ways strikingly similar to post-WWII attitudes and policies towards non-white British subjects in the “era of decolonization.” Over the following four chapters, this dissertation will explore how the Irish in interwar Britain navigated the tenuous and ambiguous space between subject and alien.

In *Ireland and the Irish in Interwar England*, Historian Mo Moulton argues, “the Irish are crucial to the history of interwar England for their ability to serve as a microcosm, or a series of microcosms, enacting the dramas of the era on a small and vivid scale.”<sup>3</sup> For Moulton, the Irish in interwar England also “existed at the intersection of two larger historical frameworks: the political realignments, nationalism, and ‘unmixing’ of peoples of post-World War I Europe and the impending dissolution of the British Empire.”<sup>4</sup> If we expand this idea even further to include questions surrounding citizenship, racialized British subjects, and imperial immigration policies, the story of the Irish in interwar Britain serves not only as a microcosm for 1920s and 1930s global issues but also as a precursor to fundamental questions that would arise as a result of postwar decolonization in the British Empire.

Historians of the British Empire have traditionally viewed the era of decolonization as the period following the end of the Second World War to the late

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<sup>3</sup> Mo Moulton, *Ireland and the Irish in Interwar England*, (Cambridge: Cambridge University Press, 2014), 6.

<sup>4</sup> *Ibid*, 7.

1960s. One of the critical issues that arose as a result of decolonization after WWII were questions of imperial migration and who had the right to domicile in Britain as a wide array of British subjects from various current and former colonies came to Britain in search of employment, opportunity, and a better life. Their presence, however, called into question Britain's immigration practices, such as the free flow of people from the empire and what characteristics defined a British subject. Looking back to the 1920s and the establishment of the Irish Free State, it is evident that these issues were not new. This dissertation argues that, in crucial respects, the establishment of the Irish Free State raised questions around citizenship that shed light on the paradox of a global British identity, what Stuart Ward would later call "the simultaneous endorsement and rejection of an ethnic definition of Britishness."<sup>5</sup> More specifically, this dissertation highlights an earlier case of decolonization that raised tough, fundamental questions about imperial belonging versus local autonomy, which in turn had implications for migratory restrictions that we usually associate with the era of postwar decolonization and Commonwealth migration to Britain.

This dissertation examines the experiences of Irish migrants and the Irish diaspora in interwar Britain through the framework of decolonization studies, applying several theoretical concepts that have emerged in recent studies of the postwar British Empire to the establishment of the Irish Free State decades earlier. This includes grappling with the legacy and consequences of the hard-fought debates

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<sup>5</sup> Stuart Ward, "The End of Empire and the Fate of Britishness," in *History, Nationhood and the Question of Britain*, ed. Brocklehurst and Phillips, (London: Palgrave Macmillan, 2003), 246.

between anti-colonial nationalists and British officials and the interdependence of the Irish Free State and Britain before, during, and after decolonization. Race relations, which had a lasting impact on Irish migrants and the diaspora in interwar Britain as the Irish were continuously racialized and discriminated against, also figure significantly in this study. As Christine Kinealy has argued, “Within Britain...Irish people never achieved equal status, but remained ‘other’, despite being both white and British citizens.”<sup>6</sup> More broadly, there is a continuity between interwar and postwar colonial subjects as, on the individual level, they sought the rights to free movement, domicile, and equal treatment across the empire, including in Britain.

The enactment of the Anglo-Irish Treaty on December 6, 1922, marked the beginning of the Irish Free State, officially terminating Ireland’s settler colonial relationship with Britain and giving the Free State dominion status within the British Commonwealth of Nations. Regarding citizenship and subject status, the British assumed that the Irish Free State would follow the British Nationality and Status of Aliens Act of 1914, which defined a British subject as anyone born or naturalized within Britain’s dominions. Though in practice, Britain did not universally follow this. The cases examined in this dissertation demonstrate the limitations of inclusiveness concerning imperial migration during the interwar period and illustrate that certain classes of Irish migrants did not fit into the changing conceptions of the ideal British subject. As Nadine El-Enany has argued, the legal status of British

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<sup>6</sup> Christine Kinealy “At Home with the Empire: The Example of Ireland,” in *At Home with the Empire: Metropolitan Culture and the Imperial World*, ed. Catherine Hall and Sonya O. Rose (Cambridge: Cambridge University Press, 2006), 100.



subject offered little protection for colonial subjects because “whenever it has suited the British government, it has treated its subjects as aliens for legal purposes, evicting them from the scope of legal status with devastating consequences.”<sup>7</sup>

A large part of the British treating the Irish as aliens “whenever it suited them” was that the Irish were racialized in ways that other white settler colonials were not. Throughout the late-nineteenth century, British racialized representations of the Irish were more conspicuous: depicting the Irish with stereotypical African features and equating them with violent, ignorant, and brutish monsters. During the interwar period, the racialization of the Irish in Britain was far more subtle, though no less egregious, focusing on class, character, intelligence, and the propensity for subversive behavior. The following chapters trace how racialized representations of the Irish changed and how they were deployed over the course of nearly two decades covered in this dissertation.

Before the Irish Free State, many, though not all, of the concerns about racial mixing and “subversive” subjects came from the white Dominions (seeking to control inward migration of “undesirables”) as well as intercolonial migration. This dissertation demonstrates that the establishment of the Irish Free State and interwar Irish migration refocused those same concerns on immigration to Britain. The Irish had been migrating in significant numbers to Britain for centuries before 1922, and though they were regularly viewed as stigmatized colonial subjects—perhaps more

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<sup>7</sup> Nadine El-Enany, *Bordering Britain: Law, Race and Empire*, (Manchester: Manchester University Press, 2020), 36.

frequently than any other group of people in Britain up to that point—Ireland was part of the U.K. and their presence there was not questioned to the degree that it was during the interwar years. The Irish experiences explored in this dissertation are a case of imperial and postcolonial migration and an early example of Britain attempting to discriminate between different classes of British subjects in the metropole.

However, the cases examined in this dissertation are not just about migration. They represent cases that demonstrate the emergence of the deportation state in the U.K. Each of the following chapters center on British efforts to control, manage, and restrict the mobility of the Irish during the interwar period, including scrutinizing their activities and lives and attempting to remove them when they are perceived as no longer viable. I argue that withholding defined categories and keeping political categories vague enabled calls for the deportation (or repatriation) of Irish-British subjects in the interwar period examined in the chapters of this dissertation.

Through the Irish example, we see that the borders of Britain are fluid and not merely the boundaries between countries. Rather the borders of Britain were drawn on the bodies of racialized colonial subjects.<sup>8</sup> Throughout the following chapters, we see that the bodies of Irish men and women migrants were under scrutiny, including their hygiene, physical health, intelligence, and their ability to work. By evaluating the bodies and behavior of Irish migrants, British state and non-state actors attempted

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<sup>8</sup> See El-Enany, *Bordering Britain*.

to discriminate between migrants they viewed as valuable and those viewed as invaluable and, thus, who should be “repatriated” to the Free State.

Therefore, the story told here is how the British state defined and policed the boundaries of nationality, citizenship, subjecthood, and borders in interwar Britain, and how the Irish maneuvered within those shifting boundaries. As these categories were in flux, and ill-defined, this is also a story of how the British state and the Irish negotiated such definitions and boundaries in practice throughout the interwar period.

### Dissertation Intervention and Historiography

A considerable amount of scholarship has been dedicated to the years following the signing of the Anglo-Irish Treaty and the Irish Free State. While many have focused on the political, economic, and social ramifications of the severed relationship with Britain, very few have examined the Irish Free State from a British colonial perspective or in terms of a broader narrative of decolonization. David George Boyce’s *The Irish Question and British Politics, 1868-1986* (1988), for example, argues that far from the Irish Free State ending the “Irish Question” in British politics, it instead became a more “complex and ambiguous relationship.” The close proximity of Ireland and Northern Ireland’s continued presence in the United Kingdom made it difficult to place the Irish Free State in a postcolonial

context.<sup>9</sup> D. W Harkness's *Ireland in the Twentieth Century: Divided Island* (1996) and David Fitzpatrick's *The Two Irelands, 1912-1939* (1998) each have viewed political efforts of W.T. Cosgrave's Cumann Na nGaedheal Party of the 1920s and Eamon de Valera's Fianna Fáil Party of the late 1920s and 1930s to systematically dismantle aspects of the treaty through political and diplomatic channels as a way of realizing the goals of the revolution and establishing a republic. This began with removing the monarch from postage stamps and currency and culminated with the abolishment of the oath of allegiance and the new constitution of 1937.<sup>10</sup> Building on his comprehensive examination of the debates surrounding the Anglo-Irish Treaty, Jason Knirck's *Afterimage of the Revolution: Cumann Na nGaedheal and Irish Politics, 1922-1932* (2014) challenges other histories of the first Free State government by asserting that Cumann Na nGaedheal was engaged in preserving the legacy of the revolution and promoting Irish identity rather than mitigating the radicalism of the Anglo-Irish War.<sup>11</sup> While each of these works informs my dissertation, I bring these debates outside the realm of negotiation and compromise to

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<sup>9</sup> David George Boyce, *The Irish Question and British Politics, 1868-1986*. (New York: St. Martin's Press, 1988), 77-78.

<sup>10</sup> D. W. Harkness, *Ireland in the Twentieth Century: Divided Island*, (New York: St. Martin's Press, 1996) and David Fitzpatrick, *The Two Irelands, 1912-1939*, (Oxford: Oxford University Press, 1998).

<sup>11</sup> Jason K Knirck. *Afterimage of the Revolution: Cumann Na nGaedheal and Irish Politics, 1922-1932*, (Madison, WI: University of Wisconsin Press, 2014) For Knirck's comprehensive analysis of the debates of the Anglo-Irish Treaty see Jason K. Knirck, *Imagining Ireland's Independence: The Debates over the Anglo-Irish Treaty of 1921*, (Lanham, MD: Rowman & Littlefield Publishers, 2006). This work is incredibly useful in outlining what the Irish representatives were bargaining for in these negotiations. *Afterimage of the Revolution* is in conversation, and sometimes arguing against, John M Regan, *The Irish counter-revolution, 1921-36: Treatyite Politics and Settlement in Independent Ireland*, (Dublin: Gill & Macmillan, 2001) and Ciara Meehan, *The Cosgrave Party: A History of Cumann na nGaedheal, 1923-33*, (Dublin: Prism, 2011).

examine how the unintended consequences of this “complex and ambiguous” relationship affected the Irish diaspora and Free State migrants in interwar Britain.

While Irish migration to Britain before the Free State has received a fair amount of scholarly attention, Irish migration to Britain during the interwar period, with few exceptions, has not. Enda Delaney’s *Demography, State and Society: Irish Migration to Britain, 1921-1971* (2000) provides an excellent overview of what motivated the Irish to immigrate to Britain during the Free State years. Delaney argues the close proximity offered unskilled laborers access to work when Ireland, despite the nationalistic rhetoric of an idealized rural country, was facing staggering unemployment numbers and failing agriculture business.<sup>12</sup> Because of the strain on their unemployment resources, Ireland did little to curb migration to Britain. Donald M MacRaild’s *The Irish Diaspora in Britain, 1750-1939* (2011) looks at the establishment of new Irish communities centered on Catholic affiliation in interwar Britain and also discusses the continuities of Irish persecution during times of economic hardship.<sup>13</sup> The work mentioned above by Mo Moulton, *Ireland and the Irish in Interwar England* (2014), provides the first comprehensive study of Irish life in interwar England. Moulton argues that Irishness (or Irish identity) was a crucial component of Englishness as England remained ‘mixed’ throughout this time period. She claims, “The power of...Englishness was not that it really was homogeneous, but rather that it effectively parceled out heterogeneity in ways that seemed enriching

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<sup>12</sup> Enda Delaney, *Demography, State and Society: Irish Migration to Britain, 1921-1971*, (Montreal: McGill-Queen's University Press, 2000), 61.

<sup>13</sup> Donald M MacRaild, *The Irish Diaspora in Britain, 1750-1939*. (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2011).

rather than dangerous.”<sup>14</sup> More recently, Jennifer Redmond’s *Moving Histories: Irish Women’s Emigration to Britain from Independence to Republic* adds to the growing body of literature on Irish women’s migration to Britain.<sup>15</sup> Despite these studies, the impact on Irish individuals and communities of changing conceptions of citizenship, British subject status, and migratory regulations (including possible repatriation), remains an under-researched part of interwar Britain. Moreover, beyond the actions of the state, this dissertation will demonstrate that average Britons, non-state actors, and researchers also contributed to the “unmixing” Moulton refers to, and drawing a firmer line between the Irish and English.

Some of the most influential recent scholarship on the interwar period in Britain has examined the years following World War I as a time when race relations, racial politics, and British identity came to the forefront of British social and political life, issues that have traditionally defined postwar decolonization.<sup>16</sup> Most of these studies, however, focus on non-white British subjects and do not discuss how the Irish were racialized and discriminated against in similar ways.

Citizenship and imperial migration have also become a growing field of interest for studies of the interwar British Empire. Throughout this dissertation, I

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<sup>14</sup> Mo Moulton, *Ireland and the Irish in Interwar England*, (Cambridge: Cambridge University Press, 2014).

<sup>15</sup> Jennifer Redmond, *Moving Histories: Irish Women’s Emigration to Britain from Independence to Republic*, (Liverpool: Liverpool University Press, 2018).

<sup>16</sup> See Barbara Bush, *Imperialism, Race, and Resistance: Africa and Britain 1919-1945* (New York: Routledge, 1999); Carina E. Ray, *Crossing the Color Line: Race, Sex, and the Contested Politics of Colonialism in Ghana*, (Athens, OH: Ohio University Press, 2015); Laura Tabili, *“We ask for British justice”: Workers and Racial Difference in Late Imperial Britain*, (Ithaca, NY: Cornell University Press, 1994); Susan D Pennybacker, *From Scottsboro to Munich: Race and Political Culture in 1930s Britain*, (Princeton, NJ: Princeton University Press, 2009).

argue that retaining a degree of ambiguity within the terms of citizenship in the dominions may have been both intentional and useful for the British. As Lara Putnam has argued, ambiguity around citizenship provided Britain with fluidity in granting or denying rights to her subjects and making decisions about whom to include and whom to exclude.<sup>17</sup> Imperial, British, or colonial citizenship were not legal categories during the interwar period. In fact, citizenship within Great Britain would not be legislated formally until 1948 with the British Nationality Act. I argue that ambiguity served the British well regarding Irish interwar migration as it allowed them to keep the Irish between subject and alien.

In viewing Ireland as a colonial project, much has been written about the racialization of the Irish. For example, the foundational scholarship of L. Perry Curtis's *Apes and Angels: The Irishman in Victorian Caricature* (1971), argued that in addition to the primitivism associated with Africa, the racialization of the Irish sought to depict them as brutal and violent savages. This was accomplished by equating Fenianism, the violent Irish Nationalist movement of the mid-nineteenth century, with brutish, monstrous savagery.<sup>18</sup> Additionally, Bruce Nelson has asserted that as the British were aware of the idea of Irish Nationalism as an international sympathetic rallying point, it was imperative to portray the Irish as a colonized other "whose vices served to highlight the virtues of the colonizer."<sup>19</sup> These racialized

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<sup>17</sup> Lara Putnam, "Citizenship from the Margins: Vernacular Theories of Rights and the State from the Interwar Caribbean" in *Journal of British Studies*, 53, No. 1, (2014): 163.

<sup>18</sup> L. Perry Curtis, *Apes and Angels: The Irishman in Victorian Caricature*. (Washington: Smithsonian Institution Press, 1971)

<sup>19</sup> Bruce Nelson, *Irish Nationalists and the Making of the Irish Race*, (Princeton: Princeton University Press, 2012), 17.

conceptions of the Irish, however, have been problematized by historians such as G.K. Peatling and Ian Fletcher, who have noted that Ireland's colonial position was much more complicated and connections between the Irish and nonwhite colonial groups have been overstated.<sup>20</sup> Both authors gesture towards Erskine Childers's *The Framework of Home Rule* (first published in 1911), which portrayed the Irish as white from the British perspective, as a point of departure.<sup>21</sup> However, most of the literature on the racialization of the Irish covers the nineteenth century leading up to the Irish revolution when it was more blatant and overt. Throughout the interwar period, the British racialized the Irish in more subtle and shifting ways, using the coded language of class, character, and mental acumen. This dissertation traces the ways Irish racialization changed throughout the interwar period.

The plight of Irish immigrants in interwar Britain bears striking similarities to other nonwhite colonial migrants in the postwar period, where they were often viewed as culturally inferior and faced similar persecution. This complex idea of "multiple racisms" is explored in detail in Wendy Webster's *Imagining Home: Gender, "Race" and National Identity, 1945–64* (1998).<sup>22</sup> Thus the Irish occupied a unique position concerning their status as British subjects, not non-white but still a

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<sup>20</sup> G. K. Peatling, "The Whiteness of Ireland under and after the Union," in *Journal of British Studies* 44, No. 1 (2005).

<sup>21</sup> Ian Christopher Fletcher, "Double Meanings: Nation and Empire in the Edwardian Era," in *After the Imperial Turn: Thinking with and through the Nation*, ed. Antoinette Burton (Durham, NC: Duke University Press, 2003); G. K. Peatling, "The Whiteness of Ireland under and after the Union," *Journal of British Studies* 44, No.1 (2005): 115-133. See also: Murray G. H. Pittock, *Celtic Identity and the British Image* (Manchester: Manchester University Press, 1999).

<sup>22</sup> Wendy Webster, *Imagining Home: Gender, "Race" and National Identity, 1945–64* (London: UCL Press, 1998)



colonial other. Though the position of the Irish in postwar Britain was often dependent upon economic circumstances. Kathleen Paul contends that in the postwar period, the Irish were seen as a useful labor force and granted the same rights as British subjects without actually being British subjects.<sup>23</sup> Paul further argues that at the same time, West Indians, actual British subjects, were not so regarded.<sup>24</sup> Elsewhere, Paul has examined postwar immigration policies and discovered that these policies placed heavy restrictions on non-white immigrants from the West Indies and Africa while at the same time actively recruiting workers from Britain's current and former white settler colonies.<sup>25</sup> Paul focuses on the postwar period, when economic circumstances were more favorable, and there was a high demand for cheap labor. The reverse was true during the interwar period and the economic depression, as Irish migrants and laborers faced similar circumstances to their postwar West Indian and South Asian counterparts. This change points to the evolving ways in which the British state defined belonging and changes in the racialization of the Irish between the interwar and postwar periods.

Throughout the succeeding chapters, I argue that the establishment of the Irish State was an earlier example of decolonization that brought many issues surrounding migration to the forefront long before the period generally associated with decolonization. Surprisingly, very little has been written about interwar Ireland in

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<sup>23</sup> Kathleen Paul, "A Case of Mistaken Identity: The Irish in Postwar Britain" in *International Labor and Working Class History*, 49, no. 49, (1996): 116–42.

<sup>24</sup> *Ibid.*

<sup>25</sup> Kathleen Paul, *Whitewashing Britain: Race and Citizenship in the Postwar Era* (Ithaca, NY: Cornell University Press, 1997)

terms of decolonization, perhaps because many historians disagree about Ireland's status as a colony.<sup>26</sup> Frances Flanagan, however, has written extensively about alternative futures envisioned by a small minority of separatists who wanted a more secular, liberal Ireland.<sup>27</sup> In addition, Todd Kuchta's *Semi-Detached Empire: Suburbia and the Colonization of Britain, 1880 to the Present* (2010) examines interwar British suburbs of white colonials (including Irish ones) depicted in literature and argues that they represented the beginning of Britain's detachment from the Empire.<sup>28</sup> Lastly, Mary Daly has argued that refusal to use the word "Ireland" in any official documents following the establishment of the Irish Free State until the 1998 Good Friday Agreement points to more significant issues surrounding sovereignty, identity, and territorial claims.<sup>29</sup> Though histories of postwar decolonization discuss Irish immigrants and communities, a comprehensive study of the Irish Free State as an instance of decolonization is lacking.<sup>30</sup>

I argue that the main theoretical concepts explicated within decolonization studies could be applied to the establishment of the Irish Free State during the

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<sup>26</sup> See Declan Kiberd, *Inventing Ireland: The Literature of the Modern Nation* (London: Vintage, 1996); P. Collombier-Lakeman, "Ireland and the Empire: The Ambivalence of Irish Constitutional Nationalism" in *Radical History Review*, 104 (2009): 57-76; Alvin Jackson, "Ireland, the Union, and the Empire, 1800 – 1960," in *Ireland and the Empire*, ed. K. Kenny (Oxford: Oxford University Press, 2004); Andrew Murphy, "Ireland and Ante/Anti-Colonial Theory" in *Irish Studies Review*, 7, No 2, (1999):153-161; Stephen Howe, "Questioning the (bad) question: 'Was Ireland a colony?'" in *Irish Historical Studies*, xxxvi, no. 142, (2008):138-152; Stephen Howe, *Ireland and Empire: Colonial Legacies in Irish History and Culture* (Oxford: Oxford University Press, 2000).

<sup>27</sup> Frances Flanagan, *Remembering the Revolution: Dissent, Culture, and Nationalism in the Irish Free State*, (Oxford: Oxford University Press, 2015).

<sup>28</sup> Todd Kuchta, *Semi-Detached Empire: Suburbia and the Colonization of Britain, 1880 to the Present* (Charlottesville: University of Virginia Press, 2010).

<sup>29</sup> Mary E. Daly "The Irish Free State/Éire/Republic of Ireland/Ireland: A Country by Any Other Name?" in *Journal of British Studies*, 46, no. 1, (2017): 72-90.

<sup>30</sup> A great example is Jordanna Bailkin's, *The Afterlife of Empire* (Berkeley: University of California Press, 2012) which discussed the deportation of Irish people thought to be terrorists.

interwar period. First, the Anglo-Irish Treaty and the Free State constitution were not the product of a British directive; rather, they were a result of hard-fought debates and compromises between anticolonial nationalists from Ireland and British officials trying to maintain the Empire. In other words, the dominion status achieved as a result of the Treaty came about as the result of a historical moment where other possibilities existed and, in fact, were subsumed by the treaty. Second, the Irish decolonization process indicates the interdependence of the colony and metropole before, during, and after decolonization. Although it was an attempt on the part of the British to rid themselves of the “Irish Question,” the Anglo-Irish relationship remained after 1921 as the two countries' relative proximity, intercultural connections, and the fact that Ireland was a cheap source of immigrant labor, kept the countries in close association. Finally, the establishment of the Irish Free State had consequences for the Irish diaspora in the U.K., bringing many of the issues surrounding migration and imperial belonging to the forefront long before the period generally associated with decolonization. Even as British subjects, the Irish in interwar Britain remained ‘other’ and did not achieve equal status.

The small but vocal group of postcolonial theorists working on Ireland have effectively challenged revisionist histories to the point where most would agree that Ireland was colonial, with some caveats. The degree and depth of Ireland’s colonial status now make up the majority of these debates.<sup>31</sup> Irish postcolonial theorists have

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<sup>31</sup> For much of the twentieth century, positions in this debate were highly politicized in the contentious political climate of Ireland, especially since Northern Ireland continues to be a part of the U.K. Politically, to argue that Ireland was a colony was to align yourself with Irish republicanism and the far-left political party Sinn Fein, who framed the oppressive colonial relationship with Britain as their

also pushed back on the teleological, nationalist narratives and have repudiated terms such as “modernity” and “progress” associated with revisionist narratives.<sup>32</sup> In other words, Irish postcolonial theorists have opened the door for more scholarship and a more comprehensive look at decolonization and Ireland from a postcolonial perspective. This dissertation aims to contribute to this growing field of study.

### Chapter Outline

To gain a clearer understanding of the nature of the settlement that established the Irish Free State, it is important to examine the negotiations following the Anglo-Irish War. Thus, Chapter One focuses on the year between the signing of the Anglo-Irish Treaty on December 6<sup>th</sup>, 1921, and its enactment on Dec 6<sup>th</sup>, 1922. Throughout

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raison d’être and that only a united Ireland would end this colonial relationship. Conversely, to argue that Ireland was not a colony was to politically align with loyalists/unionists who historically viewed Ireland as part of the United Kingdom since the 1801 Act of Union. These are the “revisionists” of Irish history who attempt to muddle the colonial past in an effort to project a unified Britain backwards. The greatest difference, however, between the various positions in this debate are how the various sides employ different understandings of colonialism and empire. See Joe Cleary, “Amongst Empires: A Short History of Ireland and Empire Studies in International Context” in *Eire/Ireland* (St. Paul), 42, No. 1 (2007):11-57, for a great overview of this debate.

Examples of “revisionist” histories include Donald Harman Akenson, *The Irish Diaspora: A Primer* (Belfast: P.D. Meany Co., 1993); Scott B. Cook, ‘The Irish Raj: Social Origins and Careers of Irishmen in the Indian Civil Service, 1855–1919’, *Journal of Social History*, 20, 3, (1987):507-529; Keith Jeffrey ‘*An Irish Empire*’: *Aspects of Ireland and the British Empire* (Manchester: Manchester University Press, 1996); Roy Foster *Modern Ireland: 1600 -1972*, (London: Penguin Books, 1989). Examples of “nationalist” histories include: Stephen Howe, *Ireland and Empire: Colonial Legacies in Irish History and Culture* (Oxford: Oxford University Press, 2000); Liz Curtis, *The Cause of Ireland: From the United Irishmen to Partition* (Belfast: Beyond the Pale, 1996); and Anthony Carty *Was Ireland Conquered? International Law and the Irish Question* (London: Pluto Press, 1996).

<sup>32</sup> See David Lloyd, *Ireland After History* (Cork: Cork University Press, 2000); Andrew Murphy, “Ireland and Ante/Anti-Colonial Theory” in *Irish Studies Review*, 7, No 2, (1999): 153-161; Declan Kiberd, *Inventing Ireland: The Literature of the Modern Nation* (London: Vintage, 1996); David Lloyd, “Regarding Ireland in a Postcolonial Frame” in *Cultural Studies*, 15, No.1 (2001):12-32; David Lloyd, *Irish Culture and Colonial Modernity: 1800-2000* (New York: Cambridge University Press, 2011); and David Lloyd, *Irish Times: Temporalities of Modernity* (Dublin: Field Day, 2008).

this year, both houses of parliament, the Dail Eireann (Irish Parliament), and Britain's ministries debated aspects of the treaty surrounding citizenship, subject status, and immigration to the U.K. This included the Oath of Allegiance for Free State civil servants, which differed significantly from the Oath in the 1914 Nationality and Status of Aliens Act and referred to an empire-wide "common citizenship," and article three of the Irish Free State constitution, which provided citizenship within the Irish Free State, outside of British subjecthood. These provisions were unprecedented in Britain's dominions and raised questions about the logistics of conflicting definitions and the loyalty of subjects from the Irish Free State. Chapter One explores these topics in detail as they were indicative of the more significant debates in Britain about interwar migration and restrictions on different classes of British subjects. By leaving these questions unsettled, the British laid the foundation of ambiguity that rendered the Irish (both newcomers and established residents) vulnerable to scrutiny, social control, and even deportation.

Chapter One also explores the ways racial ideology, Irish nationalism, the threats from subversives, and imperial migration shaped the viewpoints of those debating the Treaty and, more importantly, how this led to an unresolved settlement and vague political categories which would carry a significant impact on poor Irish migrants examined in later chapters. Chapter One argues this lack of clarity did more to raise questions about imperial belonging than resolve any lingering issues surrounding citizenship or subject status. Moreover, the ambiguity enabled the

British to selectively recognize or deny the right of Free State migrants to domicile in Britain, as subsequent chapters of this dissertation demonstrate.

The first real test of the unresolved nature of the Anglo-Irish Treaty came in March of 1923 when 111 Irish-British subjects were arrested throughout Britain by local authorities acting on the orders of the British Home Office and subsequently deported to the Irish Free State. This episode is the focus of Chapter Two. Those deported were thought to be anti-Treaty Irish nationalists plotting to take down the Irish Free State government. The deportation of 111 Irish-British subjects raised questions about the legality of such action and the authority of the Home Office to deport British subjects to the Free State. Indeed, most of the deportees had been living in Britain for years or all of their lives, and all had deep ties to the British communities where they resided.

The unresolved questions raised during the Anglo-Irish Treaty debates involving the status of Irish-British Subjects created an uncertain and ambiguous situation for the 111 deportees. The British Government exploited this flexibility with the deportees and other groups throughout the interwar period. The open-ended, flexible nature of "nationality" allowed the state to alternatively claim and dispense with marginalized groups depending on needs and circumstances. This extreme case reveals the tenuous position of all Irish in Britain, not because their experience was typical but because it revealed how the state could exploit the ambiguity when desired.

Chapter Three examines Irish communities in the industrial north during the Depression years. Starting in 1926 and extending into the 1930s, Southern Scotland, Manchester, and areas of Merseyside County (including Liverpool) frequently reported being “flooded with outsiders” and “undesirable characters” from the Irish Free State who were thought to be taking jobs that should have gone to locals or who became chargeable to the poor law. As the industrial hubs of Great Britain with large working-class populations, these areas also became spaces where anti-immigrant sentiment became more pronounced when high unemployment rates occurred. This led to several inquiries by local governments and ministry officials into the possibility of repatriating individuals to the Free State to save employment and poor law benefits for British subjects born within the U.K.

Drawing on a series of correspondence, immigration data, reports, and articles from several British government ministries, this chapter explores several attempts to solve the issue of Irish migration to the industrial hubs of Northern Britain. It examines calls for repatriation within the context of Irish migration to Britain in the interwar period and dominion migration more broadly, including the multiple tests to the policy of free movement within the Empire. The calls for repatriation, however, were based on unsubstantiated conjecture and prejudices against the Irish. This motivated British locals to claim the Irish were delinquents, though the data did not support their allegations. Many of the issues relating to economic hardship and poor law delinquency in the North were due to policies enacted by the U.K., such as industrial transference and the active recruitment of certain classes of migrant

workers. This chapter examines these events as part of a broader interwar process of the U.K. attempting to discriminate against the Irish, without appearing to do so, while simultaneously being reluctant to define British nationality or citizenship.

Drawing primarily on the studies of Dr. Letitia Fairfield, a physician with the London County Council, and Gertrude Gaffney, a journalist for the *Irish Independent*, Chapter Four focuses on Irish women migrants in Britain during the 1920s and 1930s. Most Irish immigrants to Britain during the interwar period were women seeking domestic work or unwed mothers. Their presence contributed to a widespread concern amongst the London ruling class and the public that Irish women would fall (or fall further) into moral decline and become a drain on local social services. However, like the cases examined in Chapter Three, the data simply did not support the public's fears.

Chapter Four concludes that the motivations behind the migration of Irish women from the Free State in the interwar period were largely exaggerated in the public sphere and that the real motivations for migration were primarily economic or a way to recover opportunities lost in the conservative, patriarchal Free State. Britain's active recruitment of Irish domestic workers throughout this period further demonstrates that Britain did not necessarily want the flow of Irish women migrants to stop; rather, they wanted the power to control it or, essentially, the ability to place borders on the bodies of Irish women migrants. Certain classes of Irish women were in high demand as domestic workers so long as they were docile, easily controlled, and adhered to a certain regime of bodily discipline, while others were viewed as



potential threats to English domesticity and racial homogeneity. The work of Letitia Fairfield and Gertrude Gaffney exemplifies how Irish women were scrutinized and categorized in interwar Britain.

### Conclusion

The establishment of the Irish Free State on December 6<sup>th</sup>, 1922, ushered in a new era of Anglo-Irish relations, albeit one fraught with uncertainty. For the British, it marked an early instance of what would become many instances of relinquishing control of parts of the Empire. Although throughout 1922, questions were raised about empire security, decentralization, and conflicting notions of citizenship, it was nonetheless determined on more than one occasion that citizens of the Irish Free State were, in fact, British subjects with all of the rights and privileges associated with it. However, far from setting a precedent, these questions would reemerge in the years following World War II as new waves of migrants arrived from other places throughout the Empire and challenged British views on subjecthood and who had the right to lay claim to British identity.

This dissertation contributes to the debates about interwar Britain balancing a series of intrinsic contradictions. These contradictions include trying to reconcile the rights of subjects from the Irish Free State while moving toward a more insular British nationalism and the conflict of attempting to balance demands for autonomy from the dominions with keeping the Empire together. This dissertation demonstrates

that these contradictions had a profound effect on the Irish diaspora in Britain concerning their right to domicile and the right to free movement. Finally, my dissertation places the establishment of the Irish Free State within the larger framework of twentieth-century decolonization, viewing the experiences of the Irish in interwar Britain as a precursor to the ordeals faced by their postwar counterparts as Britain, in both instances, attempted to come to terms with the legacy of colonialism.

**After the War: Common Citizenship, British Nationality, and the Debates  
Surrounding the Anglo-Irish Treaty 1921-1923**

Introduction

In an address to the House of Lords on December 20, 1934, Gideon Oliphant-Murray, the 2<sup>nd</sup> Viscount Elibank, declared, “Mr. de Valera says that in future the British will be regarded as foreigners, so far as the South of Ireland is concerned. Are we, therefore, to regard citizens who come from the South of Ireland as foreigners in this country, or are we to continue to treat them as British subjects and go on conferring upon them all the benefits which British subjects enjoy in this country in virtue of the fact that they are British subjects?”<sup>33</sup>

Oliphant-Murray raised this question in response to the creation of the Irish Nationality and Citizenship Act by Eamon de Valera, President of the Executive Council in the Irish Free State, in 1934. The Irish Nationality and Citizenship Act was, in effect, an attempt by the Irish Free State to assert sovereignty by defining and clarifying Irish Citizenship in relation to the British subject status conferred in the British Nationality and Status of Aliens Act of 1914. The Act defined a British subject as anyone born or naturalized within Britain’s dominions. Viscount Elibank’s remarks are revealing. While he is right that members of the Irish Free State members were considered British subjects, it was debatable what that status meant. Furthermore, his statement indicates a certain disconnect between rhetoric and

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<sup>33</sup> Gideon Oliphant-Murray, HL Deb, 20 December 1934, vol 95 cc691-705

practice, as many members of the Irish Free State did not enjoy all of the benefits of British subjecthood. British officials and bureaucrats attempted to institute policies that discriminated against different classes of British subjects from the Irish Free State throughout the interwar period.

Oliphant-Murray's remarks to the House of Lords in 1934 indicate some interesting parallels between interwar and post-WWII Commonwealth relations concerning citizenship and subject status. Scholarship on the post-WWII British Nationality Act of 1948 has shown that, aside from a tangential means of addressing migration, its primary goal was to strengthen what remained of the Empire and solidify Britain's position as the head of the Commonwealth by defining national citizenship for the first time in the wake of similar moves by Canada—followed by other white-settler colonies.<sup>34</sup> The Irish Free State, as Oliphant-Murray indicates, defined their national citizenship much earlier in the 1930s, which raised similar concerns regarding imperial strength, Commonwealth security, and the racial composition of Britain.

The Nationality Act of 1948 was analogous to and, in many ways, an extension of its predecessor, the British Nationality and Status of Aliens Act of 1914 (discussed in this chapter), in that it was intended (though not explicitly stated) to

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<sup>34</sup> Randall Hansen, "The Politics of Citizenship in 1940s Britain: The British Nationality Act" in *Twentieth Century British History*, 10, No. 1, (1999): 67-95; Jatinder Mann, "The Evolution of Commonwealth citizenship, 1945–1948 in Canada, Britain and Australia" in *Commonwealth & Comparative Politics*, 50, No. 3, (July 2012): 293–313; Nadine El-Enany, *Bordering Britain : Law, Race and Empire*, (Manchester: Manchester University Press, 2020), Susan Kingsley Kent, *A New History of Britain Since 1688: Four Nations and an Empire* (Oxford: Oxford University Press, 2017), 432-433.

maintain racial superiority. There is a continuity with the underlying logic in both Acts in this respect. With the Nationality Act of 1948, Nadine El-Enany argues that “In casting the nationality net wide, Britain’s priority was the maintenance of global white British supremacy in the form of its imperial relationships with the white settler colonies.”<sup>35</sup> The same was true with the Act of 1914, which resulted from several imperial conferences with the former white settler colonies. Both Acts, however, had unintended consequences when put into practice. The 1948 Act led to a great migration from Britain’s non-white colonies or dominions, which Britain sought to mitigate with the passage of Race Acts in the 1960s and 1970s.<sup>36</sup> The 1914 Act faced similar challenges with the addition of the Irish Free State to the Commonwealth in 1922. The unique language of the Anglo-Irish Treaty and the Free State Constitution posed perceived threats to naturalization and imperial migration.

After the British passed the Nationality Act of 1948, in stark contrast to the interwar period, Irish migrant workers became favored over their non-white counterparts as Britain sought to maintain racial hegemony and imperial power. Kathleen Paul, for instance, contends that in the postwar period, the Irish were seen as a useful labor force and granted the same rights as British subjects, though by this period, they were no longer British subjects.<sup>37</sup> Paul argues, “Britain's governing elite successfully manipulated notions of identity and definitions of citizenship in order to preserve a useful labor supply and a united empire/Commonwealth. This success

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<sup>35</sup> El-Enany, *Bordering Britain*, 14.

<sup>36</sup> *Ibid.*

<sup>37</sup> Kathleen Paul. “A Case of Mistaken Identity: The Irish in Postwar Britain,” *International Labor and Working-Class History*, 49, 116, (2008): 116-142.

itself raises further questions about the fluidity of national identity and the value of migrant labor.”<sup>38</sup> The reversal in attitudes toward the Irish in the postwar period was primarily motivated by economic circumstances and racist ideology towards nonwhite migrants from the Empire, but the Irish never achieved “equal status” and remained “other.”<sup>39</sup> Moreover, the “manipulated notions of identity and definitions of citizenship” and “fluidity” Paul describes in relation to the postwar era were happening much earlier following the establishment of the Irish Free State as the British attempted to restrict the flow of Irish migrants.

When the Anglo-Irish Treaty was signed on December 6th, 1921, it ushered in a new era of Anglo-Irish relations while at the same time bitterly dividing Irish Republicans. The result of fierce negotiations and compromises following the Anglo-Irish truce, the Treaty did provide Ireland with autonomy, though not in the way that many Republicans envisioned. Historian Jason Knirck notes, “The Anglo-Irish Treaty gave Ireland the trappings of self-government, including a parliament (Dail Eireann) in Dublin with jurisdiction over most nonimperial issues, significant financial autonomy, an autonomous military force, and the removal of British troops from the Irish Free State. However, the Treaty also placed the Free State firmly within the British Empire, a development that was difficult to swallow for many

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<sup>38</sup> Ibid

<sup>39</sup> Christine Kinealy “At Home with the Empire: The Example of Ireland,” in *At Home with the Empire: Metropolitan Culture and the Imperial World*, ed. Catherine Hall and Sonya O. Rose (Cambridge: Cambridge University Press, 2006), 100.

advanced Irish nationalists.”<sup>40</sup> While Knirck focuses on Irish Nationalist politics and the Irish perspective of the Treaty, this chapter will consider the implications of placing the self-governing Irish Free State within the Empire, which brought significant challenges in terms of Free State migration to the U.K.

This chapter’s primary focus is on the year between the signing of the Anglo-Irish Treaty on December 6<sup>th</sup>, 1921, and its enactment on Dec 6<sup>th</sup>, 1922. Throughout this year, both houses of parliament, the Dail Eireann (Irish Parliament), and Britain’s bureaucratic offices questioned aspects of the treaty surrounding citizenship, subject status, and immigration to the U.K. This included the Oath of Allegiance for Free State civil servants, which differed significantly from the Oath in the 1914 Act and referred to an empire-wide “common citizenship,” and article three of the Irish Free State constitution, which provides citizenship within the Irish Free State, outside of British subjecthood. These provisions were unprecedented in Britain’s dominions and raised questions about the logistics of conflicting definitions and the loyalty of subjects from the Irish Free State. This chapter will explore these topics in more detail as they were indicative of the more significant debates in Britain about interwar migration and restrictions on different classes of British subjects. The provisions also demonstrate that the Irish Free State was not going to be like other white settler colonies such as Canada or Australia.

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<sup>40</sup> Jason K. Knirck, *Imagining Ireland's Independence: The Debates over the Anglo-Irish Treaty of 1921*, (Lanham, MD: Rowman & Littlefield Publishers, 2006.), 1.

The debates and divides surrounding the Anglo-Irish Treaty resulted from the long and often violent history between Britain and Ireland, including religious and (perceived) racial differences. Each side of the debate invoked the past as reasons to either accept or reject the Treaty. Many Irish republicans, for instance, drew upon hundreds of years of British subjugation from the Protestant Ascendancy and Penal Laws of the eighteenth century (which consolidated Protestant rule over the Catholic majority and prohibited Catholics from owning land, carrying firearms, or voting) to the Great Famine (1845-1851) that killed hundreds of thousands of poor Irish Catholics, as reasons to reject a continued association with Britain. The British, contrastingly, focused on religious and racial differences (what they called “Celtic” or “Gaelic” blood) as proof that the Irish had a propensity towards violence and were unfit for self-governance. The British used examples such as the Fenian violence of the late 1800s and the more recent Easter Rising to validate their claims. This rhetoric was not unique to Ireland, as it was commonplace in Britain's liberal late-nineteenth-century imperial ventures and civilizing missions. This chapter will explore the ways these ideas shaped the viewpoints of those debating the Treaty and, more importantly, how these viewpoints endured following the establishment of the Irish Free State and the impact, specifically, on poor Irish migrants (often labeled as “outsiders” or “undesirables”) examined in later chapters.

Furthermore, this chapter will place the debates on the Anglo-Irish Treaty firmly within the broader history of the British Empire, decolonization, and the new Commonwealth of Nations. While Ireland was not the first white settler colony to



achieve self-governance (Canada, Australia, New Zealand, and the Union of South Africa had preceded it), it was a unique case and that became more apparent as the governmental bodies of each country debated the Treaty. While the British delegates cited Canada and South Africa as templates for self-governance and even included such language in the body of the Treaty, it became evident that Ireland, as always, had particularities that differentiated it from other white settler colonies. Some of the most apparent differences were religious and kinship ties with Britain. Still, there was also the fact that the other white settler dominion governments were established and run by the settlers themselves, whereas in Ireland, it was the colonized. Moreover, from at least the nineteenth century, the colonial status of Ireland was sustained not only by military occupation, land dispossession, and economic exploitation, but also by an explicit racial ideology.<sup>41</sup> Through the debates examined in this chapter, it is clear that the racialization of the Irish is still ever-present, but there is a shift to more coded, less explicit language. As this chapter will discuss later, the shift was due to changes in intercolonial immigration restrictions in the white dominions and the hesitancy of the British to discuss race in such explicit terms (at least officially) after the turn of the century.<sup>42</sup> The change in the racialization also demonstrates the “whitening” of the Irish in the early twentieth century, though many in Britain did not consider the Irish fully “white,” as the Treaty debates will show. The Irish remained

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<sup>41</sup> See L. Perry Curtis, *Apes and Angels: The Irishman in Victorian Caricature*. (Washington: Smithsonian Institution Press, 1971) and Bruce Nelson, *Irish Nationalists and the Making of the Irish Race*, (Princeton: Princeton University Press, 2012).

<sup>42</sup> One main reason for this hesitancy was the risk of offending Indian loyalists who fought for Britain during the Indian Rebellion.

a colonial “other” and occupied a space between subject and alien. This difference made it difficult for the Irish to see themselves on par with the likes of Canada or South Africa. It was not until the Treaty divided Ireland that pro-Treaty Irish republicans saw the benefit of association with other dominions as a vehicle to ensure the security of the new Irish Free State, a betrayal of sorts to the anti-imperialist stance of Sinn Fein.<sup>43</sup>

I wish to frame my argument by suggesting that retaining a degree of ambiguity within the terms of citizenship in the dominions may have been both intentional and valuable for both parties involved. As Lara Putnam has argued, ambiguity around citizenship provided the British with flexibility in granting or denying rights to her subjects and making decisions about whom to include and whom to exclude.<sup>44</sup> There was no formal imperial, British, or Colonial citizenship status during the interwar period. Citizenship within Great Britain would not be legislated formally until 1948 with the British Nationality Act. Putnam argues, “the

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<sup>43</sup> For work on transcolonial connections between Irish Nationalists, Indian Nationalists, and other anti-colonial movements, see: Elleke Boehmer, *Empire, the National, and the Postcolonial 1890–1920* (Oxford: Oxford University Press, 2002); Kate O’Malley, *Ireland, India and Empire: Indo-Irish Radical Connections, 1919–64* (Manchester University Press, 2008); Michael Silvestri, *Ireland and India Nationalism, Empire and Memory*, (Basingstoke: Palgrave Macmillan, 2009); Nicholas Mansergh, “The Prelude to Partition: Concepts and Aims in Ireland and India,” in *Nationalism and Independence: Selected Irish Papers by Nicholas Mansergh*, ed. Diana Mansergh (Cork: Cork University Press, 1997); Tadhg Foley and Maureen O’Connor, eds., *Ireland and India: Colonies, Culture, and Empire*, (Dublin: Irish Academic Press, 2006); Kaori Nagai, *Empire of Analogies: Kipling, India, and Ireland*, (Cork: Cork University Press, 2006); Rory Miller, ““An Oriental Ireland’: Thinking about Palestine in Terms of the Irish Question during the Mandatory Era,” in *Britain, Palestine and Empire: The Mandate Years*, ed. Rory Miller (Farnham: Ashgate, 2010)

For work on Irish Republican reluctance to associate with other anti-colonial movements, see: Stephen Howe, *Ireland and Empire: Colonial Legacies in Irish History and Culture* (Oxford: Oxford University Press, 2000); Pauline Collombier-Lakeman, "Ireland and the Empire: The Ambivalence of Irish Constitutional Nationalism." *Radical History Review* 2009, no. 104, (2009): 57-76.

<sup>44</sup> Lara Putnam, “Citizenship from the Margins: Vernacular Theories of Rights and the State from the Interwar Caribbean” in *Journal of British Studies*, 53, No. 1, (2014): 163.

ambiguities surrounding ‘imperial,’ ‘British’ or other subsets of ‘citizenship’ within empire stemmed not from Great Britain’s lack of a written constitution but from the utility of ambiguity itself.”<sup>45</sup> Though Putnam is writing about the category of citizenship in the British Caribbean, where the tension between whites and non-whites fueled these debates, the utility of ambiguity applies to the situation with the Irish Free State and the controversies surrounding citizenship in the Anglo-Irish Treaty and Free State Constitution. For the Irish, ambiguous language was useful in helping to sell the idea of dominion status to Irish Republicans. For example, Irish Republican Michael Collins supported the Treaty and urged others to do the same because he saw it as a stepping-stone toward complete separation. For the British, the Treaty was the best settlement they could get in a war that they were not necessarily losing militarily, but in the opinions of a war-weary British public. More importantly for the British, the ambiguous language around citizenship was useful at a time when Britain was trying to balance demands for autonomy from the dominions (including racist immigration restrictions targeting other subjects of the empire) with keeping the Empire together.<sup>46</sup> As this chapter argues, this lack of clarity did more to raise questions about imperial belonging than resolve any of the lingering issues surrounding citizenship or subject status. Moreover, the ambiguity enabled the

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<sup>45</sup> Ibid, 173.

<sup>46</sup> For work on interwar racist immigration restrictions see Barbara Bush, *Imperialism, Race, and Resistance: Africa and Britain 1919-1945* (New York: Routledge, 1999). See also, Jacqueline Jenkinson, *Black 1919: Riots, Racism, and Resistance in Imperial Britain* (Liverpool University Press, 2009) and Carina E. Ray, *Crossing the Color Line: Race, Sex, and the Contested Politics of Colonialism in Ghana*. (Athens, OH: Ohio University Press, 2015).

British to selectively recognize or deny the right of Free State migrants to domicile in Britain, as subsequent chapters of this dissertation will show.

The Anglo-Irish Treaty was far more than a document that ended the Anglo-Irish War and established the Irish Free State. More recently, historians have begun to explore its importance in postwar nation-building, colonial nationalism, and, as this chapter argues, an early case of decolonization where many unprecedented questions and policies regarding citizenship and subjecthood were considered.<sup>47</sup> These questions and policies would have a far-reaching impact on the Irish diaspora in the interwar period (covered by the subsequent chapters of this dissertation) as they attempted to navigate the complexities of subject classification and their status (or lack thereof) as citizens.

This chapter begins by examining the applicability of the British Nationality and Status of Aliens Act of 1914 to the Irish Free State. The Act codified how British subjects were naturalized throughout the Empire for the first time. However, the unique language of the Anglo-Irish Treaty raised concerns for British officials with regard to naturalization, immigration from the Free State, and the security of the U.K. (and the Empire, more broadly). Second, this chapter will analyze the controversial Oath of Allegiance included in the Treaty meant for civil servants and the naturalization of individuals in the Free State. The Oath included different phraseology from the other Oaths in the Empire and caused considerable distress for

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<sup>47</sup> Jason K. Knirck, *Imagining Ireland's Independence: The Debates over the Anglo-Irish Treaty of 1921*. (Lanham, MD: Rowman & Littlefield Publishers, 2006), 2-4. See also Kevin Kenny, ed., *Ireland and the British Empire* (Oxford History of the British Empire Companion Series) (New York: Oxford University Press, 2004).

some British officials who wondered if it could lead to the Free State naturalizing “undesirables.” Third, the chapter will consider the Treaty debates in the Dail Eireann where anti-Treatyite Eamon de Valera unsuccessfully proposed an alternate treaty that would diminish most of the more binding aspects of the Treaty and provide that the Free State voluntarily “associate” with the Empire only in extreme circumstances. The failure of the alternate Treaty and the ratification of the original Treaty made the establishment of the Irish Free State inevitable and would lead to a bloody civil war in Ireland over the following year. Fourth, the chapter will consider both British and Irish opposition to the Treaty based on opposing views of national identity and race. Some British opponents to the Treaty saw the Irish as incapable of self-governance due to unfounded assumptions about their racial propensity for violence. On the other hand, Irish opponents touted Ireland as an ancient country whose differences made them incompatible under a unifying British national identity. Finally, the chapter will examine the Treaty through the broader lens of the British Empire as both Irish and British proponents made arguments for the Free State’s continued imperial association while also recognizing that the Free State had very distinct dissimilarities to other white-settler colonies. Overall, this chapter will show that through the various debates, compromises, and failures of the Anglo-Irish Treaty, the decolonization of Ireland forced the British to confront their immigration policies as they attempted to discriminate between different classes of British subjects from

the Irish Free State throughout the interwar period, as evidenced by the cases examined in later chapters.<sup>48</sup>

### The British Nationality and Status of Aliens Act of 1914 and the Anglo-Irish Treaty of 1921

When the Anglo-Irish Treaty was drafted in 1921, the British assumed that the Irish Free State would follow The British Nationality and Status of Aliens Act of 1914 in terms of naturalization as British subjects and immigration policies. After all, this measure had provided clarity and guidance for Britain's other dominions, such as Canada, Australia, and New Zealand. However, those dominions were thousands of miles away and had taken a more diplomatic approach to attain self-government— i.e., they had not been in open, violent rebellion against the British. The Anglo-Irish Treaty and the addition of the Irish Free State to the Commonwealth proved to be the first real test of the 1914 Aliens Act. Due to the unique language of the Treaty, continued animosity between the two parties, and the exceptional circumstances (such as the partition of Northern Ireland) surrounding Ireland's decolonization, British

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<sup>48</sup> A note about the terms used throughout this chapter. During this period, the words “citizen”, “subject”, “nationality” or “national identity”, and “naturalization” create confusion because sometimes they are used interchangeably. Before 1948, Britain had not defined citizenship legally as discussed in this chapter and elsewhere in this dissertation. Broadly speaking, “citizenship” often refers to cases within the Dominions where prior to 1914 some Dominions had defined local citizenship legally (and the Irish Free State would do so in 1922). “Subjects” refer to British subjects defined as individuals born within the British Empire as explicated in the 1914 Aliens Act. “Nationality” or “National Identity” often refers to an individual's ethnic, cultural, or religious identity, and this could vary greatly throughout the empire. Finally, “Naturalization” refers to the process of naturalizing British subjects in the Empire, whether aliens or those born within the British Empire.

officials remained distrustful of the Free State's intentions and questioned whether they were handing the Free State the very tools to dismantle the Treaty.

The 1914 British Nationality and Status of Aliens Act was, at the time, the latest in a series of nationality laws going back several centuries, though it was the first since 1870. The 1914 Aliens Act, written in three parts, resulted from several imperial conferences and sought to legislate for the first time how one attained (or lost) status as a British subject throughout the dominions. The first part defined a natural-born British subject as, "Any person born within His Majesty's Dominions," in addition to providing other circumstances where one might attain subject status, such as a father whose territory was annexed by Britain.<sup>49</sup> Part two of the Act delineated the process of naturalizing aliens by the secretary of state through various means for the entire Empire, except the self-governing dominions.<sup>50</sup> If they adopted this part of the act through their own legislatures, the self-governing dominions would have the power to grant subject status to individuals. Part three of the Act runs through various contingencies for one losing their status, the law's applicability to married women (women who married a British subject became a British subject), and the oath of allegiance taken by British subjects. It was parts one and two of the Act, however, that primarily concerned British officials at the time of the Anglo-Irish Treaty.

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<sup>49</sup> British Nationality and Status of Aliens Act, UK Public General Acts, 1914, <https://www.legislation.gov.uk/ukpga/Geo5/4-5/17/enacted> (Accessed 10/11/2022)

<sup>50</sup> Ibid.

Concerning the Treaty, the British delegates wanted to ensure that the Act of 1914 was explicitly followed by the Free State, especially concerning the naturalization of British subjects. As such, the Act was framed as an agreement reached with the full cooperation of the Commonwealth after years of deliberation and not a measure designed and emanating from the metropole. As the Irish Free State was the newest member of the Commonwealth, it was implied that it should follow its predecessors' footsteps. In a memorandum from the Home Office, it was argued that "For the present purposes the first point of importance to emphasize is that this Act is the result of agreement with Self Governing Dominions reached after successive Imperial Conferences. It is thus an Imperial measure in the widest sense and is designed to establish and maintain uniformity in our laws of nationality and naturalisation throughout the empire."<sup>51</sup> Yet, the supposedly uniform laws were not applied evenly throughout the Empire, and the "self-governing dominions" referred to were the former white-settler colonies who maintained religious and kinship ties to Britain. British officials hoped that the Free State would follow a similar path by portraying themselves as one of the self-governing Dominions and adopting the 1914 Aliens Act. However, they remained doubtful, given the unique differences and violent history between Ireland and Imperial Britain.

As the Treaty resulted from a truce following a violent war between Britain and Ireland, concerns were raised about how close the Free State would follow the

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<sup>51</sup> "Memorandum: Application of the British Nationality and Status of Aliens Act 1914 to the Irish Free State", HO 45/15644, British National Archives (BNA).



provisions of the Treaty and whether they were merely biding their time for the right opportunity to completely separate. The memorandum from the Home Office added, “Even if this were not in itself a source of serious inconvenience, there would be some risk that the future Free State Government might overlook the principles of the Act of 1914, and in particular, the form of oath of allegiance to be taken by aliens upon naturalisation prescribed in the Second Schedule of the Act and used throughout the Dominions, and...seek to include in their permanent constitution provisions relating to nationality and naturalisation, which are inconsistent with their Dominion status and with their constitutional relationship to the Imperial government.”<sup>52</sup> The Home Office remained concerned that the Free State would use the ambiguous nature of British nationality (and the Oath of Allegiance) to assert their own “peculiar national aspirations” or legislate Irish citizenship in the Free State constitution, which is exactly what the Free State did.<sup>53</sup> In short, many British officials remained skeptical that the Irish Free State would stay in the Commonwealth for very long.

Local citizenship or naturalization had been commonplace within the Empire before the establishment of the Irish Free State. It was, nonetheless, a practice that was meant to be phased out following the Act of 1914, with a blanket “imperial naturalization” taking its place. The Home Office was wary of how the Free State could use its self-governance to exploit or subvert Britain’s immigration and naturalization processes. A memorandum explained, “In the absence of full Imperial

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<sup>52</sup> Ibid.

<sup>53</sup> This will be discussed later in the chapter.

powers, the new Government might be tempted to contemplate a measure of local naturalisation having effect only within the territorial limits of Ireland. In this connection it may be observed that it is part of the Imperial scheme that local naturalisation, which has hitherto existed throughout the Dominions, shall be replaced by Imperial naturalization and in some instances, e.g., Canada, the issue of local certificates of naturalisation has already ceased. It would be unfortunate if the Irish Free State were to run counter to the agreed Imperial scheme in this important respect.”<sup>54</sup> The underlying concern expressed by the Home Office was that as the Aliens Act of 1914 effectively ended the practice of local naturalization in lieu of naturalizing anyone born within the Empire. If the Free State decided to adopt a practice of local naturalization, the Home Office was concerned they might undermine the security of the U.K.

The apprehension of the Home Office was not without merit. Within a year of the signing of the Anglo-Irish Treaty, the Constitution of the Irish Free State (1922) provided for citizenship and naturalization within the confines of the Free State. Following some of the same basic guidelines as prescribed in the Act of 1914 (an individual born or who had parents born in Ireland), most residents of the Free State would become “a citizen of the Irish Free State (Saorstát Eireann) and shall within the limits of the jurisdiction of the Irish Free State enjoy the privileges and be subject to the obligations of such citizenship.”<sup>55</sup> Despite hoping that the Free State would fall in

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<sup>54</sup> “Memorandum: Application of the British Nationality and Status of Aliens Act 1914 to the Irish Free State”, HO 45/15644, British National Archives (BNA).

<sup>55</sup> Constitution of the Irish Free State (Saorstát Eireann) Act, 1922, Irish Statute Book, <https://www.irishstatutebook.ie/eli/1922/act/1/enacted/en/print.html> (Accessed 10/12/2022)

line with other Commonwealth nations, this provision in the Free State Constitution caused considerable distress for British officials, discussed later in this chapter.

Another provision of the Act of 1914 that it was thought would apply to the Irish Free State as it had to other Dominions was the Oath of Allegiance. Yet, many remained doubtful that Irish republicans would ever agree to such an oath. In a letter to O.F. Dowson of the Home Office, Colonial Office secretary J.S. Risely wrote, “Many thanks for your Memorandum on the application of the British Nationality and Status of Aliens Act, 1914, to the Irish Free State with which I quite agree...I confess I do not see how the Irish are going to swallow the Oath of Allegiance in the 1914 Act.”<sup>56</sup> The text of the original oath from the Act of 1914 read as follows: “I, [name], swear by Almighty God that I will be faithful and bear true allegiance to His Majesty, King George the Fifth, his Heirs and Successors, according to law.”<sup>57</sup> As the British negotiated the Treaty with members of Sinn Fein, the Oath emerged as a sticking point.

As a result of the negotiations, the Treaty contained a new oath with unique phraseology. The Oath of Allegiance, as prescribed in the Anglo-Irish Treaty, contained some significant differences from the oath in the Act of 1914. It read: “I do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as

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<sup>56</sup> “Letter from J.S. Risley, Colonial Office to O.F. Dowson”, HO 45/15644, British National Archives (BNA).

<sup>57</sup> British Nationality and Status of Aliens Act, UK Public General Acts, 1914, Chapter 17, <https://www.legislation.gov.uk/ukpga/Geo5/4-5/17/enacted> (Accessed 10/11/2022)

by law established and that I will be faithful to H.M. King George V., his heirs and successors by law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.”<sup>58</sup> However, rather than solving the issue of Irish objections to the Oath, the new Oath raised more questions for both parties involved as members on both sides attempted to understand what “common citizenship” meant.<sup>59</sup>

Instead of resolving questions around the Oath at the signing of the Treaty, Sir John Pedder of the Home Office suggested leaving the issue for the Irish Free State to deal with at a later date. He writes, “The application of the British Nationality and Status of Aliens Act, 1914, to the Free State, I think you were inclined to postpone, but I am not sure whether you contemplated dealing with it at all in connection with the provisional government... If the Free State wishes to take exemption to the form of the Oath of Allegiance prescribed in the Act, she can perhaps be left to do so when she comes into being.”<sup>60</sup> The Free State, in fact, did take exemption to the Oath, but it would be more than a decade before it would be changed or removed altogether.

The Oath of Allegiance with the phrase “common citizenship” led to confusion and controversy on both sides of the Treaty debates. In Ireland, Sinn Fein viewed the oath as an affront to their principles because it required them to declare

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<sup>58</sup> Final text of the Articles of Agreement for a Treaty between Great Britain and Ireland as signed. London, 6 December 1921, Documents on Irish Foreign Policy (DIFP), No. 214 DE 2/304/1.

<sup>59</sup> Discussed further later in the chapter.

<sup>60</sup> “Letter to Sir John Anderson of the Irish Office from Sir John Pedder of the Home Office, 3rd January 1922,” HO 45/15644, British National Archives (BNA).

fidelity to King George V. In Britain, however, the oath was contentious because, one, allegiance was pledged primarily to the Irish Free State and its constitution (the rest of the Empire pledged allegiance directly to the King); two, its language was viewed as vague and full of loopholes, leaving the Irish Free State open to secede from the dominions and form an independent republic. Third, it included a clause that declared that civil servants were entering into this agreement because of “common citizenship” and membership within the Commonwealth of Nations. The language of the oath, precisely the notion of common citizenship within a larger body of the Commonwealth of Nations, was a new concept in 1921. This raised many concerns for British officials about the status of British subjecthood and its relationship to the Dominions.

Within weeks of the signing of the Treaty, the issue of the Oath of Allegiance arose in Parliament. While many of the debates were focused on the relative weakness and non-binding quality of the language as an avenue for the Free State to break allegiance with Britain, some tried to discern what was meant by “common citizenship.” It is evident from discussions in both houses that this referred to the Free State’s position within the dominions and could be described as a type of versatile imperial citizenship. However, that designation, coupled with the perceived feebleness of the oath itself, did not inspire confidence among British members of parliament. Some were concerned that it might open a constitutional route to decolonization and complete independence from the empire as well as “induce the

other dominions to adopt the same principles.”<sup>61</sup> This led Henry Percy, Duke of Northumberland, to refer to the Free State’s role in the Commonwealth as “The little rift within the lute, that by and by will make the music mute.”<sup>62</sup> This apprehension stemmed from the perception that granting too much local autonomy to the Irish Free State would diminish the bonds holding the empire together and set a precedent that other dominions could mimic. So, on the one hand, some characterized the Free State as a possible agitator within the Dominions where, as Conservative MP John Butcher put it, Britain was “gambling with the security of the Empire”<sup>63</sup>. On the other hand, the common citizenship clause was seen as confusing, and a possible threat to the imperial unity and uniformity manifested in the Act of 1914.

In a January 1922 note on a memorandum by Mr. Fischer Williams, the Home Office raised concerns about the status of citizenship within the empire after the Treaty, especially the danger of recognizing citizens of the Empire on par with native-born Britons. The Home Office argued, “The expression ‘common citizenship,’ which is introduced into the parliamentary oath in the Irish treaty, is clearly of great constitutional importance in that it gives recognition to a new idea of Empire citizenship and the distinctive status of nationals as one part of the Empire as compared with that of the citizens of the whole Empire. The necessity for some such new phraseology must be admitted.”<sup>64</sup> The Home Office cautioned that introducing

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<sup>61</sup> Duke of Northumberland, HL Deb 15 December 1921 vol 48 cc58-134.

<sup>62</sup> Ibid.

<sup>63</sup> Sir John Butcher, HC Deb 14 December 1921 vol 149 cc48-124.

<sup>64</sup> “Note on Mr. Fischer Williams’ Memorandum on Nationality in Relation to British Commonwealth Nations,” HO 45/15644, British National Archives (BNA).

this new conceptual language raised fundamental questions. First, if a person who possesses British nationality now kept the same citizenship as others within the dominions, did that degrade the notion of British nationality?<sup>65</sup> Secondly, in reference to the Irish Free State oath, did the same language used by civil servants apply to common citizens of the Irish Free State? The Home Office called for an imperial conference that would clarify this language and denote what common citizenship meant for both members of the empire and British nationals.<sup>66</sup> The primary concern was that the Irish Free State would seek to undermine the imperial unity embodied in the Act of 1914.

The Oath of Allegiance was equally confusing for members of the Dail Eireann as it was unclear if fealty was sworn to the Crown, to the Commonwealth, or to both. In a secret session of the Dail Eireann on December 15th, 1921, Michael P. Collivet from Limerick asked, “What I desired to ask had reference to paragraph 4, which deals with the oath to be taken by members of Parliament of the Irish Free State...Is that to mean that we promise to be faithful to King George in the dual capacity of King of Great Britain and Ireland, and as head of the group of states forming the British Commonwealth of Nations? What is the meaning?”<sup>67</sup> Collivet’s confusion was shared by other members of the Dail. The phrase “common citizenship” was agreed upon by Irish and British delegates during Treaty negotiations likely serving the dual purpose of appeasing Irish republicans by

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<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> Dáil Éireann debate, 15 Dec 1921, Vol. T No. 3.

accentuating the equality the Free State would have in the Commonwealth while contributing to the British rhetoric of imperial unity suggested by the Act of 1914. It did not have the desired effect. Anti-treaty Irish republicans disliked the Oath because it still swore allegiance to the King, and the rest (both Irish and British) were puzzled by the phraseology of an Oath that may have looked great on paper but would be challenging to put into practice.

At the same meeting on December 15th, the President of the Dail Eamon de Valera proposed an alternative treaty to the Dail Eireann. Among other provisions, de Valera's treaty introduced his formula of "external association" where the Free State would voluntarily associate with the British Empire for matters of "common concern" (such as defense, war, treaties) but would not be subordinate to the Empire or Great Britain.<sup>68</sup> This formula would later become one of the key principles of the postimperial Commonwealth of Nations. The "external association" in de Valera's treaty included the following in reference to citizenship: "That in virtue of this association of Ireland with the States of the British Commonwealth citizens of Ireland in any of these States shall not be subject to any disabilities which a citizen of one of the component States of the British Commonwealth would not be subject to, and reciprocally for Citizens of these States in Ireland."<sup>69</sup> Though the distinction is slight, de Valera's proposal, in his view, preserved the goals of Irish Republicanism by replacing "common citizenship" with "reciprocal." De Valera added, "Common

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<sup>68</sup> Ibid.

<sup>69</sup> Ibid.



citizenship would make every Irishman a British subject. Reciprocal does not. We want to keep our nationality distinct. We want to provide that Irish citizens are Irish citizens and not British. That would save it.”<sup>70</sup> De Valera’s proposal rejected the Anglo-Irish Treaty’s provision of continuing to recognize the Irish as British subjects while at the same time granting more power and autonomy to the Irish Free State within the Commonwealth. Though not as ambitious as complete separation, de Valera’s alternative treaty was not voted on in the Dail since the British were unlikely to grant either of these concessions and the concern that by not accepting the original Treaty, another war would ensue.

The threat of British violence or another war was a rhetorical tool used by Pro-Treaty members to argue for acceptance of the Treaty. Sean Milroy, for instance, argued, “I would venture to advise this House very seriously not to gamble on the idea that England does not mean war. I am not saying this as a bogey to intimidate members...If any man here lightly jokes about England not going to war, I say that that man is trifling with serious and grave issues, that will affect not only this generation but many generations to come.”<sup>71</sup> Yet Milroy and other pro-Treaty members may have been overestimating Britain’s willingness to get involved in another conflict with Ireland, and it is likely that the Irish delegates could have pushed for more favorable conditions in the Treaty. In short, the Irish had more leverage in the negotiations than many of them realized. Regardless, the Dail

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<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

accepted the Treaty, de Valera resigned his presidency, and Ireland became embroiled in a civil war. Time would tell if the Free State would indeed fit into the imperial unity embodied in the Act of 1914 and the “common citizenship” explicated in the Treaty.

In addition to the “common citizenship” clause in the Oath, the Irish Free State (1922) draft constitution also raised questions about citizenship, naturalization, and imperial security. Article III of the Constitution established Irish citizenship within the Free State, a move made by other white Dominions, which, in part, led to the Imperial Conferences that produced the Aliens Act of 1914. According to the article, a person was considered an Irish citizen if, upon the enactment of the constitution, they were domiciled in Ireland, if at least one of their parents were born in Ireland, or if they had resided in Ireland for a period of seven years. The article aroused suspicion in Britain about the Free State’s intentions and how a separate Free State citizenship would affect British subject status and the integrity of the 1914 Aliens Act. The irony is that the Free State did what previous white dominions had done by defining citizenship, which led to the 1914 Alien Act in the first place, but by doing so, the Free State aroused fears in Britain that it would imperil the terms and functioning of the Act.

In 1922, the House of Commons made several inquiries about the separate citizenship article in the Free State Constitution and the implications for naturalization and “imperial unity.” First, they questioned if the Free State could grant citizenship to foreign applicants, thus making the applicants British subjects.

This led Conservative and anti-Treaty MP Gershom Stewart to cynically ask, “Could they make British citizens of Lenin and Trotsky if they find Russia too hot for them?”<sup>72</sup> One commonly voiced fear in admitting the Free State to the Commonwealth was potentially admitting subversive radicals into the Commonwealth family. Indeed, the anxiety of becoming flooded with “undesirables” (or, in this case, communists and other radicals) was not exclusively focused on the Irish Free State during the interwar period. However, Stewart’s comment reveals that the British were concerned that the Free State citizenship could provide a gateway for dangerous aliens to gain access to the U.K. As discussed later in this chapter, Sir John Pedder in the Home Office also expressed apprehension that the Free State could naturalize foreign-born radicals if they did not follow the protocols in the 1914 Aliens Act.

Secondly, the house debated the status of British-born subjects and Unionists in the Free State and whether they would be treated with equality given the confusing taxonomy in the Free State constitution. Though the partition of Ireland spared Unionists and Protestants in what became Northern Ireland from being under the rule of Catholics and Nationalists, Unionists in the Free State were concerned about their status and wanted assurances from Britain. For instance, Unionist politician Maurice Dockrell of Dublin wondered, “are men like myself British citizens, Colonials, or what?”<sup>73</sup> The complicated language of citizenship and subject status in each of the

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<sup>72</sup> Gershom Stewart, HC Deb 13 February 1922 vol 150 c587

<sup>73</sup> Ibid.

founding documents of the Free State did little to alleviate the fears of men like Dockrell. Even if the language in the Treaty and Constitution was included as concessions to Irish nationalists, it became more complex and confusing when put into practice, especially for those already apprehensive about being under Free State rule.

Finally, as in the debates about the Oath of Allegiance, some MPs worried that creating contradictory classes of the citizenry would threaten the Empire's integrity. They argued that the Empire was weakened following WWI, and bestowing separate citizenship on one dominion further diminished the power and authority reconstituted through the 1914 Aliens Act. For example, Conservative Lieutenant Colonel Archer-Shee asked, “Is this not a most dangerous extension of this empirical experiment of empire decentralization?”<sup>74</sup> Archer-Shee’s question indicates a certain uneasiness about the growing power of the Dominions and the potential consequences of granting too much sovereignty to the Free State within the Commonwealth. Moreover, his comment about the “empirical experiment of empire decentralization” reflects the newness of both a slightly diminished Empire and the decolonization of Ireland.

With the citizenship language in the Oath of Allegiance and Article III of the Free State constitution, some British MPs felt they were entering a period of instability within the Dominions. At the very least, there was a desire for clarity on the part of British officials. Underneath this desire, there was an inherent uneasiness

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<sup>74</sup> Lieutenant Colonel Archer-Shee, HC Deb 03 August 1922 vol 157 cc1644-5

in granting too many concessions to the Irish Free State that could decentralize power in the Empire. In the end, the Oath of Allegiance and Article III of the constitution remained, and it was agreed that people naturalized in the Irish Free State would be considered British subjects. Yet even this distinction was fraught with inconclusiveness and uncertainty. In the following decade, this distinction with the caveats of both separate and common citizenship in the Free State and Dominions, respectively, would be revisited when the British made efforts to discriminate against different classes of Free State migrants to the U.K.

Sir John Pedder's letter to Sir John Anderson also drew upon the purported imperial national unity of the Empire incorporated in the Act of 1914 and questioned the Free State's place within that framework. Pedder writes, "It is essential to avoid to the utmost any damage to the unity of Imperial nationality which is embodied in the Act. If the Free State wishes to do something in this connection which has not hitherto been thought of or asked by any other dominion she would need to go through an Imperial Conference."<sup>75</sup> The Act of 1914 was indeed the result of several successive Imperial Conferences, but these conferences were not representative of the entire Empire but rather the white settler colonies. Much like the Nationality Act of 1948, as detailed above, the Act of 1914 was intended to create closer ties and

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<sup>75</sup> "Letter to Sir John Anderson of the Irish Office from Sir John Pedder of the Home Office, 3rd January 1922, HO 45/15644, British National Archives (BNA)

uniformity with the “increasingly powerful Dominions” through the guise of imperial national unity.<sup>76</sup> The “unity of Imperial Nationality” in Pedder’s statement was not followed uniformly throughout the Empire, and, though not explicitly stated, there were racial undercurrents embodied in the Imperial Conferences and resulting Act. It is clear from Pedder’s statement that the British were unsure of how the Irish Free State would fit into this “unity” or if they would seek to undermine it.

There were ways that the British, and the Dominions, envisioned the imperial national unity embodied in the Act as a unity of “white subjects” without explicitly mentioning race, giving them the flexibility to discriminate between subjects. As Diedre Troy has argued, the British were hesitant to use racialized language for fear of upsetting Indian loyalists who fought in the Indian rebellion and instead recoded race using words such as “class” and “character” as a way to “reject specific subjects.”<sup>77</sup> For example, at one of the successive Imperial Conferences leading up to the Act of 1914, Joseph Chamberlain argued, “It is not because a man is of a different colour from ourselves that he is necessarily an undesirable immigrant, but it is because he is dirty, or he is immoral, or he is a pauper, or he has some other objection which can be defined in an Act of Parliament, and in which the exclusion can be managed with regard to all those whom you really desire to exclude.”<sup>78</sup> Though this conference took place in 1902, Chamberlain’s remarks would come to inform

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<sup>76</sup> Deirdre Troy, “Governing imperial citizenship: a historical account of citizenship revocation” *Citizenship Studies*, 23, No. 4 (2019): 304-319.

<sup>77</sup> *Ibid.*

<sup>78</sup> Colonial Conference, 1902, Papers Relating to a Conference between the Secretary of State for the Colonies and the Prime Ministers of Self-Governing Colonies, British House of Commons, British National Archives (BNA).

nationality legislation, including the Act of 1914 and beyond, as well as intercolonial immigration restrictions. For instance, interwar restrictions on Caribbean migrants between colonies were not enacted (at least officially) on the grounds of race but rather on the subject's character, class, morality, and potential for political subversion (including possible Communist activity).<sup>79</sup> Furthermore, in the late nineteenth/early twentieth century, the white Dominions placed restrictions on East and South Asian migrants due to a perceived threat to colonial or national identity.<sup>80</sup> Coded language of race satisfied the Dominions' desire to place immigration restrictions on these non-white subjects.

However, outside of restricting the movement of non-white migrants, the British used the same codified language throughout the interwar period in their attempts to restrict migrants from the Irish Free State, as described in later chapters. Often calling certain Free State migrants "undesirables" or "outsiders," the British regularly used class and character to justify the mitigation of Free State migration. "Undesirables" and "outsiders" were all-encompassing terms that meant different things throughout the interwar period regarding the Free State. In the early 1920s, for instance, the terms often referred to Irish nationalist radicals, the IRA, or others that threatened the security of the U.K. By the late 1920s and early 1930s, the terms usually referred to the poor, lower-class (especially those believed to be taking

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<sup>79</sup> See Lara Putnam. *Radical Moves: Caribbean Migrants and the Politics of Race in the Jazz Age*, (Chapel Hill: University of North Carolina Press, 2013).

<sup>80</sup> See Marilyn Lake and Henry Reynolds *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality*, (Cambridge: Cambridge University Press, 2008).

advantage of the dole), and the immoral (a term gendered towards unwed mothers and other young women).

The interwar period also represented a change in the racialization of the Irish, which was becoming increasingly ambiguous in this period. Though the last section of this chapter includes a more sustained discussion on race, especially how it was invoked during the Treaty debates, it is essential to note that racialized conceptions of the Irish in the interwar period were in flux. During the mid to late nineteenth century, both in the U.S. and U.K., the Irish were often portrayed in popular culture and political cartoons as Africanized (i.e., “Black Irish”), poor, unintelligent, etc. By the interwar period, the Irish in the U.S. and Dominions were becoming progressively white (in terms of popular conceptions, rights, etc.), though in Britain, they were not quite. The racialized language of class allowed the British to reproduce these racist conceptions in sublimated form.

In sum, the coded language of race coupled with the utility of ambiguous definitions of citizenship served the British well in the interwar period both in the Dominions and at home. Yet, regarding the latter, the British would discover the enormous difficulty in applying immigration restrictions to the Irish Free State in the years following the Anglo-Irish Treaty.

Throughout the discussions about the Anglo-Irish Treaty and the provisional government of the Irish Free State, British officials raised the issue of immigration from the Free State and the possible implications for the security of the U.K. The British hoped that the Free State would support the provisions of the 1914 Aliens Act.



However, many officials remained distrustful of the Free State's intentions, and these anxieties would lead them to make proposals under the pretext of imperial unity that was almost assuredly destined to fail. Likewise, these apprehensions exposed that Britain had very little leverage when negotiating migratory control over the Free State.

In 1922, as it stood, all alien traffic, that is to say, those who were not British subjects, was directed through approved ports and subject to inspection by immigration officers appointed by the Secretary of State. In Britain, these ports included Holyhead, Glasgow, Liverpool, Cardiff, and London, among others. In Ireland, the only approved ports were Queenstown and Moville. Upon transferring power to the Free State provisional government, the great concern was that, as these two ports were not within the newly partitioned Northern Ireland and thus the United Kingdom, the Free State would not follow proper protocols as prescribed in the Aliens Act of 1914 and leave the U.K vulnerable to infiltration by unwanted and potentially dangerous immigrants. In a memorandum from the Home Office on the subject of Free State ports, Sir John Pedder wrote, "If both these ports had been situated in the jurisdiction of the Ulster Government [Northern Ireland] no question would arise as regards the present traffic under the Act which established the Ulster Government... Immigration Officers appointed under the Aliens Order would still function"<sup>81</sup> As an extension of the United Kingdom, Northern Ireland would have been a preferred location for these ports of embarkation, as the British could ensure

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<sup>81</sup> "Memorandum on Immigration," HO 45/15644, British National Archives (BNA).

that security would be of the utmost importance. However, as Pedder notes, “Both ports are situated outside the jurisdiction of the Ulster Government... This gap in the defences would become all the wider if direct passenger communication were established between the Free State and the Continent of Europe, and the passage to Great Britain via the Free State would provide an easy route for undesirables of all classes.”<sup>82</sup> The underlying distrust of the Free State’s intentions and loyalty increased concern over both the security of the Empire and the security of the U.K., especially if passenger traffic was left unchecked within the Free State. The concern included “undesirables” from the Free State as well as others from Europe and the rest of the world more broadly. Pedder speculated that the Free State could be akin to a portal through which this traffic could easily move to the United Kingdom.

Yet, what could be done? Pedder proposed that the only logical solution would be to institute more prohibitive controls at ports in both the U.K and the Free State.<sup>83</sup> The proposal included “subjecting the passenger traffic from Ireland to Great Britain to inspection [and]...by inspecting passengers from abroad at Irish ports.”<sup>84</sup> However, as we will see in later chapters, when versions of this proposal reemerged concerning the control of Irish immigrants, it was exceptionally difficult and costly to institute measures to mitigate the flow of people from the Free State and, at the same time, maintain the pretense of imperial uniformity and unity. Furthermore, if instituted, there was no guarantee that the controls would be adequate as it is

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<sup>82</sup> Ibid

<sup>83</sup> Ibid

<sup>84</sup> Ibid

relatively easy to circumvent the ports from the Free State to Britain. Pedder acknowledged this difficulty, “[The proposal] would involve as its foundation the establishment of the passport system between Ireland and Great Britain which would certainly arouse fierce public resentment...[and] the expense of maintaining large staffs of Immigration Officers to deal with the Irish traffic at the ports of arrival in Great Britain would be very great...”<sup>85</sup>

Given the complications of instituting such a policy, Pedder put his faith in the second proposal, which prescribed controlling foreign traffic at Irish ports as a means to ensure the U.K.’s security. However, he remained unsure how the Free State would feel about British immigration officers operating within the Free State. He writes, “To get rid of the objection that would naturally be raised by the Free State Government to the exercise of authority within their jurisdiction by the agents of another Government, arrangements might be made for the immigration officers to act at Free State port as the agents of the Free State Government.”<sup>86</sup> Convinced that Britain could not rely on the Free State alone to control alien traffic in their ports properly, Pedder was suggesting that Britain could provide the staffing but they would be working under the jurisdiction of the Free State government. This proposal, however, would only be effective during the provisional period of the Free State government, after which it would be up to the Free State to decide if they wished to continue this measure of port control.<sup>87</sup> Pedder, for one, placed a lot of hope and

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<sup>85</sup> Ibid.

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

faith, perhaps foolishly, that the Free State government would continue to make the security of the U.K. a top priority. He writes, “It may be hoped, however, that the Free State Government would so deal with the matter as to maintain the protection which is secured for Great Britain by the present system...because it is within the knowledge of the Home Office that there are on the Continent of Europe and elsewhere very large numbers of undesirable aliens of all classes who are only too anxious to gain admission to the British Isles, and who, if the shores of Ireland were left open would be certain to seize any opportunity to set foot thereon.”<sup>88</sup>

Within the context of Commonwealth relations, immigration control, or, at least, the selective discrimination of certain classes of British subjects, remained a top concern for British officials throughout the interwar period and beyond. Before the establishment of the Irish Free State, many, though not all, of these concerns came from the white Dominions (seeking to control inward migration of “undesirables”) as well as intercolonial migration. In Britain, there were several instances of civil unrest, riots, and calls for repatriation during the interwar period due to the presence of “Black” (a contemporary term that encompassed West Indian, South Asian, African, etc.) sailors in British port cities.<sup>89</sup> The Irish Free State heightened the concerns on immigration into Britain, primarily because, unlike the Black sailors, the Irish were in closer proximity and had the potential for much larger numbers of migrants. Though the Act of 1914 was intended to consolidate imperial power under the pretense of

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<sup>88</sup> Ibid.

<sup>89</sup> See Laura Tabili, *"We ask for British justice": workers and racial difference in late imperial Britain*. (Ithaca: Cornell Univ. Pr., 1994) and Susan Kingsley Kent, *Aftershocks: Politics and Trauma in Britain, 1918-1931* (New York: Palgrave MacMillan Press, 2009), 45-46.

uniformity in the wake of similar moves by the white Dominions, it functioned better with colonies that shared British interests thousands of miles away from where alien traffic through ports could be easily controlled. When applied to the Irish Free State, it exposed the pretext of imperial uniformity as indicated by Pedder's proposed arrangements to control traffic from Ireland. Though they did not come to fruition in 1922, some versions of Pedder's models would reemerge throughout the interwar period whenever Britain tried to discriminate against certain classes of Irish migrants. Just as the Nationality Act of 1948 had the unintended consequence of non-white migration to Britain, the Act of 1914, by codifying the naturalization of British subjects, made it exceptionally difficult for the British to implement immigration restrictions from the Irish Free State.

Moreover, Pedder's proposed arrangements show that the British simply could not bring themselves to see the Irish as equals or trustworthy. Pedder's comments suggest that many British officials, himself included, did not honestly believe that the Irish would be willing to allow Britain to dictate the terms of their sovereignty as signified by his hope that the Free State would maintain imperial unity and fall in line with the other white Dominions while at the same time acknowledging that this was unlikely to happen. Pedder's proposals represent broader British anxiety of becoming flooded with violent Irish migrants and other "undesirables" who might use the Free State to access the U.K. However, the British had very little leverage to enact any viable solutions. Thus the debates surrounding immigration and security get displaced to the realm of imperial unity. At the same time, Pedder's proposed

immigration restrictions exposed the pretext of uniformity. The Home Office was not concerned about an influx of migrants from the other white Dominions, which had served as a destination for British outward migration for hundreds of years. In other words, the threat of “undesirable” migrants would not be coming from Canada, Australia, or New Zealand but, in the minds of the British, from the Irish Free State, both in terms of unwanted Irish migrants and other supposed dangerous foreigners the Free State could let through their ports. As it would every time the British tried to restrict the flow of traffic from the Free State, the issue of proximity looms large, making it difficult for the British to enact any practical solutions.

While there are several reasons the British were distrustful of the Irish Free State’s intentions and its ability to self-govern (the recent Anglo-Irish War and a history of violent uprisings, for example), the debates surrounding the Anglo-Irish Treaty reiterate the racist views of many British officials (especially those opposed to the Treaty) of the Irish as “other”—violent, uncivilized, and barbaric. The British had difficulty viewing the Irish on par with the other white Dominions. As such, the Aliens Act of 1914 became a less effective tool to control immigration from the Irish Free State, as the British would discover throughout the interwar period. It would be another thirty years before another piece of legislation dealing with the question of nationality and citizenship.

British National Identity, “Celtic Blood,” and the Free State’s Place within the Empire

On May 6th, 1882, newly appointed Lord Lieutenant of Ireland, Earl Spencer, and the Chief Secretary of Ireland, Lord Frederick Cavendish, were walking home through Phoenix Park in Dublin when they were fatally stabbed by members of the Irish Invincibles, a small but extreme group of Irish republicans dedicated to delivering independence through extreme violence.<sup>90</sup> Cavendish and Spencer, appointed by Britain, intended to improve relations between Ireland and Britain and work with Charles Stuart Parnell, a famous Irish politician and proponent of Home Rule, on the beginnings of what would become the Home Rule Movement. Their murders were an attempt by the Irish Invincibles to push the country into a revolution to achieve complete separation from Britain. It did not have the desired effect. Irish nationalists distanced themselves from the murders, calling them needless and a major setback for the Home Rule movement.<sup>91</sup> For the British, it confirmed their racialized view of the Irish as violent, barbaric, and unfit for self-governance.

The Phoenix Park Murders, coupled with other outbursts of Fenian violence throughout the late-nineteenth century, influenced the opinions of British officials opposed to Irish Home Rule and hardened their belief in the necessity for British rule in Ireland. This was further exacerbated by outrageous and sensationalized coverage of these events in the British press. Throughout the three failed attempts to institute Home Rule from 1886 to 1914 and well into the debates on the Anglo-Irish Treaty,

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<sup>90</sup> Nicholas Sprenger, "Murder in the Empire's Emerald Isle: Phoenix Park, the Press, and the Politics of Violence," March 21, 2022, <https://networks.h-net.org/node/5293/blog/h-empire/9976809/murder-empire%E2%80%99s-emerald-isle-phoenix-park-press-and-politics>. (Accessed 9/1/2022)

<sup>91</sup> Ibid.

the opposition drew on these events and their view of the Irish as unequal based on religious and racial prejudices as reasons to deny self-government to Ireland.

In the context of the establishment of the Irish Free State, this section will examine the racial and anti-colonial politics of the Anglo-Irish Treaty debates and the compatibility of placing the Free State as a coequal member of the Commonwealth. While earlier conceptions of the Irish as “other” focused primarily on religious differences, this viewpoint was hybridized with the civilizing mission, eugenics, and purity of blood characterized in the Liberal Empire by the mid to late nineteenth century. The latter informed imperial policies and processes throughout the late-nineteenth century and beyond. However, despite the similarities in how the British viewed different colonized peoples concerning race, the Irish only occasionally saw themselves on par with others throughout the Empire or other anticolonial struggles. This is due largely to the fact that many Irish nationalists viewed themselves as white in ways that the British did not. This section will look at the historical development of these viewpoints and how they came to inform the debates of the Anglo-Irish Treaty.

Long before the Home Rule Movement of the late nineteenth century, the Irish were viewed as incongruous with British national identity. After Ireland was incorporated into the United Kingdom with the 1801 Act of Union, the Irish were still considered different. As Linda Colley has argued, “There is considerable evidence that at the grass-roots level the Welsh, the Scottish, and the English saw (and often still see) the Irish as alien in a way that they did not regard each other as alien...we



should recognize that, mainly for religious reasons, the bulk of its population was never swept into a British identity to the degree that proved possible among the Welsh, the Scots, and the English.”<sup>92</sup> Colley’s primary focus is on the eighteenth century and the development of a unifying British identity based mainly on Protestantism. The Irish, principally Catholic, represented the antithesis of Protestant values. Moreover, religion factored greatly into Anglo-Irish affairs and as Ireland was often a critical starting point for attempts to reinstate a Catholic monarch to Britain. That Ireland shared a religion with their enemies, the French was also a fact that made the British uneasy.<sup>93</sup>

The Early Modern period was also a time when Britain consolidated colonial rule in Ireland from the Ulster Plantation, the Penal Laws, and the displacements of thousands of Irish Catholics. It is unsurprising that following the Act of Union, Ireland still occupied a place of subservience to Britain.<sup>94</sup> Historian Sean Donnelly has also applied the idea of religion as a defining difference between the British and Irish to the debates over Home Rule.<sup>95</sup> However, these arguments about Catholicism

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<sup>92</sup> Linda Colley, “Britishness and Otherness: An Argument.” *The Journal of British Studies*, 31, No. 4., (1992): 314.

<sup>93</sup> Historians such as Kathleen Wilson have critiqued Colley and placed greater emphasis on the overseas empire as a unifying agent in addition to the anti-Catholic and anti-French sentiments that Colley stresses. See Kathleen Wilson, “Rethinking the Colonial State: Family, Gender, and Governmentality in Eighteenth-Century British Frontiers” *American Historical Review*, 116, no. 5 (2011): 1294-1322, and Kathleen Wilson, *The Sense of the People: Politics, Culture, and Imperialism in England, 1715-1785*. (Cambridge: Cambridge University Press, 1995.),

<sup>94</sup> *Ibid*, 327. See also: Linda Colley, *Britons: Forging the Nation 1707-1837*. (New Haven: Yale University Press, 1992)

<sup>95</sup> Seán Donnelly, “Ireland in the imperial imagination: British nationalism and the Anglo-Irish Treaty”, *Irish Studies Review*, 27, No. 40, (2019): 500. Furthermore, when looking specifically at the Anglo-Irish Treaty, Donnelly writes, “Indeed, the widespread scepticism that was expressed on both sides of the Treaty divide regarding the Irish people’s ability to govern themselves reflects the historic belief in English/British superiority and poses fundamental questions regarding the extent to which a

do not sufficiently explain the evolution of racialized conceptions of the Irish. By the end of the nineteenth/early twentieth century, it was not only religion that made the Irish “other” in the view of the British, as notions of race, the purity of blood, and Social Darwinism became reasons to see the Irish as un-modern and incapable of self-rule.<sup>96</sup> A “modern” racial thinking and civilization hierarchy overlaid or mixed with the older religious-based bigotry evolved during this period. This is a crucial point that neither Colley nor Donnelly adequately addresses. Throughout the debates on the Anglo-Irish Treaty, opponents drew on these ideas as justification for their dissent.

In one debate on the Anglo-Irish Treaty, Hugh Cecil, who, along with several other Unionist MPs, vehemently opposed the Treaty, compared the Free State’s ability to govern to that of South Africa, emphasizing the difference of the Irish race and religion, which he viewed as incompatible with British nationality:

Ireland, again, is so placed that other countries, such as America and this country, draw from her the cream of her population. The ablest Irishmen go away from Ireland—not all of them, but a very large proportion of them, and accordingly you have to deal only with the remainder of the Irish race. They are also Celtic. The Boers are of Teutonic blood, and it is a matter of experience that Teutonic blood works much more smoothly in matters of self-government and autonomous administration. Then, too, the Boers are Protestants, and it may honestly be said that while the Roman Catholic religion produces the most elevating individual characters, in the great majority of cases it makes society politically difficult.<sup>97</sup>

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majority in the British political establishment ever truly came to regard Irish Catholics as co-equal members of the United Kingdom.”

<sup>96</sup> In viewing Ireland as a colonial project, much has been written about the racialization of the Irish. For example, the foundational scholarship of L. Perry Curtis in *Apes and Angels: The Irishman in Victorian Caricature* (1971), argued that in addition to the primitivism associated with Africa, the racialization of the Irish sought to depict them as brutal and violent savages. Additionally, Bruce Nelson has asserted that as the British were aware of the idea of Irish Nationalism as an international sympathetic rallying point, it was imperative to portray the Irish as a colonized other “whose vices served to highlight the virtues of the colonizer,” in Bruce Nelson, *Irish Nationalists and the Making of the Irish Race*, (Princeton: Princeton University Press, 2012), 17.

<sup>97</sup> Hugh Cecil, HC Deb, 14 December 1921, vol 149 cc 66.

Cecil's remarks indicate a dramatic shift in the racialized rhetoric of the British concerning the Irish. Blending both religious and racial prejudices, his comments deviate from earlier conceptions of Irish difference. This is not to say that the British had not previously thought the Irish racially inferior, but that difference was usually attributed to Catholicism. Cecil's rhetoric is consistent with late-nineteenth-century beliefs and justification of British racial superiority, drawing on the discourse of white man's countries coming out of the dominions at this time.<sup>98</sup> In addition, Cecil's argument is not only were the Irish "Celtic" and Catholic but also the residuals of an inferior race as most of the "ablest" Irish had migrated to Britain or America. Interestingly, though, nativists in the United States argued that Ireland and other European countries were not sending their best people. In contrast, when the United States placed quotas on Irish immigrants during the Great Depression, British officials were concerned that the flow of "undesirables" that had previously emigrated to America would be redirected to the U.K. In sum, the arguments about where the "ablest" migrants were going varied depending upon the time and place and were often contradictory.

Considering the possibility of an Irish Free State without the partition of Northern Ireland, Cecil drew upon his view of the Irish as barbaric, uncivilized, and ultimately inferior in comparison to the British, "You have no right to take great

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<sup>98</sup> See James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Anglo-World, 1783–1939*. (New York: Oxford University Press, 2009)

bodies of Protestants, even for the sake of getting a rather better boundary, and put them under the Government of Sinn Fein. It is not a Government on the same level of civilisation as the Government of the North of Ireland. It is a lower Government... Till they rise to the level of hating murder as a civilised Christian nation ought to hate it, they must be treated as being on a lower level.”<sup>99</sup> Cecil’s remarks reflect a failure, in his view, on the part of the British Empire to achieve its civilizing mission in Ireland while also suggesting that Irish Catholics were perhaps recalcitrant to any sort of modern, enlightened governance in the first place.

Cecil’s viewpoint was shared by many anti-Treaty and/or Unionist politicians in Britain as both a means to explain Britain’s failures in Ireland and the incompatibility of “Celtic” and “Anglo Saxon” blood. Indeed, the debates over the Anglo-Irish Treaty saw a “revival” of sorts of the language used by mid to late-nineteenth-century ethnologists and anthropologists to racialize the Irish.<sup>100</sup> As R.M. Douglas has argued, new racial theories coming out of the United States in the early twentieth century regarding European blood and the desire for Britain to present a unified front in WWI led to a slight shift in racial conceptions of the Irish prior to the Anglo-Irish War, with some ethnologists even believing that mixing the two races created better Irishmen capable of self-rule.<sup>101</sup> However, after the Anglo-Irish War, some opponents to the Treaty rehashed past racialized conceptions of the Irish to

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<sup>99</sup> Hugh Cecil. HC Deb, 14 December 1921, vol 149 cc 72.

<sup>100</sup> R. M. Douglas. “Anglo-Saxons and Attacotti: the Racialization of Irishness in Britain between the World Wars”, *Ethnic and Racial Studies*, 25, No.1, (2002), 43-44.

<sup>101</sup> *Ibid*, 41-42.

justify their dissension.<sup>102</sup> Douglas explains that “With the withdrawal in 1921 of the Irish Free State from the United Kingdom, however, there seemed little advantage to be gained from continuing to proclaim the miscibility of British and Irish stocks. To the contrary, assertions of the racial incompatibility of the two peoples now served both to provide an explanation for Britain’s failure to assimilate the Irish to Anglo-Saxon norms, and to assuage the wounded *amourpropre* of the nation whose identity Ireland had so brusquely repudiated.”<sup>103</sup> Consequently, the 1920s saw an abandonment of early twentieth-century claims of racial compatibility and reconstitution of late nineteenth century derogatory racialization of the Irish, especially amongst Conservatives.<sup>104</sup>

Likewise, the British Government saw the Anglo-Irish Treaty as a vehicle through which they could rid themselves of the “Irish Question” and place the onus of governance, and by extension Free State security, on the Irish pro-Treatyites, even if it meant Irish civil war. Though British opponents to the Treaty viewed granting Ireland self-governance as a failure of the civilizing mission, the government saw it as a way to both improve their image on the world stage and shift “the burden of moral responsibility for ensuring peace in Ireland to pro-Treaty Sinn Féin.”<sup>105</sup> For the British government, if the Free State failed to keep the peace, it would merely confirm their assumptions that the Irish were unfit for self-government within the

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<sup>102</sup> Ibid.

<sup>103</sup> Ibid, 43-44.

<sup>104</sup> Ibid.

<sup>105</sup> Seán Donnelly, “Ireland in the imperial imagination: British Nationalism and the Anglo-Irish Treaty”, *Irish Studies Review*, 27, No. 40, (2019): 504.

Commonwealth. The British government was perfectly happy to give the Free State the rope to hang itself. This maneuver by the British government was not lost on the Irish Free State. As Sean Donnelly has argued, pro-Treaty members of Sinn Féin were “acutely conscious of how the Free State’s descent into Civil War appeared to substantiate the old, colonial image of the Irish people ‘as being unfitted to shoulder the responsibilities placed upon them by their newly won freedom.’”<sup>106</sup> Accordingly, to avoid confirming the racialized stereotypes, a swift victory by pro-Treaty forces in the Civil War all the more imperative.

Early in the republican movement, there were occasions when Irish nationalists proclaimed solidarity with other anti-colonial movements. Most notably, Irish nationalists supported the Boers during their failed attempt to overthrow British colonial rule in the late nineteenth/early twentieth century, at a time when Irish Republicanism was gaining traction in Ireland. Though dissimilar in many ways, the Boers and Irish nationalists shared a sense of self-determination and freedom from British colonial rule. Elleke Boehmer argues, “Despite the obvious differences of religion and geopolitical context, Irish declarations of solidarity recognized in the Boers a republican people apparently as colonially beleaguered as nationalist Ireland felt itself to be: their culture and language, too, were threatened, their land occupied, their liberty denied.”<sup>107</sup> Irish Nationalist support for the Boers was not merely empty

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<sup>106</sup> Ibid. Quoting the *Irish Independent*, 10 June 1922.

<sup>107</sup> Elleke Boehmer, *Empire, the National, and the Postcolonial, 1890-1920: Resistance in Interaction*, (Oxford: Oxford University Press, 2002), 27.

rhetoric but a popular movement carried out in the press (*United Irishmen*) and through direct action (Irish Transvaal Committee).<sup>108</sup>

When the Boers narrowly failed to separate from Britain in 1902, Irish nationalists turned their attention to India and the Bengali resistance (Swadeshi) movement to bolster their republican cause. Though at first, as Elleke Boehmer notes, Irish nationalist support for Bengal was viewed as “parallel opposition of oppressed nations to imperial injustice,” by 1905, there were “actual points of crossover, or close cross-nationalist similitudes”—with the burgeoning Sinn Fein movement learning as much from Bengal as Bengal had learned from Irish nationalist experiences.<sup>109</sup> In particular, as the Sinn Fein movement became more powerful in the 1900s/1910s, it was inspired by Bengali themes of internal cooperation, nationalist pride, and self-reliance.<sup>110</sup> These instances of anti-colonial solidarity and interaction were crucial for the development of the early twentieth-century Irish nationalist movement. However, when Sinn Fein was unsuccessful in obtaining complete separation from Britain following the Anglo-Irish War, the idea of anti-colonial solidarity became a bit more complex throughout the debates on the Anglo-Irish Treaty, dividing nationalist rhetoric as the Free State was placed squarely within the British Empire.

However, the British were not alone in invoking an “Irish Race” throughout the late nineteenth and early twentieth centuries. Irish nationalists, at times, used race

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<sup>108</sup> Ibid, 28.

<sup>109</sup> Ibid, 31-33.

<sup>110</sup> Ibid.

as a vehicle to assert difference from the “British” race and, by proxy, their ability to better govern themselves. However, this should not be mistaken for association with other anti-colonial movements, especially those from non-white colonies. Recent scholarship has suggested that the Irish nationalist movement only viewed themselves as co-equals of these movements when it suited the situation.<sup>111</sup> For example, during the debates around the Anglo-Irish Treaty, Jason Knirck has argued that “At times there certainly were some unqualified expressions of sympathy for nonwhite colonized peoples, mostly from anti-Treatyites. Countess Constance Markievicz claimed that acceptance of the Treaty would betray Indians and Egyptians, in part by freeing up British soldiers and Black and Tans for deployment to those regions.”<sup>112</sup> As such, many of the gestures of sympathy for non-white anticolonial struggles during the Anglo-Irish Treaty debates were hollow or, at least, self-serving to the Irish nationalist movement.

On the other hand, Bruce Nelson has argued that the Irish association with other anti-colonial movements was not significant due to their portrayal of Ireland as a homogenous European (i.e., white) country. He argued that “once they [Irish nationalists] based their sense of entitlement on the belief that they were a ‘white nation,’ their capacity to build broad anticolonial solidarity was significantly compromised.”<sup>113</sup> However, in contrast with Nelson, Knirck argues that, especially during the time of the Treaty debates, the Irish were contradictory in their association

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<sup>111</sup> Jason Knirck “The Irish Revolution and World History: Nation, Race, and Civilization in the Rhetoric of the Irish Revolutionary Generation” *Éire-Ireland*, 52, No. 3, 4, (2017): 173-174.

<sup>112</sup> *Ibid.*

<sup>113</sup> Nelson, 122–23.



with other colonies: not wanting to bind themselves to the white Dominions in the Commonwealth due to their cultural ties with Britain while at the same time avoiding association with non-white colonies, as Irish nationalists predominantly viewed Ireland as a white nation. Knirck claims, “Nevertheless, Irish nationalists, particularly at the time of the Treaty debates, spent as much time differentiating themselves from other white “colonies” as they did separating themselves from nonwhite colonized peoples, and that nuanced element of Irish whiteness is largely absent from Nelson’s work.”<sup>114</sup> Knirck further problematizes Irish invocations of race and associations with non-white colonies by suggesting that nationalists often used the language of race as “shorthand” to distinguish between the cultural differences between Ireland and Britain and to assert a national status that existed long before the English conquest, rather than professing solidarity with non-white colonies.<sup>115</sup> Even though Britain’s non-white colonies similarly had rich cultural histories and ancient civilizations before British rule, Irish nationalists were reluctant to claim solidarity due to their own racial ideology and views of “whiteness.” Irish conceptions of a white racial identity were comparable to British views in this respect. Even though Irish nationalists sometimes used the language of race to differentiate themselves from the British, it was along cultural and historical lines.

When discussing the Irish nationalist movement from its early stages up through the interwar period, the distinction must be made between anti-colonial

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<sup>114</sup> Jason Knirck “The Irish Revolution and World History: Nation, Race, and Civilization in the Rhetoric of the Irish Revolutionary Generation” *Éire-Ireland*, 52, No. 3, 4, (2017): 163.

<sup>115</sup> *Ibid*, 173.

solidarity and racial solidarity or identification with other colonized peoples. For instance, Irish nationalist support of the Boers and the Bengali movement in the early twentieth century (as discussed above) derived from a sense of unity against a common oppressive enemy, not racial (or even religious) solidarity. Though these examples include instances of both parallel opposition and collaboration, the purpose was to strengthen the Irish nationalist case against British rule. It is more challenging to discern cases of identification (racial or otherwise) with other colonized groups, primarily because of Irish nationalist views of their own racial (i.e., cultural) particularities and “whiteness.”

Both Nelson and Knirck reference the popular and influential work of Irish nationalist Erskine Childers’ *The Framework of Home Rule* (1911) as evidence of the Irish nationalist view of Ireland as a white nation. Childers’s work sought to differentiate Irish colonization from other settler-colonial projects of Britain. For instance, in distinguishing Ireland from the subjugation of the indigenous tribes of North America, Childers argued, “In Ireland, the native race was white, civilized, Christian, numerous, and confined within the limits of a small island to which it was passionately attached by treasured national traditions, and whose soil it cultivated under an ancient and revered system of tribal tenure.”<sup>116</sup> This difference made it difficult for Irish nationalists to see themselves on par with the likes of Canada or Australia, where the ruling class was formulated by the descendants of British

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<sup>116</sup> Erskine Childers, *The Framework of Home Rule* (London: Edward Arnold Publishers, 1911), Project Gutenberg. <https://www.gutenberg.org/files/15086/15086-h/15086-h.html>. (Accessed September 1, 2022).

conquerors, not the conquered, as was the case with Ireland. However, the divisive Anglo-Irish Treaty would create fissures in how Irish nationalists viewed their place amongst the white Dominions and the Empire more broadly.

When the Anglo-Irish Treaty was negotiated and signed, the British drew upon examples of self-government achieved in white settler colonies such as Canada and South Africa as templates. The second clause of the Treaty read as follows: “Subject to the provisions hereinafter set out the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada, and the law, practice and constitutional usage governing the relationship of the Crown or the representative of the Crown and of the Imperial Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State.”<sup>117</sup> However, both pro and anti-treaty groups in Ireland saw the association with other white settler colonies as problematic regarding race, Ireland’s place within the empire, and Sinn Fein’s anti-colonial position. Before the Anglo-Irish War, Irish Republicans were generally united in their rejection of the British Empire (Sinn Fein roughly translates into “Ourselves, Alone” in Irish Gaelic) and any continued association with it. There were several reasons for this. The most notable, though, was that Irish Republicans viewed Ireland as a distinct nation with its own history and

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<sup>117</sup> Final text of the Articles of Agreement for a Treaty between Great Britain and Ireland as signed. London, 6 December 1921, Documents on Irish Foreign Policy, (DIFP) No. 214 DE 2/304/1.

culture and the Irish as a separate race of people, unlike Canadians or Australians who, in their view, were descendants of the English or British “race.” Yet, when the Treaty divided Sinn Fein into opposing forces, the pro-Treatyites were forced to defend Ireland’s place within the Commonwealth and its continued participation in the British Empire. In contrast, the anti-Treatyites could still lay claim to their anti-Imperial roots.

The issue for many Anti-treatyites in comparing Ireland with other white Dominions was that they were the descendants of the British ruling class, and Ireland was not. Austin Stack, Minister for Home Affairs for the Dáil Éireann, argued:

To let us assume that this clause gives to this country full Canadian powers, I for one cannot accept from England full Canadian powers, three-quarter Canadian powers, or half Canadian powers. I stand for what is Ireland's right, full independence and nothing short of it. It is easy to understand that countries like Australia, New Zealand and the others can put up with the powers which are bestowed on them, can put up with acknowledgments to the monarch and rule of Great Britain as head of their State, for have they not all sprung from England? Are they not children of England? Have they not been built up by Great Britain? Have they not been protected by England and lived under England's flag for all time? What other feeling can they have but affection for England, which they always regarded as their motherland? This country, on the other hand, has not been a child of England's, nor never was. England came here as an invader, and for 750 years we have been resisting that conquest.<sup>118</sup>

Stack’s comments draw significantly on the developmental history of the white settler colonies to accentuate the stark contrast of Ireland’s place among them. Canada, Australia, and New Zealand were undeniably settled by Britain (including English, Scottish, Welsh, and even Irish settlers) and their descendants became the ruling class

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<sup>118</sup> Austin Stack, Dáil Éireann debate, 19 Dec 1921, Vol. T No. 6

in those respective Dominions, hence the “children of England” in Stack’s remark. The metaphor of “children” (and the “motherland”) has a racial subtext to it, as does Ireland’s place outside of the “family” as one of the conquered. This included unmistakable cultural and religious affinity and, naturally, blood ties between the Dominions and England, each of which Irish nationalists saw as a point of difference. According to Stack and other anti-Treatyites, Ireland was incomparable to the other Dominions based on Ireland’s colonial status. Even after the Act of Union in 1801, the Irish still faced oppression and restrictive penal laws while the other Dominions became more powerful and eventually achieved self-governance under the Commonwealth. Stack's critique exploits the paradox of a global British identity that Stuart Ward references as “the simultaneous endorsement and rejection of an ethnic definition of Britishness.”<sup>119</sup> Essentially, Stack is throwing the ideology of “kith and kin” as the basis of the Commonwealth back in the faces of the British.

Erskine Childers further cautioned against viewing Ireland’s self-government on par with Canada's. In particular, like other anti-Treatyites, he saw Canada as having distinct racial ties to England and, for the most part, united interests. He argued, “Under the Canadian Constitution Canada has always the power to say, ‘Very well, we differ about its construction. I shall put my own interpretation upon it and I shall give up my relation with you altogether.’ That is the strength of Canada's position. The blood tie with Canada which naturally produces loyalty and sentimental

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<sup>119</sup> Stuart Ward, “The End of Empire and the Fate of Britishness,” in *History, Nationhood and the Question of Britain*, ed. Brocklehurst and Phillips, (London: Palgrave Macmillan, 2003), 246.

affection to England cannot reasonably, cannot possibly, cannot humanly be expected from the Irish nation after its 750 years. Now read your Treaty in the light of those conditions. I suppose few people have any doubt as to what legally the Treaty means.”<sup>120</sup> Childers also asserted that Ireland’s close proximity to Britain relative to that of Canada rendered the association inconsequential, as Canada would be “unconquerable” if it broke ties with Britain.<sup>121</sup> Furthermore, Childers and other anti-Treatyites believed that membership in the Commonwealth that the Treaty outlined, and the support of the Treaty by some members of Sinn Fein, was a betrayal of their anti-colonial roots.

In the opinion of Childers and other anti-Treatyites, Ireland had long been on the receiving end of colonial oppression. If the Treaty were accepted, the Free State would become willing participants in the Empire and complicit in its actions. Liam Mellows, an anti-Treatyite and member of the Dail from Galway, argued:

The British Empire represents to me nothing but the concentrated tyranny of ages. You may talk about your constitution in Canada, your united South Africa or Commonwealth of Australia, but the British Empire to me does not mean that. It means to me that terrible thing that has spread its tentacles all over the earth, that has crushed the lives out of people and exploited its own when it could not exploit anybody else. That British Empire is the thing that has crushed this country; yet we are told that we are going into it now with our heads up. We are going into the British Empire now to participate in the Empire's shame even though we do not actually commit the act, to participate in the shame and the crucifixion of India and the degradation of Egypt. Is that what the Irish people fought for freedom for?<sup>122</sup>

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<sup>120</sup> Erskine Childers, Dáil Éireann debate, 19 Dec 1921, Vol. T No. 6.

<sup>121</sup> Ibid.

<sup>122</sup> Liam Mellows, Dáil Éireann debate, 4 Jan 1922, Vol. T No. 11.

Mellowes's remarks reflect the anti-Treatyite (and pre-Revolution Sinn Fein) anti-colonial stance and the insistence on reconstituting that viewpoint in the wake of an ideological divide between Irish nationalists following the Anglo-Irish Treaty. From this point of view, as Knirck has argued, "Ireland was seen as an imperial anomaly, different in history, race and geography from the other white-settled Dominions."<sup>123</sup> Yet, Mellowes, as well as other anti-Treatyites, fail to distinguish between the white Dominions and the rest of the Empire, or, at least, he equates one with the other, which was not the case with the pro-Treaty side of the debate. Mellowes views Canada, Australia, South Africa, etc. as culpable in the actions of the Empire outside of the white Dominions (gesturing towards India and Egypt, one of the few times that Irish nationalists would show solidarity with other colonized people during the Treaty debates, usually for their own ends) and intimates that if the Free State joined the British Empire it would be a betrayal of the ideals they had fought for since the beginning of the Revolutionary Era. Thus, in rejecting the Anglo-Irish Treaty, anti-Treatyites were able to lay claim that they were upholding the idealistic core of Sinn Fein.

Pro-Treatyites, conversely, had a much more challenging pathway forward in the debates because they had to address the imperial context. Pro-Treatyites, who had just fought a war against Britain for complete separation and were united with Sinn Fein in their rejection of the Empire, now had to justify a continued association with

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<sup>123</sup> Jason K. Knirck, "The Dominion of Ireland: The Anglo-Irish Treaty in an Imperial Context", *Éire-Ireland*, 42. No. 1&2, (2007): 246-247.

it.<sup>124</sup> At the same time, the pro-Treaty side attempted to maintain their republican roots by espousing racial differences from Britain and renouncing most aspects of the Empire, such as the civilizing mission, while compromising it to achieve their goals.<sup>125</sup> It was a fine line to walk.

The pro-Treaty side viewed the association with Canada and other former white settler colonies as a means to an end and necessary to guarantee the limited sovereignty provided by the Treaty. The most famous and outspoken of the pro-Treatyites, Michael Collins, argued:

And as to what has been said about guarantees of the withdrawal of that military strength, no guarantees, I say, can alter the fact of their withdrawal, because we are a weaker nation, and we shall be a weaker nation for a long time to come. But certain things do give us a certain guarantee. We are defined as having the constitutional status of Canada, Australia, New Zealand, South Africa. If the English do not withdraw the military strength, our association with those places do give us, to some extent, a guarantee that they must withdraw them. I know that it would be finer to stand alone, but if it is necessary to our security, if it is necessary to the development of our own life, and if we find we cannot stand alone, what can we do but enter into some association?<sup>126</sup>

Collins, in essence, was arguing that the Commonwealth could be used as a vehicle to ensure that the anti-Imperial goals of Sinn Fein could be achieved. By becoming a member of the Commonwealth, as Collins argues, the Free State could ensure their own security because the other Dominions would have an interest in protecting the Free State's sovereignty. Collins and other Treaty supporters did not believe that

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<sup>124</sup> Ibid.

<sup>125</sup> Ibid.

<sup>126</sup> Michael Collins, Dáil Éireann debate, 19 Dec 1921 Vol. T No. 6



association with the Commonwealth was an endorsement of the imperial civilizing mission, nor did they believe that they would be part a larger British metropolitan identity, instead they “claimed that the empire was, in this context, merely useful to Ireland, with constructive benefits adhering primarily to the Dominions, not to the metropole.”<sup>127</sup> Additionally, the pro-Treatyites not only saw the advantages of association with the Commonwealth but that the Empire itself was “a fluid body, capable of growth, and governed by largely unwritten conventions.”<sup>128</sup> The difference in how each viewed the Empire is one of key differences between Collins and the anti-Treatyites. The anti-Treatyites based their argument on what the Empire had done in the near and distant past, whereas Collins saw how the Free State could shape the future of the Empire while at the same time achieving their own goals. As Collins famously said, it gave them “the freedom to achieve freedom.”<sup>129</sup>

As such, Collins believed that the Commonwealth could be used as an anti-Imperial tool against the U.K. and to strengthen the Free State’s position, using the association to their advantage. Jason Knirck, for instance, adds that “by appealing to a form of Dominion nationalism, as well as invoking Ireland’s perceived history of anti-colonialism, pro-Treatyites claimed that membership in the empire could be used against the metropole and would in fact be a means of asserting Irish sovereignty as separate and distinct from that of Great Britain.”<sup>130</sup> In order to achieve this, Collins used the example of Canada, not as way of implying sameness or solidarity, but to

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<sup>127</sup> Jason K. Knirck, “The Dominion of Ireland,” 250.

<sup>128</sup> Ibid.

<sup>129</sup> Michael Collins, Dáil Éireann debate, 19 Dec 1921 Vol. T No. 6

<sup>130</sup> Jason K. Knirck, “The Dominion of Ireland,” 231.

show how Canada used its constitutional position to achieve more freedom and power. Collins states:

In obtaining the ‘constitutional status’ of Canada, our association with England is based not on the present technical legal position of Canada. It is an old Act, the Canadian Act, and the advances in freedom from it have been considerable. That is the reply to one Deputy who spoke to-day of the real position, the complete freedom equality with Canada has given us. I refer now not to the legal technical status, but to the status they have come to, the status which enables Canada to send an Ambassador to Washington, the status which enables Canada to sign the Treaty of Versailles equally with Great Britain, the status which prevents Great Britain from entering into any foreign alliance without the consent of Canada, the status that gives Canada the right to be consulted before she may go into any war. It is not the definition of that status that will give it to us; it is our power to take it and to keep it, and that is where I differ from the others. I believe in our power to take it and to keep it.<sup>131</sup>

Importantly, Collins emphasized that achieving “constitutional status” is only the first step to achieving more autonomy and freedom. Collins envisioned the Free State following a similar path as Canada, with the protection of precedents set by the Commonwealth against any British aggression or subjugation.

It was not that Collins had completely abandoned the idea of an Irish republic, he was just more pragmatic than his anti-Treaty counterparts, who were still clinging to their (perhaps unrealistic) idea of complete separation. Collins knew the Irish position was “weak” militarily and a sustained war with Britain would only serve to expose that weakness even more leaving Ireland with very little leverage at the negotiating table. Indeed, Collins' position was the more prudent stance to have:

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<sup>131</sup> Michael Collins, Dáil Éireann debate, 19 Dec 1921, Vol. T No. 6

it was realistic, cautioned patience, and sought to use available resources to assert sovereignty in the Commonwealth. As proof of Collins's foresight, his ideas are how Ireland achieved more sovereignty and, eventually, a republic, though he would not live to see it come to fruition.<sup>132</sup> Though Eamon de Valera vehemently opposed Collins in the Treaty debates (and subsequent Irish Civil War), it would be de Valera who would eventually see Collins' vision through in the late-1920s and 1930s, using the Commonwealth to his advantage.

In the forty years between the Phoenix Park murders and the debates over the Anglo-Irish Treaty, the relationship between Britain and Ireland had changed considerably. However, if there is one key aspect of their relationship that emerges from the debates with regard to race it is that Ireland was a truly unique circumstance and unlike any other colony within the British Empire, which could explain why so many questions emerge throughout the debates. Comparisons between the Irish and, on the one hand, the colonies, and on the other, the self-governing dominions, are problematic because the Irish nationalists rarely made those comparisons themselves. The debates between pro-Treatyites and anti-Treatyites, however, forced the pro-Treaty side to take an imperial stance and link themselves with the white dominions, just as the British were attempting to do. This brought an international and imperial dimension to the “whitening” of the Irish, though they would still remain a colonial “other” in Britain as the subsequent chapters will explore.

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<sup>132</sup> Collins was assassinated less than a year later in August of 1922.

## Conclusion

By the end of February 1922, both Britain and the Ireland had signed the Anglo-Irish Treaty, with the Provisional Government set to transition to the Irish Free State on December 6th, 1922. However, the Irish would fight a bitter civil war between the pro-Treaty Provisional Government and the anti-Treaty Irish Republican Army from June 1922 to May 1923, with the Provisional Government emerging victorious. While the Civil War would influence Irish politics and public life for decades to come, the Anglo-Irish Treaty and Free State Constitution had a far greater impact on the relationship between the Free State and the U.K. during the interwar period, as the peace created by the Treaty did not assuage the mutual enmity and distrust.

Though only lasting a period of about three months (November 1921 - February 1922), the negotiations and debates concerning the Anglo-Irish Treaty had a lasting impact on both the Irish Free State and the U.K. In particular, the Treaty raised more questions about imperial belonging and the right of free movement than resolving any lingering issues surrounding citizenship or subject status. Moreover, the unresolved nature of the settlement had profound consequences for Irish migrants and the Irish diaspora in Britain, including how they were represented by the state and how they represented themselves to the state. The following chapter examines a case

that was the first real test of the unsettled political categories that emerged out of the Anglo-Irish Treaty with devastating consequences.

**“Our Domiciles are in England”  
The 1923 Irish Deportees and Claims for British Civic Identity**

Introduction

In November of 1949, E.J. Lynch, a veteran of the British Army and study master at St. George’s College in India, sought assistance from the Office of the High Commissioner to emigrate back to England so that he could seek employment and join his brothers who had lived in Britain for several years. The changing political conditions and transfer of power in India, Lynch felt, did not offer much hope for a future there.<sup>133</sup> Lynch filed several requests for assisted passage but was rejected in each of these attempts because, although he was a British subject, he was not a citizen of the U.K. as denoted by the recent British Nationality Act of 1948. Lynch was, as it happens, born in Ireland and, despite a long career serving the British Empire, could only attain citizenship (and, thus, assisted passage) by residing for twelve months in the U.K.

In a final effort, Lynch appealed directly to Colonel Toyne, head of the High Commissioner’s office in New Delhi, who agreed to take his case directly to London. In his letter to the Commonwealth Relations Office, Toyne highlighted Lynch’s “pure European blood” and his service to His Majesty’s Government his entire career as

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<sup>133</sup> “Letter from E.J. Lynch to Col Toyne,” IOR L/PJ/7/15453, British Library (BL).

reasons to aid Lynch.<sup>134</sup> This case set off a chain of correspondence throughout multiple departments of the British government about how to categorize British subjects born in Ireland. As A.J.H Ross from the Commonwealth Relations Office remarked, there were several deserving individuals who, “by the accident of birth, now come into this category.”<sup>135</sup>

However, Lynch was an individual like countless others who, throughout the decades of the interwar period—some of the most politically dynamic with regards to Anglo-Irish relations—saw his subject and citizenship status change several times through political maneuvers, thus running counter to the notion that his categorization was an “accident of birth.”<sup>136</sup> As the previous chapter explored, the Anglo-Irish Treaty and the Free State Constitution left many unresolved questions regarding the status of the Irish in Britain and within the Empire more broadly. Further complicating matters was the Irish Nationality and Citizenship Act of 1934, which was, in effect, an attempt by the Irish Free State to assert sovereignty by defining and clarifying Irish Citizenship in relation to the British subject status conferred in the British Nationality and Status of Aliens Act of 1914. The ambiguous and changing conceptions of subject status and citizenship led to confusion for many of the Irish throughout the Empire, especially within the U.K. This is evident by Lynch’s need to clarify exactly what that status was in 1949. “I was informed that I was an Eire subject in 1922,” Lynch writes, “I was still a British subject, but not a citizen of the

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<sup>134</sup> “Letter from Col Toyne to Ross, 28 Nov 1949,” IOR I/PJ/7/15453, British Library (BL).

<sup>135</sup> “Letter from Ross to Church, 20 Feb 1950,” IOR I/PJ/7/15453, British Library (BL).

<sup>136</sup> David George Boyce, *The Irish Question and British Politics, 1868-1986*. (New York: St. Martin's Press, 1988), 77-78.

U.K...”<sup>137</sup> Lynch was explicitly calling attention to the changes that defined the interwar period as well as their contingent, "political" nature. In that sense, Lynch's case is representative of other members of the Irish diaspora in the interwar period that are discussed in the following chapters of this dissertation. Following the Anglo-Irish Treaty, nationality, "status," and citizenship remained unstable and ill-defined, forcing the Irish in England to account for and represent themselves to the state through new and shifting categories and laws.

The uncertainty surrounding status and the question of who could claim rights, relief, and inclusion draws attention to the ambiguity of British identity for the Irish in the U.K. during the interwar period. Like subjects throughout the rest of the Empire and Commonwealth during this period, the Irish had a malleable interpretation of British identity. For instance, their “Britishness” could be an ethnic identity, a cultural identity, an imperial identity, or a civic identity based on the establishment and continued residency within a community.<sup>138</sup> Or, as was the case with Lynch, a combination of these.

One of the first real tests of the classifications questioned during the Anglo-Irish Treaty debates came in 1923 when, on March 11 (near the end of the Irish Civil War), 111 Irish-British subjects were arrested throughout Britain by local authorities acting on the orders of the British Home Office, specifically Conservative Home Secretary William Bridgeman. Bridgeman, in turn, was acting on the request of the

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<sup>137</sup> “Letter from E.J. Lynch to Col Toyne,” IOR L/PJ/7/15453, British Library (BL).

<sup>138</sup> For an excellent work that examines claims for British identity based on cultural ties see Anne Spry Rush, *Bonds of Empire: West Indians and Britishness from Victoria to Decolonization* (Oxford: Oxford University Press, 2011), 2.



Irish Free State government under the leadership of pro-Treatyite William Cosgrave. Those arrested were immediately deported to the Free State. Most of the deportees, such as Art O'Brien, were members of the London-based Irish Self-Determination League (ISDL), but others were only thought to have Irish Republican connections. The Irish Self-Determination League (ISDL) was a short-lived but popular Irish Republican organization that began in London in 1919. Consisting of members of Irish descent living throughout the United Kingdom, the ISDL was anti-Treaty and advocated for Ireland to completely separate from Britain and become a republic. Throughout the Irish Civil War, the pro-Treaty Free State government led by William Cosgrave was concerned that the ISDL was planning an armed insurrection intended to topple the Free State Government.<sup>139</sup> This led the pro-Treaty Free State Government to seek assistance from their British allies to mitigate the perceived threat posed by the anti-Treaty ISDL.

The deportation of 111 Irish-British subjects in 1923 raised questions about the legality of such action (including the denial of Habeus Corpus) and the authority of the Home Office to deport British subjects to the Free State. Indeed, most of the deportees had been living in Britain for years, some all of their lives, while others had never even been to the Free State. Moreover, all had deep ties to the British communities where they resided.

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<sup>139</sup> Mo Moulton, *Ireland and the Irish in Interwar England*. (Cambridge: Cambridge University Press, 2014), 150-152.

By examining the events surrounding the 1923 deportation of Irish-British subjects, including the actions of the Conservative British government, the Labour Party's response, as well as the appeals and eventual lawsuits from the deportees, this chapter argues that the unresolved issues raised during the Anglo-Irish Treaty debates involving the status of Irish-British Subjects created an uncertain and ambiguous situation for the 111 deportees and the Irish in Britain more generally. The British Government exploited this flexibility and ambiguity during the Interwar period, especially in the category of "nationality" before the official codification of citizenship in 1948. The open-ended, flexible nature of "nationality" allowed the state to alternatively claim and dispense with marginalized groups depending on needs and circumstances. Through this extreme case we can see tenuous position of all the Irish in Britain, not because the deportees experience was typical but because it revealed how the state could exploit the ambiguity when desired.

Most Conservative MPs, including Secretary Bridgeman, saw the Irish deportees as subversives, and thus, categorized them as "undesirables," a viewpoint built on decades of Irish racial propaganda. Consequently, in Bridgeman's view, they should be arrested and deported. On the other hand, the shifting, highly contingent, and contextually specific legal categories allowed the Irish deportees to make strategic claims for British subject status and citizenship as a way of contesting what the state could legally do.<sup>140</sup> Through such an extreme event, we see the capricious

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<sup>140</sup> The legal classification of British "citizen" did not exist at this time. However, the word is still used regularly throughout the sources, especially by members of the Labour party who argued that the

nature of state power and the contested nature of political categories for the Irish in Britain during the Interwar period and the general precariousness of the Irish in Britain.

Moreover, this chapter provides an unusual insight into Irish lives and connections in English communities as the deportees struggled to represent themselves to the state based on their civic connections. As discussed later in this chapter, one of the main reasons Bridgeman felt he was legally inclined to deport the Irish prisoners is that he (as well as the Irish Free State) claimed that they were Irish citizens, though he did not take any steps to ensure this was the case. Bridgeman subsequently placed the burden of proof that the deportees were not Irish citizens on the deportees themselves. Hence, throughout the process of appeals to the advisory committee, the deportees made strategic claims to the state based on their deep ties to the British communities where they were domiciled.<sup>141</sup>

Finally, this chapter will examine interactions between the state and civil society throughout the events surrounding the deportation. The arrests and deportations were devastating (both financially and socially), even for those who ultimately returned to their homes. Though many had lived their whole lives in Britain, they were easily and consistently ostracized from the communities they came

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deportees were British citizens, and by the Irish Free State and British Conservative party who claimed the deportees were Free State citizens.

<sup>141</sup> The word “domicile” or “domiciled” is also used frequently throughout the sources. This was strategic as well. Mainly because according to the Irish Free State constitution, an individual was an Irish Free State citizen if they were “domiciled” in Ireland for seven years at the time the constitution came into effect in 1922. As the burden of proof was placed on the deportees, they frequently claim that they were “domiciled” in Britain, not the Free State.

from. Often it is the state that responds to populist hatred of minorities, but in this case, it was the state that generated them, or, at least, the state provided cause for the populist hatred of the Irish to endure.

This chapter begins with an account of the political maneuvers of Conservative Home Secretary Bridgeman as he ordered the arrest and deportation of 111 Irish-British Subjects and the backlash he received from members of the opposition Labour Party. The arguments over the legality of the deportation saw Conservative MPs invoking the racialized language of Irish subversives while Labour MPs defended the deportees as British “citizens”. A report composed by Labour MPs Arthur Greenwood and John Muir following an investigative trip to Dublin in April 1923 criticized the hasty actions by the Conservative government and questioned the legality of the deportations.

Next, the chapter analyzes the appeals of the deportees themselves to the advisory committee. At first, the only way for the deportees to return to Britain was either to be found innocent of their accused crimes or to prove that they were not Irish citizens. Most of the deportees felt that their chances of being found innocent in the Irish Free State were minimal, given the government’s stance on anti-Treaty sedition and the recent executions of perceived state enemies. Therefore, the deportees felt their best chance of returning to Britain was by proving they were not Irish citizens. As the burden of proof fell onto the deportees, they made strategic claims to the advisory committee asserting their connections to their British communities.

Finally, this chapter will consider the events following the return of the deportees to Britain. The House of Lords ultimately ruled that the deportations were illegal, and the deportees returned to Britain after two months in prison. Though a few were re-arrested upon their arrival, most were allowed to return to their communities. Following their release, the deportees successfully sued the British government for restitution. Through the compensation tribunals, we gain a clearer perspective of the financial and social devastation the deportations caused for the Irish-British subjects involved.

Overall, by examining the experiences of the Irish deportees in 1923, this chapter looks back at the unresolved nature of political classifications following the Anglo-Irish Treaty, including the utility for all parties involved. The chapter also examines the experiences of the Irish deportees more broadly as a precursor of Irish exclusionary tactics used by Britain throughout the interwar period.

### Labour as the Party of Irish-British “Citizens”

After the Irish Free State left the U.K. and joined the Commonwealth, the British Parliament went through a dramatic political realignment, as the House of Commons was reduced by nearly 100 parliamentary seats. Furthermore, the General Election of 1922 represented a shift in power in the House of Commons. Although the Conservatives maintained control, the Labour Party gained more seats than ever

before and overtook the Liberal Party to become the primary opposition to the Conservatives. As such, the deportation without trial of 111 British subjects to the Irish Free State five months after the election provided the Labour Party with a crucial opportunity to criticize the Conservative government's actions, including the legality of the deportations and the actions of Home Secretary William Bridgeman who had ordered them. More importantly, following the unresolved questions raised during the Anglo-Irish Treaty debates involving the status of Irish-British Subjects, the discussions in the House of Commons regarding the 1923 deportation saw the Conservatives doubling down on the rhetoric of "undesirables", political subversives, and Irish racialization. On the other hand, the Labour Party emerged as the party willing to defend the right of the Irish to domicile in England, invoking the language of British citizenship, though no such classification existed legally at the time.

One of the early indications that the Free State and British governments were planning on acting against members of the ISDL came in a January 1923 letter from Home Secretary Bridgeman to Attorney General Douglass Hogg, three months before the deportations. The letter expressed Bridgeman's concern about the "increasing boldness" of the ISDL during a "mischievous meeting" in early December 1922, where members of the ISDL openly pushed for an Irish republic.<sup>142</sup> Bridgeman cited another meeting on January 21, 1923, where ISDL chair Art O'Brien apparently told

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<sup>142</sup> "Letter from William Bridgeman to Douglass Hogg, January 31, 1923," HO 144/3746, British National Archives (BNA).

the audience, “they would have to support the Irish Republic by other means than merely attending meetings and becoming enthusiastic over speeches.”<sup>143</sup> In Bridgeman’s opinion, these meetings, as well as other unspecified occurrences, indicated the possibility of violence, though he did not “attach great importance” to this threat at the time.<sup>144</sup> Importantly though, Bridgeman did believe that some action needed to be taken against the ISDL, although he recognized the difficulty given the volatility of the situation. Bridgeman wrote, “Political considerations enter largely into this matter, and I think we should be lacking in our duty if we did not examine the position and see what, if any, legal remedies would be available.”<sup>145</sup>

The “legal remedy” Bridgeman eventually used indeed proved to be politically contentious and led to questions about whether Bridgeman had the authority to arrest and deport Irish-British subjects in the U.K. When Bridgeman ordered the arrest and deportation of 111 Irish-British subjects on March 11, 1923, he invoked the Restoration of Order in Ireland Act (ROIA) to justify his actions. The ROIA was a vestige from the Anglo-Irish War (1919-1921) and was originally enacted to respond to the growing violence and killings carried out by members of the IRA without resorting to martial law. The act replaced trial by jury with military court-martials and led to an exponential increase in the arrests and internment of IRA members as well as civilians. However, the ROIA was repealed in the Irish Free State when the Free State Constitution came into effect on December 6, 1922.

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<sup>143</sup> Ibid.

<sup>144</sup> Ibid.

<sup>145</sup> Ibid.

Therefore, when Bridgeman invoked the Act in 1923, it was no longer a law in the Free State. Regardless, Bridgeman insisted the Act was still active in the U.K. and that he was within his legal rights to arrest the deportees, though, he noted, the ROIA provided for an advisory committee set up by the Home Secretary where the deportees had the right to challenge the legality of their arrests.<sup>146</sup> In essence, the invocation of the ROIA was a case of colonial law coming “home”.

The Irish Free State government, however, denied that the deportees were being detained under the ROIA, though President Cosgrave did not provide an alternative legal reason. In a *Daily Telegraph* article following a meeting of the Dail Eireann, it was noted that “Whatever the authority under which persons were arrested and sent to Ireland, no one was being held under that Act [ROIA]. The Executive Council of the Irish Free State was not cognisant of the terms of the orders of internment before they were issued.”<sup>147</sup> Indeed, Cosgrave’s actions were mysterious to many in the Free State, even members of his own government. Like the Conservative British Government, Cosgrave faced scrutiny from the Labour Party of the Free State. It did not help his case that his responses to questions in the Dail were fairly equivocal. For instance, Thomas Johnson, leader of Irish Labour, asked Cosgrave how many of the deportees were Irish citizens and Cosgrave replied that their nationality had not been determined, but “all were presumed to be citizens of the Free State.”<sup>148</sup> Johnson also criticized Cosgrave for placing the Free State in a

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<sup>146</sup> William Bridgeman, HC Deb 12 March 1923, vol 161 cc1043-8

<sup>147</sup> “Irish Deportations”, *Daily Telegraph*, March 21, 1923.

<sup>148</sup> Ibid.



position of subservience to Britain with the arrests and the “British Government had assumed an authority over persons in the custody of the Free State Government which could not be justified by the position of absolute co-equality which the Treaty gave to the Free State.”<sup>149</sup> Cosgrave denied that was the case and reiterated his viewpoint that the prisoners were dangerous individuals conspiring against the Irish Free State.<sup>150</sup> However, Cosgrave acknowledged that he did have to make certain concessions to Britain such as not prosecuting the deportees without their consent because they were entitled to the “full protection of the British Constitution”.<sup>151</sup> So, in a manner of speaking, in the case of the deportees, the Free State was subservient to Britain.

In the House of Commons, the day following the arrests and deportation, Bridgeman faced scrutiny from Labour Party members regarding the legality and motivation for his actions. Many Labour party members, especially those in Liverpool and parts of Scotland, counted several of the deportees as their constituents and maintained that they were British citizens wrongfully deported by Bridgeman. For example, Labour MP John Jones of the Silvertown area of London asked Bridgeman about his constituent Frank Fitzgerald, a schoolteacher, who was deported to the Free State. “My question relates to a British subject, born in England,” Jones inquired, “and if such are going to be deported without appeal to the ordinary Courts of Law?”<sup>152</sup> Bridgeman maintained that the deportation was necessary and that the deportees were a great danger to the Irish Free State without directly addressing

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<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid.

<sup>152</sup> John Jones, HC Deb 12 March 1923 vol 161 cc1043-8

Jones's question about Fitzgerald's rights as an English-born subject. Bridgeman replied, "The persons arrested are all of Irish origin and are either members of the organisation referred to [the ISDL], or have supported it directly or indirectly. They will be held in custody by the Free State Government in their own country. This seemed, on the whole, after full consideration, the simplest and most effective method of dealing with these persons who, claiming to be Irish, and to be acting in the interests of Ireland, have so grossly abused the hospitality of this country."<sup>153</sup>

Bridgeman's choice of words is somewhat misleading and contradictory to his other statements on the matter. For one, he conflated Irish nationality with Irish citizenship. The deportees may have identified as having Irish heritage, but that is not the same as having the legal classification of Irish citizenship as outlined in the Free State constitution. Bridgeman's claim that they will be held in custody in "their own country" further illustrates his insistence that the deportees were undesirables who "grossly abused the hospitality of this country," and permanently immigrants, even if they were born in England. The deportees and many Labour MPs, as this chapter will show, argued the opposite and presented evidence even though Bridgeman claimed to determine that the arrested were Irish citizens prior to their deportation.

Bridgeman's statement that the deportees "directly or indirectly" supported the ISDL is contradictory misleading and inconsistent with his other remarks. In other statements on the arrests, Bridgeman claims that there was evidence that the deportees were directly involved in planning an insurrection against the Free State.

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<sup>153</sup> Ibid.

For example, several weeks later in an address to his constituents on April 6, 1923, Bridgeman defended his actions, “I should like to ask you what other action I could have taken?...These people were plotting murder, and sending rifles, ammunition, revolvers, and things to help the Republicans, and here we were with the power of arresting them, the power, at any rate, of preventing some of these outrages that were happening in Ireland...I am quite certain that it was the duty of us in this country to restore law and order in Ireland by every means at our command.”<sup>154</sup> However, either the evidence of the plot did not exist or it was not substantial enough to charge the deportees for sedition, which is why so few of them were re-arrested upon their return from the Free State after two months of internment. The truth is closer to Bridgeman’s “directly or indirectly” claim in his response to Labour MPs in the House of Commons. Many of the deportees were ISDL members, had attended meetings, or supported it in some manner, but that was not the same as plotting an armed insurrection. However, the fact that the charges were so extreme only gave Bridgeman a stronger case to justify the deportations.

When Labour MPs asked Bridgeman to elaborate further on the plots or provide evidence, he was evasive and vague in his responses. For instance, when MP George Lansbury posed this question, Bridgeman replied with, “My answer is that I have taken legal advice on this matter, and I am assured that I am acting within my rights.”<sup>155</sup> Several members of the Labour Party pressed Bridgeman on the legal

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<sup>154</sup> “Deportees Appeals”, *Daily Telegraph*, April 7, 1923, in HO 144/3746, British National Archives (BNA).

<sup>155</sup> William Bridgeman, HC Deb 12 March 1923 vol 161 cc1043-8

advice he received and even asked him to read out the ROIA provisions that were the basis for the claim that he was within his rights.<sup>156</sup> Again, he was evasive. Labour MP Shapurji Saklatvala asked the following day if the House could have access to the communication between Bridgeman and the Irish Free State, as well as the evidence against the deportees.<sup>157</sup> Bridgeman replied, “No, Sir. I can add nothing to the statements made by the Attorney-General and myself on Monday last.”<sup>158</sup> It is possible that Bridgeman also received legal advice to refrain from providing too many details given the volatility of the situation, but his responses only strengthened Labour’s resolve that he was not within his rights to make the arrests.

Bridgeman was not without supporters in the House of Commons, as many of his Conservative colleagues backed his decision and applauded him for removing alleged dangerous individuals from Britain. Interestingly, some of the same Conservative MPs that argued against granting too much autonomy to the Irish Free State and the creation of a separate Irish citizenship with the Free State constitution only a year prior, now considered it useful in the cases of the Irish deportees.<sup>159</sup> By labeling them Irish citizens, Irish-born, or having Irish blood, some Conservatives argued that Bridgeman was within his rights to deport them to the Irish Free State, even considering it to be a separate country.

Conservative MP Gershom Stewart of Cheshire, who had vehemently opposed separate Irish citizenship in the Treaty debates, embraced the new classification. He

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<sup>156</sup> Ibid

<sup>157</sup> William Bridgeman, HC Deb 14 March 1923, vol 161 cc1548-53

<sup>158</sup> Ibid.

<sup>159</sup> See Chapter 1 and the views of Gershom Stewart and Sir John Anderson.

argued, “It is laid down in the last Home Rule Act that the Irish Government has the power now, if it likes, after a certain number of years' residence in Ireland, to grant certificates to foreigners not of Irish, but of British citizenship, and they become the same as we are. I think the plea falls to the ground that people, because they happen to be resident in England, have some particular claim to English citizenship. These people have been mixing themselves up in the affairs of Ireland, and the Home Secretary was perfectly right to hand them over to the authorities in that country...”<sup>160</sup> Yet, it was the Conservative government’s (and Free State President Cosgrave’s) contention that these individuals were Irish citizens due to the very same classification of Irish citizenship in the Free State Constitution that Stewart references. Indeed, the classification became a convenient reason to hand the deportees over to the Free State government.

In addition, Stewart also mirrors some of the racialized language and “blood” used so frequently in the Treaty debates as he admonishes the deportees for making claims as British citizens. “I cannot follow this theory which has been laid down that it is a very dreadful thing to be deported to Ireland,” Stewart states, “especially for people with Irish blood in them who believe England is the last country in the world to live in.”<sup>161</sup> Not only does Stewart assert stereotypical assumptions about those with Irish “blood” and their feelings about England, he also fails to grasp why the deportees would not want to be imprisoned in Ireland (aside from the obvious claims

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<sup>160</sup> Gershom Stewart, HC Deb 19 March 1923, vol 161 cc2218-310

<sup>161</sup> Ibid.

about their innocence). The deportees (by and large anti-Treatyites) were taken into custody by the pro-Treaty Free State government in the midst of a civil war. The deportees feared for their lives because of the instability in Ireland and the fact that the government was executing enemies of the state.

Stewart channeled the subversive, “undesirables” language used against the Irish throughout the Treaty debates in his support of Bridgeman. Stewart stated, “I think the Home Secretary has got control of these men...So far from criticising the Home Secretary for what he has done, as a citizen I thank him very much for removing disturbing elements out of the country.”<sup>162</sup> Stewart’s reference to “disturbing elements” are reminiscent of his earlier statements in the Treaty debates where he voiced concern that the creation of Irish citizenship in the Free State could provide a portal through which subversive radicals could pose a threat to imperial security and gain access to the metropole. It is clear Stewart sees the deportees in this same light, though like everyone else in the House of Commons, he knew very little about those arrested aside from the very few details provided by Bridgeman. Stewart argued, “If he [Bridgeman] thought these people were dangerous, he was quite right to get rid of them, and it is far better to have them deported a day or two too early than a day or two too late.”<sup>163</sup> Stewart’s support of Bridgeman on those grounds demonstrates a bias towards Irish republicans as dangerous subversives which he had feared would use the Irish citizenship provision to disrupt the peace in Britain.

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<sup>162</sup> Ibid.

<sup>163</sup> Ibid.

Interestingly, in the case of the deportees, the exact opposite was happening: the Irish citizenship provision was used as a means and justification to remove “subversives” from Britain. Predictably, Stewart did not protest this point.

While Conservative MPs overwhelmingly supported Bridgeman and his decision to deport “dangerous” Irish “citizens” to the Free State, the Labour Party sought to defend the rights of the deportees and challenged the legality of the government’s actions. One of the many reasons that Labour MPs supported the deportees was that many of those arrested were from the working-class communities largely represented by Labour. Arguing in support of the deportees, Labour MPs claimed the arrested were working class British citizens, many of whom were born and raised in Britain. It is interesting to note that Labour MPs viewed this as a winning strategy that would resonate with their voters. While they may have been a tactic to embarrass the Conservatives, it also suggests that their constituents would view the deportees as members of their communities and not dangerous foreign elements.<sup>164</sup>

James Maxton, Labour MP from Glasgow, for example, counted several of the deportees as his constituents. In his criticism of the actions of the government, Maxton focused on his constituent’s British citizenship. Maxton, “asked the Under-Secretary to the Scottish Board of Health [Conservative Walter Elliot] if he was

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<sup>164</sup> As the following chapter will show this was not the case as residents of the industrial north (where most of these Labour MPs came from) turned on the Irish communities during the Depression years.

aware that James Hickey, Gallowgate, Glasgow, one of the men deported to Ireland on the night of Saturday, 10th March, is a native of Glasgow, the son of a Glasgow policeman, and that a prominent local clergyman is prepared to testify to his complete innocence of any connection with Irish rebel organisations, and if in view of these facts he will take immediate steps to restore this man to his home.”<sup>165</sup> Elliot reiterated the government’s position that each of the deportees received an Internment Order and were well within their rights to appeal to the Advisory Committee.<sup>166</sup> Maxton was dissatisfied with that answer: “Am I to understand that the onus for putting right an illegal act on the part of the Government rests on the victim and not on us?”<sup>167</sup> Indeed, the fact that the deportees were charged with presenting themselves in front of the Advisory Committee set up by Bridgeman angered many Labour MPs who were already enraged that their constituents were deported without trial. Maxton continued, “...this man, a citizen of my city, and most of these men who have been seized are citizens of my city, without the consent of the local police, but with the instruction of the English Home Office...I want to know if the Government are not going to admit their mistake and return this British-born citizen at once, without investigation and without an Advisory Committee?”<sup>168</sup> Maxton’s repeated use of the words “citizen of my city” and “British born” are in direct contrast to the language used by Conservatives and likely intentional for his defense of the deportees. One of the only ways the deportees could challenge the arrests and be

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<sup>165</sup> James Maxton, HC Deb 14 March 1923, vol 161 cc1548-53

<sup>166</sup> Ibid.

<sup>167</sup> Ibid.

<sup>168</sup> Ibid.



returned to Britain was to prove to Bridgeman's Advisory Committee they were not Irish citizens and were, indeed, citizens of their cities. This is not to say the deportees' claims were false, but rather that they (and the Labour MPs) were strategic with the language they used.

Other Labour MPs built on Maxton's claims of citizenship with rhetoric about the individual liberties and rights of their own constituents. George Buchanan of Glasgow told the House of Commons, "I think no subject is so important to this House as that of the liberty of each individual citizen."<sup>169</sup> Liberty, in his opinion, that had been stripped away by the deportations. Buchanan continued to chastise the Conservative government for its actions and position the Labour Party as the party willing to defend the individual rights of British citizens, "It is my business tonight, as representative of a constituency, to defend the liberties and rights of British citizens, and, speaking for the party to which I belong, so long as we have a voice, so long as we have strength contained within ourselves, we will not abate one jot, or one iota, but will always defend the right of the British citizen, and particularly the working people."<sup>170</sup> Buchanan raised a crucial point by appealing to the social class of those arrested, as might be expected from a Labour MP, as class figures greatly in Conservative conceptions of Irish "subversives" as well as being a useful (in terms of exclusionary practices) euphemism for "race". Buchanan pleaded his defense of the deportees along those lines, "Might I further submit that every one of the persons

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<sup>169</sup> George Buchanan, HC Deb 19 March 1923, vol 161 cc2218-310

<sup>170</sup> Ibid

arrested belongs to the working classes? If there had been a hundred landlords, or a hundred financiers, or a hundred legal luminaries, they never would have been arrested and treated in this fashion. They were arrested merely because they are working people and deported because the Government thought these people would not have the knowledge to defend themselves or have anybody to defend them.”<sup>171</sup>

Undoubtedly, there is truth in Buchanan’s remarks. Many of the deportees lacked the means to find adequate legal representation and the familiarity with the legal system to properly represent themselves. Moreover, as members of the working class, the deportees faced financial hardship and irreparable damage by being detained for two months, including lost wages, lost employment, and no one to feed their families.

Other than the Labour Party, very few MPs supported the deportees. One of the few was T.P. O’Connor of Liverpool, one of only three members of the Irish Nationalist Party still in the House of Commons and the only one outside of Northern Ireland. O’Connor’s defense of the deportees called upon the same language of citizenship used by Labour MPs, but, as an individual of Irish descent, he was uniquely positioned to question the rhetoric of “blood” used in the racialization of the Irish. In the House of Commons on March 19, 1923, O’Connor inquired, “May I ask whether a citizen of this country, born in this country and living all his or her life in this country, who happened to be of Irish or other blood but is actually a British subject, can be tried in Ireland for an offence alleged to have been committed in Ireland without previously having an extradition order given by a British court, a

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<sup>171</sup> Ibid.

court of the country in which he has been born and has lived?”<sup>172</sup> O’Connor’s question, though directly addressing the legality of the deportation, alludes to the possibility that they were racially motivated, or, at least, the individuals had less rights due to their Irish ancestry. O’Connor’s follow up statement addressed the issue more directly, “What is the matter with Irishmen? They do not seem to have the ordinary rights and liberties that British subjects have, wherever they may be. As men of the same race as myself who sit on these benches know, there are groups of Irishmen and Irishwomen in this country as ardent in their devotion to Ireland as any Irish people born in Ireland can be, but they were born in this country; their fathers, and in some cases even their grandfathers, were born in this country. Has it come to this, that, because I have some Irish blood in my veins through my remote ancestors, I stand on a lower level with regard to the guardianship of my liberties within the shores of England than a man who had a French father, or a German father, or an Italian father, or a Turkish father? That is an intolerable position against which I feel bound to protest.”<sup>173</sup> O’Connor’s protest over the treatment of the Irish in Britain strikes at a central theme throughout the cases examined in this dissertation. Not only were the Irish sometimes racialized in ways similar to those from non-white colonies, but they were also set apart from other white immigrants. O’Connor called attention to this by observing that the Irish had fewer liberties than those of French, German, or Italian descent. Furthermore, O’Connor is explicitly confronting the Conservative

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<sup>172</sup> T.P. O’Connor, HC Deb 19 March 1923 vol 161 cc2097-107

<sup>173</sup> T.P. O’Connor, HC Deb 19 March 1923 vol 161 cc2218-310

government for being complicit in facilitating the inequitable treatment of Irish-British subjects.

In his response to the Labour MPs and O'Connor, Bridgeman remained ambivalent about blood, place of birth, or communal ties, arguing instead that it was an extreme situation, so it was his duty to remove dangerous individuals in the interest of the safety of the Free State. Bridgeman stated, "There have been points made in the Debate tonight both about Irish-born and British-born among these deportees, and one side has been accused of dealing unfairly with the Irish-born, and the other with dealing unfairly with the British-born. But really the point of where they were born does not affect the question if they were engaged in attempting to disturb the security of the Free State in Ireland. It would be futile for a Government when taking emergency measures, as these are, for the preservation of public law and public order to draw any distinction between a dangerous Irishman born on this side of the Channel and a dangerous Irishman born on the other side of the Channel."<sup>174</sup> Yet, Bridgeman's central justification for deportation had been that the arrested were citizens of the Irish Free State and, therefore, should be dealt with by that country. So, in fact, where the deportees were born did matter if Bridgeman wanted to uphold that his actions were legal.

The House of Commons debates in the days following the deportation demonstrate the divide between political parties on the matter of Irish-British subjects. Labour took advantage of their gains in the parliamentary election of 1922

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<sup>174</sup> William Bridgeman, HC Deb 19 March 1923, vol 161 cc2218-310

and used their position as the opposition party to protest the actions of the Conservative government and defend the deportees on the grounds that they were British citizens whose individual rights and liberties had been violated. Dissatisfied with the responses they received from the Conservative government, the Labour Party sent two MPs to the Free State to investigate the situation, speak with the Free State Government, and check on the condition of the Irish prisoners. Their findings suggest that Bridgeman was not entirely forthcoming in his statements to the House of Commons and show a clear disconnect between how the Free State government and the British government viewed the situation.

#### The Labour Party Report on the Irish Deportations

On April 25th, 1923, a month and a half after the deportation, a deputation of Labour MPs went to visit Bridgeman in the House of Commons to clarify the situation surrounding the deportees. Two men in the deputation, Arthur Greenwood and John Muir, had recently returned from Dublin and had been tasked with writing a report for the Labour Party on their findings. One point the deputation brought up in the meeting with Bridgeman was the deportation of “persons who were ‘domiciled’ in England or Scotland” and that they should be returned to Britain, even if that meant interning them upon their arrival.<sup>175</sup> The deputation noted that Free State President William Cosgrave did not want to “keep any persons in custody in Dublin who were

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<sup>175</sup> “Home Office Meeting Notes, April 25th, 1923,” HO 144/3746, British National Archives (BNA).

not ‘citizens of the Free State’.”<sup>176</sup> Bridgeman replied that “both the expressions ‘domiciled’ and ‘citizens of the Free State’ are somewhat ambiguous in this connection.”<sup>177</sup> Bridgeman’s remarks could be read as an indication of the unresolved nature of classifications regarding Irish-British subjects following the Treaty—indeed this was commonplace as this chapter, and the ones that follow will argue. However, in Bridgeman’s case, it is more likely that he did not want to recognize the deportees as British citizens because doing so would be an admission of the illegality of his actions in ordering the deportations of British citizens.

John Muir and Arthur Greenwood were appointed by the Executive Committee of the Parliamentary Labour Party to travel to the Irish Free State and inquire about the circumstances surrounding the deportation. Though they were not allowed to see the prisoners, they did meet with President Cosgrave and other high-ranking officials within the Free State. The report compiled by Greenwood and Muir for the Labour Party provided valuable insight into the deportations including the perspective of the Free State government, the legality of the deportations, and the citizenship status of the prisoners. Furthermore, the report supplied the Labour Party with crucial information that the Conservative government was not entirely truthful in its actions and responses to the deportations.

The first part of the report concerns itself with the situation that led to the arrests. Similar to statements made by Bridgeman on the subject, the Free State

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<sup>176</sup> Ibid.

<sup>177</sup> Ibid.

government claimed there was a credible plot to overthrow the Free State by members of the ISDL in Britain.<sup>178</sup> The Free State Director of Intelligence read Muir and Greenwood a report, “which it was claimed that there was organised Republican activity in Britain with a military object.”<sup>179</sup> Though the ISDL was indeed a Republican organization, they had not planned or carried out an attack like this before, and most of their meetings were peaceful. Still, Muir and Greenwood reported, “President Cosgrave stated to us that the Free State Government drew a sharp line between political propaganda in favour of the Republican cause, which, he declared, was legitimate, and military preparations and assistance which the Free State must make every effort to suppress.”<sup>180</sup> Thus the Free State government felt it was warranted to arrest the individuals and provided the names and whereabouts to the British government.

The report also addressed the legality of the deportations, which was still very much in question in Britain. Though Bridgeman in the House of Commons maintained that he was acting under Regulation 14b of the Restoration of Order in Ireland Act, the Free State government reiterated that the ROIA was no longer in effect or law in Ireland. Muir and Greenwood concluded, “We have, therefore, the spectacle of the British Government acting under legislation which political and legal authority in Ireland regards as being inoperative in Ireland, though offences alleged

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<sup>178</sup> “Report on the Irish Deportations by J.W. Muir, M.P. and Arthur Greenwood, M.P.,” HO 144/3746, British National Archives (BNA).

<sup>179</sup> Ibid.

<sup>180</sup> Ibid.

are against the Irish Free State and the persons arrested are interned in Ireland.”<sup>181</sup>

The report granted that, at the very least, the civil war in the Irish Free State created a situation for the government which gave it certain powers to ensure the security of the state.<sup>182</sup> In fact, the Free State government had already detained over 10,000 individuals prior to the deportation. It was unclear to the Labour deputation investigating why the British government was even involved. The report stated, “As regards the British Government, it cannot claim that there is a state of war or armed insurrection, and it has used legislation for promoting order in Ireland, a responsibility which no longer rests with the British Government, but with the Free State Government.”<sup>183</sup> Muir and Greenwood therefore concluded that there was not a legal basis for the arrest and deportation of the Irish-British subjects.

Muir and Greenwood also inquired about what the Free State intended to do with the deportees. Back in the House of Commons, Labour MPs had posed several questions to Bridgeman inquiring why the deportees did not face trial in Britain and the possibility of when they would face trial in the Free State. Bridgeman had been evasive in his responses to those questions. As Muir and Greenwood discovered, the Free State did not intend to do anything with deportees except detain them. The report stated, “The Free State Government does not intend to do more than keep the internees in custody. It believes that it is breaking down the Republican resistance and that in a matter of a few months at the most it will be in a position to liberate the

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<sup>181</sup> Ibid.

<sup>182</sup> Ibid

<sup>183</sup> Ibid.



internees.”<sup>184</sup> In other words, Cosgrave provided the names for the British Home Secretary to arrest and deport 111 persons only to hold them until the end of the Irish Civil War, at which point he would release them. This frustrated Muir and Greenwood because they believed that detaining without trial violated the deportees' civil liberties. In their report, they called on the British government to produce the evidence used to arrest the deportees (which had not been produced thus far) and allow them to have a fair trial.<sup>185</sup> In the absence of a trial, it was clear that the quickest way for the deportees to be freed was to challenge the legality of their arrests in front of Bridgeman's Advisory Committee.

This raises the question of citizenship, as both the British and Free State governments claimed that those arrested were Irish citizens, which was another legal justification for interning the deportees in the Free State. Muir and Greenwood spoke to the Free State government about this issue, and they noted, “We were informed by President Cosgrave that the Free State Government presumed that all the deportees were Irish citizens. On our side we argued that in the case of many of the internees this could not be claimed.”<sup>186</sup> Muir and Greenwood noted the Free State constitution's definition of Irish citizenship (domicile for at least seven years) as not applicable to many of the deportees.<sup>187</sup> In fact, Muir and Greenwood were skeptical as to whether Cosgrave himself believed the individuals deported were Irish citizens by that definition. The report mentions an address given to the Dail by Cosgrave on

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<sup>184</sup> Ibid.

<sup>185</sup> Ibid.

<sup>186</sup> Ibid.

<sup>187</sup> Ibid.

March 20, 1923 where he stated, “The facts of the case are, there were certain citizens of ours –certain people about whose citizenship I am in some doubt, although I am presuming that they are citizens of the Saorstát –certain citizens who, I believe, in their own minds are in some doubt as to their citizenship or as to the country to which they belong, and those people got busy in England in a conspiracy to bring down this State.”<sup>188</sup> Cosgrave’s uncertainty is apparent in both his address to the Dail and his conversation with Muir and Greenwood. In both instances Cosgrave states that he “presumed” the deportees were Irish citizens. Meanwhile, Home Secretary Bridgeman had claimed that all the deportees were of “Irish origin” in his address to the House of Commons on March 13th, 1923. In the report, Muir and Greenwood cast doubt on Bridgeman’s claim due to the disconnect between the two governments on the subject and the claims from the deportees themselves. The report chastised Bridgeman for his oversight, “The British Home Secretary...has a direct responsibility for ascertaining the citizenship of the deportees and so far as we know he has not taken any steps to assure himself that the deportees are Irish citizens.”<sup>189</sup>

Regardless, the fact of the matter remained that the deportees were interned in the Free State, and it was the goal of Muir and Greenwood’s report to do whatever they could to assist the deportees. The report noted, “President Cosgrave’s attitude is that he presumed the Irish citizenship of the deportees and that the onus of disproving the assumption rests on the deportees.” Thus, rather than the deportees attempting to

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<sup>188</sup> Ibid.

<sup>189</sup> Ibid.

exonerate themselves (many were doubtful they would receive fair treatment from the Free State government even if they were allowed a trial), the deportees set out to disprove the claims that they were Irish citizens by asserting their status as British citizens.

### “Our Domiciles are in England”

In the days and weeks following their arrest and deportation, the deportees faced harsh conditions in Mountjoy Prison in Dublin and uncertainty about the future for themselves and their families back in Britain. The path forward was unclear as they did not know the Free State’s intentions, how long they would remain in custody, and what life they would be able to return to in Britain. The deportees were allowed to see solicitors and it is likely they were advised to challenge the legality of the arrests by proving they were not Irish citizens. Though under considerable duress, many of the deportees made strategic claims and represented themselves to the state as British citizens, focusing on their deep ties and contributions to their British communities. The following claims come from both the deportees’ appeals to the Advisory Committee while in prison as well as the Irish Deportees Compensation Tribunal following their release where the deportees successfully sued the British government for restitution.

On March 18, 1923, over two dozen of the prisoners grouped together in the “g” wing of Mountjoy Prison wrote a collective letter directly to the Secretary of State for Home Affairs in London challenging the legality of their arrest and deportation. While the letter did not deny some of the prisoners' involvement with ISDL, it maintained the legality of their meetings and reiterated the prisoners' ties to their British communities. “Many of the deportees were born in England,” they wrote, “One deportee at least has never been to Ireland until deported under your order. The vast majority have been residents in England for a considerable number of years, some all of their lives. Our domiciles are in England.”<sup>190</sup> As mentioned previously, under the terms of the constitution of the Irish Free State (1922), the deportees would not be considered citizens of the IFS, therefore their only course forward was to make claims as British citizens. As such, the deportees argued that as British citizens their rights were violated by being deported without a trial or any other legal proceeding.<sup>191</sup> The deportees thus sought to distance themselves from the charges of sedition against the Irish Free State and to represent themselves to the state as members of a British community.

While Irish political organizations within Britain sought to use the deportations to rally support and raise funds, the prisoners themselves questioned the reputed connections of some of the deportees to these organizations and even accused British officials of making baseless arrests because of “personal spite”.<sup>192</sup> “As in the

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<sup>190</sup> “Letter from “g” wing to Bridgeman, 18 March 1923,” TAOIS S2156, National Archives Ireland (NAI)

<sup>191</sup> Ibid.

<sup>192</sup> Ibid

case of other similar plots conceived and hatched in Scotland Yard,” they wrote, “some persons have been taken who have never had any connection with any Irish organization, whilst others have had a purely nominal connection.”<sup>193</sup> This claim was corroborated by some of the individual prisoners, such as Patrick Fleming of Liverpool who maintained that his only connection was taking part in charitable collections on behalf of the Council of Irish Societies, and J.M. Nance, who claimed his participation in a pipers band led to his arrest and deportation.<sup>194</sup> Fleming had the charges dropped against him several months later because the only evidence was that he shared a house with another deportee, his brother Daniel Fleming.<sup>195</sup>

The case of Arthur Fitzgerald O’Hara also shows hasty actions by Scotland Yard in their effort to nab subversive Irish individuals. O’Hara was a veteran who had fought with England during the First World War, was wounded in 1918, and finally discharged in 1919.<sup>196</sup> Following the war, O’Hara became a tailor’s fitter for the London Midland and Scottish Railway making a little more than £3 per week. He also ran his own tailoring business on the side, earning an additional £25 per year.<sup>197</sup> He lost both sources of income following his arrest and deportation to the Irish Free State. He was arrested for reportedly being overheard stating that he “desired to break the last link that held England and Ireland”, a claim he did not feel should be

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<sup>193</sup> Ibid.

<sup>194</sup> “Letter from Fleming to Bridgeman and Letter from Nance to Bridgeman 14 March 1923,” TAOIS S2156, National Archives Ireland (NAI)

<sup>195</sup> “One Defendant Discharged”, *Liverpool Echo*, 29 June 1923

<sup>196</sup> “Irish Deportee Defines Sedition”, *Leeds Mercury*, 15 January 1924

<sup>197</sup> Ibid

considered sedition.<sup>198</sup> During the compensation tribunal, he was asked what he considered sedition, and O’Hara replied that organizing and using force against England, not merely desiring to end the ties between the two countries.<sup>199</sup> According to O’Hara, this empty rhetoric was enough to prompt Scotland Yard and the Irish Free State to label him a threat to the peace and have him arrested. The arrest of O’Hara, Nance, and Fleming illustrate that Home Secretary Bridgeman was not diligent in checking the names given to him by the Free State as well as the citizenship status of the deportees. It also demonstrates the expeditious actions of the Free State as they desired to cut off support for the republican movement that refused to accept the compromised nature of Irish sovereignty following the Treaty.

There was at least one case where the deportee was not the intended target. In London, a 36-year-old schoolteacher by the name of Kathleen Brooks, born in Highgate to parents of Irish descent, was arrested because the Free State government believed that letters regarding Irish organizations addressed to a “Ms. M Brooks” were being delivered to the home where she lived with her siblings. In actuality, “Ms. M Brooks” could have referred to either her or her sister as both of them had Mary as a middle name. The arresting inspector insisted on seeing both of the women and, rather than wait for clarification, remarked, “One of you must come to the police station, I have a warrant for a Miss M Brooks and I must take one of you, I don’t care a damn which.”<sup>200</sup> Since the inspector insisted on taking one of the sisters, Brooks

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<sup>198</sup> Ibid

<sup>199</sup> Ibid.

<sup>200</sup> “Early Morning Arrest,” Mss 21,937, National Library of Ireland (NLI)

volunteered (thinking they just wanted to question her) because her sister was in poor health.<sup>201</sup> Brooks was taken to Mountjoy Prison along with the other deportees for over a month. Afterward, she was transferred to Holloway Prison and remained there another month before her eventual release on May 28th, 1923. Upon release, Brooks was unable to return to her teaching position and lost several months of wages.

Brooks brought her case before the Irish Deportees' Compensation Tribunal in October of 1923. Seeking £1000 in restitution, Kathleen claimed that neither she nor her sister had any connection to Irish Republicanism and her arrest stemmed from false information that her residence was a clearinghouse for the IRA.<sup>202</sup> No evidence ever materialized to suggest that this was indeed the case, except for the alleged letters addressed to a "Miss M Brooks". With no obvious ties to seditious activity, Kathleen was never charged with a crime, though her life and her ability to make a living were deeply altered by her detainment. Unable to return to work, she requested that the Tribunal alleviate some of her financial strain. The government admitted that Kathleen's deportation was illegal and carried out harshly, yet they only offered her £100 for her troubles.<sup>203</sup>

The case of Kathleen Brooks, like O'Hara and Nance, in many ways illustrates the quick and careless way the deportations were carried out. The Free State, in its urgent desire to contain the anti-Treaty movement, demonstrated a growing indifference towards evidence and due process, as can often happen in times

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<sup>201</sup> "Compensation Claimed for Wrongful Arrest", *Liverpool Echo*, 15 October 1923.

<sup>202</sup> "Counsels Tale of Horror", *Daily Herald*, 16 October 1923.

<sup>203</sup> "Early Morning Arrest," Mss 21,937, National Library of Ireland (NLI)

of war or national emergency. Scotland Yard shared this reckless approach, perhaps to root out “subversive” Irish subjects regardless of any crimes. Nevertheless, the state's actions on both sides caused lasting damage to the deportees, a point that neither the British nor Free State government seemed to consider.

Although the individual letters of appeal to the advisory committee sought to claim innocence of seditious activities and crimes, they also demonstrate how the deportees planned their defense around representing themselves to the state as British citizens. Although the deportees’ claims were strategic, professed under stress, and from a highly unequal position, they provide insight into the lives of the deportees and their contributions to their communities. As such, amongst the deportees claiming British citizenship, different strategies were used to argue against deportation or demonstrate unjust injury to their lives and livelihoods. These strategies provide an indication of what the deportees thought were compelling arguments and claims in the moment as well as of the variety of social bonds and economic activities that structured their daily lives in Britain.

John Martin, for instance, wrote that he was born in Liverpool in 1897 and lived there all of his life—save for several years during which he served in the British Army during WWI—and thinks, “it is very bad to be robbed of my liberty for no apparent reason.”<sup>204</sup> Martin also claimed that his business in Liverpool was just beginning when he was arrested and it “will go to pieces” if he is not released from

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<sup>204</sup> “Letter from Martin to Bridgeman, 13 March 1923,” TAOIS S2156, National Archives Ireland (NLI)



prison.<sup>205</sup> Finally, Martin shared the sentiment of many of his fellow prisoners by expressing confusion as to why he was deported to the Free State, a place that was fairly foreign to him. "I fail to see what any other government other than the British Government has to do with me," he wrote, "as I have never lived under any others."<sup>206</sup> Martin linked his place of birth, "liberty," and government as an integral part of his claim as a British citizen, in much the same way as the Labour MPs linked "liberty" with citizenship in their defense of the deportees.

Other deportees emphasized their contributions to their local community of domicile (and by extension, England) as a strategy. Frank Smyth, for example, another Liverpoolian, was a secondary school teacher at St. Edward's College and alleged that his arrest was causing a considerable amount of stress to him and his students. Smyth writes, "my continued detention will keep a number of English boys from the benefits of full secondary school education and deprive me of my sole means of living if carried over a certain period of time."<sup>207</sup> Indeed, Smyth did lose his employment as a result of his arrest and detention in Mountjoy Prison which lasted more than two months. In a special tribunal held to hear deportees' claims, Smyth sought £ 1500 and special damages because he lost his position at St. Edward's and was unable to find another appointment. Moreover, Smyth had a

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<sup>205</sup> Ibid

<sup>206</sup> Ibid

<sup>207</sup> "Smyth Letter to Bridgeman, 13 March 1923," TAOIS S2156, National Archives Ireland (NAI)

tuberculous knee before his arrest and his treatment in Mountjoy worsened his condition, resulting in a joint removal that left him disabled.<sup>208</sup>

Similarly, Richard Leahy argued that, as a schoolmaster of over twenty-two years at St. Anne's School in Liverpool, his arrest threatened to cause damage to his stellar reputation in the school and tarnish his prospects in his community.<sup>209</sup> Leahy maintained his claim of wrongful arrest months later while seeking £2,500 in damages from the Irish Deportees' Compensation Tribunal.<sup>210</sup> Leahy was not completely unaffiliated with Irish organizations in England, but maintained his connection was nominal and not seditious. For several years prior to the Anglo-Irish Treaty, Leahy worked with a local branch of the ISDL raising money for railway strikers in Ireland, though after the Treaty the branch disbanded.<sup>211</sup> Leahy, who had lost his job following deportation, also claimed that his imprisonment had caused severe health issues that made finding employment difficult.<sup>212</sup>

The cases of Smyth and Leahy indicate the lasting impact the arrest and deportation had on the lives of those affected. Both had secure positions as educators within their community terminated by their legal troubles and both claimed existing health problems were made worse by their time in Mountjoy, affecting their ability to secure another position. However, by placing their professions (and, specifically the education of English children) at the forefront of their appeals, Smyth and Leahy

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<sup>208</sup> "Lost Situation", *Daily Herald*, 15 January 1924

<sup>209</sup> "Leahy Letter to Bridgeman, 13 March 1923," TAOIS S2156, National Archives Ireland (NAI)

<sup>210</sup> "Irish Deportees", *Derby Daily Telegraph*, 01 December 1923

<sup>211</sup> *Ibid*

<sup>212</sup> *Ibid*.

emphasized their contribution to the communities to which they belonged which was in danger of becoming irrevocably damaged. They claimed that by removing them from their positions and rupturing social ties, the government not only harmed them unjustly but also harmed the community and England.

Deportees from the lower classes used a slightly different strategy in their defense. Several of the deportees were laborers in a variety of working-class occupations who instead made claims based on their longevity within Britain and the establishment of families who depended on their income. John Byrne, for instance, was a thirty-five-year-old laborer born and raised in Liverpool. Aside from vehemently denying any of the charges of his arrest, his central concern was that his detainment would cause his wife and two children to become chargeable to the poor law.<sup>213</sup> This was a concern shared by John Curtin and Patrick Fleming, two lifelong Liverpoolians, whose families were dependent upon their wages to survive.<sup>214</sup> Both separately asserted that their arrests stemmed from charitable work to raise money for distressed workers in the Free State and Belfast, actions they felt should not be misconstrued as republican activity.<sup>215</sup>

While financial hardships figured crucial to appeals from the deportees, it seems that damage to one's reputation within the community was a common and devastating result. After all, many of the deportees lived their whole lives in England, had integral communal ties to their localities, and developed a sense of civic

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<sup>213</sup> "Byrne Letter," TAOIS S2156, National Archives Ireland (NAI)

<sup>214</sup> "Curtin Letter," TAOIS S2156, National Archives Ireland (NAI)

<sup>215</sup> "Fleming Letter," TAOIS S2156, National Archives Ireland (NAI)

identity separate from their Irish heritage. The stigma of an arrest and charges of Republican activity threatened to unravel decades worth of building up these relationships. For instance, Margaret Leonard of Liverpool and her husband ran a boarding house for several years on Carisbrooke Road which suffered greatly following her arrest and was subsequently closed.<sup>216</sup> Furthermore, at the time of her deportation, Mrs. Leonard was in the process of attempting to obtain a position as a schoolmistress. Due to the damage to her reputation, Mrs. Leonard failed to acquire employment at the school and lost her sole means of income after the boarding house closed down.<sup>217</sup> Mrs. Leonard was believed to have connections to Cumann na mBan, a Republican women's organization banned in the Irish Free State following the Treaty, though she maintained that her only connection was raising funds for individuals in Ireland coming out of prison.<sup>218</sup> Though Mrs. Leonard was released and never charged with conspiracy, her reputation was irrevocably damaged.

P.J. Cusack of Liverpool who, before his arrest, spent a great deal of time building up his client base and earning a reputation as a master window cleaner within his community was equally devastated by his deportation. A large part of his reputation was that he was hard-working and reliable, reportedly never taking a sick day since he was nineteen.<sup>219</sup> His detainment for over eleven weeks, however, effectively ended his business and made it difficult to regain his former clients. As a self-employed individual, much of Cusack's business was built on his character and

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<sup>216</sup> "Sad Case of Teacher at a College", *Daily Herald*, 15 January 1924.

<sup>217</sup> "Lost Position as School Mistress", *Hartlepool Northern Daily*, 14 January 1924.

<sup>218</sup> *Ibid.*

<sup>219</sup> "Claimant's Evidence", *Freeman's Journal*, 15 January 1924.

reputation. By January of 1924, Cusack was, “afraid to approach some of his old customers because they regarded him as a murderer, a bomb thrower, and a man who would burn down houses.”<sup>220</sup> The shame and stigma of his arrest, though innocent, did incalculable harm to his ability to earn a living.

The unfortunate circumstances which ensnared the Leonards and Cusack and the fallout from their prolonged detainment showcase the large impact some of the deportees had within their communities. Rather than identifying solely with their Irish brethren, these individuals were deeply interwoven within their British communities both as a means of creating meaningful ties with their neighbors and as a necessity for their businesses. Both the Leonards and Cusack discovered that even though they lay claim to a deep-rooted British civic identity, a tangential relationship with an Irish organization was enough to undo years of integration.

Women deportees, meanwhile, though fewer in numbers, used a slightly different strategy to represent themselves to the state. Much like their male counterparts, women deportees claimed to be innocent of republican activity, told tales of hardship following their arrest, made claims of belonging based on civic ties, and brought their cases before the Irish Deportees’ Compensation Tribunal to seek restitution from the British government. However, unlike male deportees, some women focused their appeals on the shock and trauma of their arrests and the filthy and horrifying conditions of the Irish prisons. There were conflicting accounts of the

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<sup>220</sup> “Irish Deportee Defines Seditious”, *Leeds Mercury*, 15 January 1924.

circumstances in the prison, and there is some evidence to suggest that some of the deportees were embellishing their stories to curry favor with the Tribunal.

Regardless, the way that some of the women deportees represented their cases to the state shows how gender shaped the way they thought they could make effective claims. The men could cast themselves as hardworking responsible heads of households, whereas the women essentially charged the state with failing to allow them the conditions to maintain proper feminine respectability.

During the Irish Deportees' Compensation Tribunal, women claimants described harrowing scenes of terror at Mountjoy Prison. Upon arrival, the women allegedly had their possessions and money confiscated as they were shuffled into overcrowded cells.<sup>221</sup> The legal counselor, Merriman, representing many of the women deportees stated, "During the whole of the time these ladies were at Mountjoy they were subjected to distress and terror of ceaseless firing on the part of the soldiers guarding the prison."<sup>222</sup> This, in turn, led to sleepless nights and a heightened level of anxiety for the prisoners. Merriman recounted another scene where the deputy governor entered the women's cell with eight armed guards and verbally abused the women as they were lying on the floor of their cell. Merriman stated "Torches were flashed and revolvers were brandished in the women's faces, and generally there was a terrible scene. The women were locked in until the next morning."<sup>223</sup> This only exacerbated an already tense situation. Finally, Merriman conceded that although the

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<sup>221</sup> "Irish Deportees' Compensation Tribunal," Mss 21,937, National Library of Ireland (NLI).

<sup>222</sup> Ibid.

<sup>223</sup> Ibid.

Home Office and the British Government were likely unaware of the conditions in Mountjoy, they should still take responsibility for what transpired there.<sup>224</sup>

The account of Miss Maria Killen appears to confirm Merriman's assessment of the scene in Mountjoy. In her testimony, Killen described physical abuse and baiting by the soldiers in charge of guarding their cells. Killen recalled one instance where she witnessed a fellow deportee, Miss McDermott, beaten about the head and torso with her own shoes and then kneed in the stomach.<sup>225</sup> In another instance, Killen described being verbally taunted by the soldiers in order to get the women to respond. According to Killen, when the women kept quiet, the soldiers took to throwing items such as rags, brushes, and soap through the cell door, eventually bringing down one of the gas lights on another woman's head.<sup>226</sup>

In addition to the terror allegedly experienced by the women deportees, a variety of complaints were registered over the unsanitary and dangerous conditions in the prison. These issues were raised by the women deportees during the Tribunal who made reference to the filthy, crowded conditions of the cells, little to no edible food, scarce access to medical care, and blankets so damp and moldy that they had to be dried on the hot water pipes in order to be used at all.<sup>227</sup> The prison governor and guards apparently did little to mitigate these circumstances, and it was not until many of the women were transferred to another prison that they claim they saw sanitary conditions improve.

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<sup>224</sup> Ibid.

<sup>225</sup> "Women Deportees Relate their Experience," Mss 21,937, National Library of Ireland (NLI)

<sup>226</sup> Ibid.

<sup>227</sup> "Women Shut up in Cells", *Yorkshire Evening Post*, 16 October 1923.

During the Compensation Tribunal, Attorney General Hogg questioned the validity of the claims that the women faced such conditions at Mountjoy. However, as MPs were not allowed to visit the deportees in Mountjoy, the only information the Tribunal had about the conditions there were the testimony of these women and claims from the Free State government that the conditions were satisfactory. In order to refute the claims from the women deportees, the Attorney General pointed towards a letter composed by Kathleen Brooks, the schoolteacher from Liverpool who was arrested as “Ms. M Brooks” and whose testimony was instrumental in detailing conditions in Mountjoy, shortly after her transfer to Holloway Prison. She wrote, “At Mountjoy, we had classes in Irish and we saw the whole crowd and kept jolly and smiling, but there are only two of us here tonight.”<sup>228</sup> The Attorney General viewed this letter as contradictory to her testimony that conditions in Mountjoy were deplorable. He remarked, “Apparently you rather resented being removed from Mountjoy...When you wrote that letter did you think Mountjoy was such a terrible place as today you say it was?”<sup>229</sup> Brooks replied that she was lonely at Holloway and that was why she wrote that letter. In this case, both could be true. Conditions could have been poor, and Brooks could have also found solace with her fellow female prisoners.

There is a complex relationship between the women deportees actual experiences and the types of contextually specific claims they are making to the state.

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<sup>228</sup> “Letter from Kathleen Brooks”, Mss 21,937, National Library of Ireland (NLI).

<sup>229</sup> Ibid.



While the truth about the conditions in Mountjoy may never be known, the contest over how women represented what happened was strategic in itself. Their male counterparts rarely mentioned the conditions in prison and instead focused on a loss of employment and damaged character. Perhaps the female deportees felt that as women claims of missed wages, their civic ties, or a sullied reputation would not have as great of an impact in court as taking a gendered approach based on conditions that had the potential to damage their “delicate sensibilities.” The press felt so too. Newspapers ran headlines that sensationalized the alleged conditions such as, “Shameful Story of Treatment” and “Further Stories of Suffering”, while the articles themselves only casually mention the woman’s profession or position within their communities.<sup>230</sup> Since the first-hand accounts of the women prisoners are the only evidence of the conditions in Mountjoy, it is difficult to state what actually happened. However, the courts did not seem moved by their testimony because, while they were never charged with a crime and cleared of charges, the women deportees received only a fraction of the restitution they asked from the Tribunal. Taken collectively, the letters of appeal from the deportees in Mountjoy Prison and the subsequent claim hearings at the Tribunal show there was a variety of strategies employed by the deportees as they struggled to represent their cases to the British government. Yet, despite the differences in the appeals, they all highlighted the severing of well-established connections to their communities as a common factor.

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<sup>230</sup> Ibid.

Though the deportees were released after over two months in prison and returned to Britain, that gave very few of the deportees comfort as lasting damage had been done both financially and socially. The House of Lords eventually ruled the deportations illegal, and the deportees successfully sued the government for restitution, but the small amount received could not repair the fact that the arrest and deportation broke their ties to their home communities. Most were members of these communities by birth or long-term residence with dense social ties and had no connection to the Irish Free State or the negotiations that established the conditions that led to the Free State government and the British Home Secretary to feel legally assured that their actions were right. Yet, they were deported there all the same. The deportees struggle to represent themselves as British citizens with varying degrees of success and their eventual return to Britain may have been a small victory, but their lives would not be the same. The action of both the Irish Free State and British government needlessly damaged the lives of over one hundred Irish-British subjects in Britain.

### Conclusion

The extreme nature of the deportee case begs the question of how it transpired in the first place. One possible interpretation lies in the relationship between Bridgeman and Cosgrave. Neither were very committal in their responses to questions regarding the deportations, and both seemed evasive about the citizenship

status of the deportees. It is likely that because it was nearing the end of the Irish Civil War, Cosgrave asked the British Government (who had been financially and militarily supporting the Pro-Treaty side) help to detain people in Britain thought to pose a threat to the Free State or who might turn the balance of the war towards the anti-Treaty side, as the evidence suggests. Neither Bridgeman nor Cosgrave took the pains to determine if the deportees were Irish citizens or not. Bridgeman claimed he did, but he clearly did not as the tribunal later showed. Bridgeman's use of the ROIA as his one legal shield shows that he clearly sought legal advice and he thought he could use it to justify the deportations. Cosgrave likely knew this, though he claims that the ROIA was no longer law in the Free State. The fact that the arrests were made in the middle of the night and the prisoners deported immediately suggests that Bridgeman and Cosgrave were operating in secrecy. Moreover, there were benefits for both parties involved. Cosgrave was able to neutralize a potential threat to the pro-Treaty cause for several months so he could win the civil war and Bridgeman was able to remove a "dangerous element" from Britain. Regardless of how the deportations happened, though, this event tells us far more about the precariousness of the Irish in Britain in the 1920s.

The story of the 1923 Irish Deportees occurs just over a year after the debates on the Anglo-Irish Treaty and provides an excellent example of the unresolved nature and ambiguity of political categories with the establishment of the Irish Free State. The event was the first test to classifications might impact people in real life, as 111 individuals were caught in the middle. As this chapter has demonstrated, there were

several factors that influenced how the Irish were represented both by the respective governments of the Free State and Britain and by themselves, including the recent history of the liberation struggle, the history of anti-Irish racism in Britain, and the backdrop of the Irish Civil War. Though most of the deportees were born in Britain, the Conservative government behind the deportations viewed them as permanent immigrants. This foreshadows the predicament of Black and Asian migrants and their British-born children in the postwar era.

While this chapter has demonstrated a continuity of sorts with how the Irish were represented –such as the racialized language of “subversives” and “outsiders” used by Conservative MPs –there have been new representations as well, with the Labour party defending the deportees as working-class British “citizens” whose civil liberties were being violated by the government. While Labour may have felt this was a great strategy to attack the Tories, most of their constituents (mainly in the industrial north) almost assuredly did not share their views on the Irish in their communities, especially during an economic crisis. The following chapter explores how these communities, and the state represented the Irish as multiple industrial areas of Britain’s north claimed to be “flooded with outsiders” during the depression years.

## **“Undesirable Characters”: The Perception of the Irish as ‘Aliens’ during the Depressions Years**

### **Introduction**

In January of 1932, Jean Dandridge wrote a letter to her MP complaining about an influx of Irish migrants in her area. It read:

For some time past I have been thinking that I would like to draw your attention to a matter concerning the employment of Irishmen in this country.

I employ an Irish Cook-General from the Irish Free State. I have learned that a brother of hers, who was out of work for over a year, was able to come to England last July to seek for work. Within a week he was engaged as a bar tender with a firm in Old Kent Road, and with him is also working another Irishman. Not content with that, both approached Scotland Yard for positions in the London Police Force...

...I am afraid I feel very strongly in this matter, especially if one considers how not long ago Ireland went to war to procure her independence from England. The great loss of life and expense that this caused England, I am afraid has already been forgotten, but I do think we have now sufficient grounds to treat these Irishmen as aliens... We pay duty on goods entering the Irish Free State. Why should we be dumped with their unemployed? Not long ago I read that Ireland was distressed at the prospect of the thousands of Irish returning from America. If no ban is put on them, one can well imagine Ireland will soon find another home for her unemployed if they are allowed to enter here and procure work so easily...

...Does it not seem unfair that these men should be allowed to come to England and procure work, and probably the dole after a few months, when so many of our men are tramping the streets and money is short for dole?"<sup>231</sup>

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<sup>231</sup> "Letter from Jean Dandridge to E.T. Campbell, 16 January 1932," HO 45/14635, British National Archives (BNA).

Mrs. Dandridge, though one individual, represents a common viewpoint with regard to the presence of Irish migrants in the U.K. during the 1920s and 1930s. Though anecdotal, speculative, and motivated by prejudice against the Irish, her letter made it all the way to the Home Office as evidence of a growing problem in the U.K. that many government ministries agreed needed to be addressed. Much like others (including government officials) who shared her attitude towards Irish migration, Dandridge does not substantiate her claims with evidence of Irish poor law delinquency nor take into account U.K. policies that contributed to unemployment and poverty. Dandridge's letter also references her perception of the Irish as foreign "aliens", despite the fact that they are British subjects, and places her complaints within the context of the depression. Her letter (as well as this chapter) demonstrates the darker, xenophobic side of this historical moment rather than the romanticized version of working-class resilience and protest during the 'Hungry '30s'. Yet, her letter was not the first instance of an individual or group calling for the banning or repatriating of Irish-born British subjects in the U.K.

Beginning in 1926 and extending well into the 1930s, Southern Scotland, Manchester, and areas of Merseyside County (including Liverpool) frequently reported being "flooded with outsiders" and "undesirable characters" from the Irish Free State who were thought to be taking jobs that should have gone to locals or who became chargeable to the poor law. This led to multiple calls by local governments and ministry officials for Britain to repatriate individuals to Ireland to save employment and poor law benefits for British subjects born within the U.K.

Drawing on a series of correspondence, immigration data, reports, and articles from several British government ministries, this chapter explores several attempts to solve the issue of Irish migration to the industrial hubs of Northern Britain from 1926 to 1932. It examines these calls for repatriation within the context of Irish migration to Britain in the interwar period and dominion migration more broadly, including the multiple tests to the policy of free movement within the Empire. The claims of Irish delinquency by locals were motivated by unsubstantiated conjecture and prejudices against the Irish, as the data did not support their allegations. The debates and multiple attempts to legislate a solution demonstrate that many of the issues relating to economic hardship and poor law delinquency in the North were due to policies enacted by the U.K., such as industrial transference and the active recruitment of certain classes of migrant workers. Finally, this chapter views these events as part of a broader interwar process of the U.K. attempting to discriminate between different classes of British subjects, including the Irish, without appearing to do so, while simultaneously being reluctant to define British nationality or citizenship. Political categories of British subjects remained ambiguous through the interwar period, and the open-ended, flexible nature of "nationality" allowed the state to alternatively claim and dispense with marginalized groups depending on needs and circumstances.

This chapter uses this set of episodes as a window into how and why the Irish were racialized in Britain during the depression years using coded language buried within the words "undesirables" and "outsiders." Though Jean Dandridge's letter draws on political security threats and views the Irish as "subversives," much like

Conservative MPs in the first two chapters, this was no longer the prevailing opinion of the British state. The state instead represents the Irish throughout these calls for repatriation in terms of labor, class, and poverty, though still under the coded language of race.<sup>232</sup> Thus this chapter demonstrates a shift in the language used to exclude the Irish in Britain, while simultaneously showing continuity in popular racialized conceptions of the Irish. As Robbie Shilliam has argued, the British “welfare state” in the early twentieth century began differentiating between those considered skilled workers and the “urban residuum” while racializing “those deserving and undeserving of social security and welfare.”<sup>233</sup> However, Shilliam’s primary focus is on non-white British subjects. This chapter contends that this argument should be extended to the Irish who were also archetypes and targets for this type of rhetoric.

The events in this chapter occur within the context of a tumultuous period of labor unrest in Britain throughout the 1920s, including race riots, strikes, and a global economic depression. During WWI, workers from throughout the Empire (including thousands of black seamen) came to Britain in record numbers to work in various wartime industries.<sup>234</sup> Following the war, thousands remained in Britain though

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<sup>232</sup> As explained in Chapter 1, Joseph Chamberlain argued in 1902 that, “It is not because a man is of a different colour from ourselves that he is necessarily an undesirable immigrant, but it is because he is dirty, or he is immoral, or he is a pauper, or he has some other objection which can be defined in an Act of Parliament, and in which the exclusion can be managed with regard to all those whom you really desire to exclude.” Colonial Conference. 1902. Papers Relating to a Conference between the Secretary of State for the Colonies and the Prime Ministers of Self-Governing Colonies.

<sup>233</sup> Robbie Shilliam, *Race and the Undeserving Poor: From Abolition to Brexit*. (Newcastle upon Tyne, U.K.: Agenda Publishing, 2018), 57.

<sup>234</sup> Susan Kingsley Kent, *A New History of Britain Since 1688: Four Nations and an Empire* (Oxford: Oxford University Press 2017), 370-371.



prospects for employment, especially in industrial and port cities, drastically declined. In addition, widespread inflation, demobilization, and closing factories fueled local racism, especially in the industrial north. This led to outbursts of violence between black and white workers and the institution of laws prohibiting certain classes of non-white migrant workers.<sup>235</sup> Laura Tabili has argued that the highly contested nature of race relations in the interwar period featured non-white colonials seeking to make claims and assert their rights as British subjects while at the same time Britain attempted to redefine Britishness in white terms. However, as this chapter demonstrates, this did not include the Irish. Moreover, the events of this chapter take place primarily in the industrial north—the areas hardest hit during the economic depression and where coal production and manufacturing jobs became increasingly scarce which only exacerbated xenophobic tension.

Finally, this chapter draws out the critical differences between how the economic depression was felt more acutely in Britain's industrial north vis a vis London regarding economic and racial disparities. Liverpool, for instance, was an important port town from its place as the center of the British slave trade through industrialization and beyond. As such, before the 1920s there was already an established interracial community in Liverpool, as was the case for many British

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<sup>235</sup> Ibid, 368-369. As Kent argues, "British authorities implemented the Coloured Alien Seaman Act in 1925, which enabled local governments to prevent black seamen, including British black seamen, from entering their ports. For more on the 1919 Race Riots, see Laura Tabili, *"We ask for British justice": workers and racial difference in late imperial Britain*. (Ithaca: Cornell Univ. Pr., 1994). See also Jacqueline Jenkinson, *Black 1919: Riots, Racism, and Resistance in Imperial Britain* (Liverpool University Press, 2009) and Nadine El-Enany, *Bordering Britain: Law, Race and Empire*, (Manchester: Manchester University Press, 2020)

cities. Liverpool was also home to a large Irish Catholic population, one of the largest outside of Ireland. As Charlotte Wildman has argued “Scotland Road, the area between the port district and the city centre, was home to a large Irish Catholic population and epitomized ‘squalid Liverpool’ ...it remained a site of great poverty and unemployment in the interwar period.”<sup>236</sup> Moreover, Liverpool (and Manchester) were sites of increasing anti-Irish and anti-Catholic hatred during the interwar period, fueled by early 1920s IRA attacks in Manchester and the economic hardship brought on by the depression.<sup>237</sup>

Following WWI and throughout the economic depression of the 1920s and 1930s, the demand for manufacturing, maritime, and coal labor declined severely in the industrial north. The economic and social tension brought about by high unemployment rates drove “native” Britons to lash out against their black and Irish neighbors whom they viewed as “outsiders,” with the former experiencing high levels of violence. This chapter views the events surrounding calls for Irish repatriation through this lens, as times of economic hardship often drive individuals (and in this case the state as well) to be motivated by prejudices against those viewed as “undesirables.” The class, character, and national status of the Irish population in the north were called into question by the government and civil society, representing a continuation of the unresolved nature of their political status and right to domicile in Britain following the formation of the Irish Free State.

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<sup>236</sup> Charlotte Wildman, *Urban Redevelopment and Modernity in Liverpool and Manchester, 1918-1939*, (London: Bloomsbury Academic, 2016), 29.

<sup>237</sup> *Ibid.*, 170.

The initial request to deal with supposedly-delinquent Irish migrant workers (though clearly not the first instance of Irish migration inquiries more broadly) occurred in 1926 when Scottish Poor Law Authorities, the Association of Poor Law Unions, and the Under-Secretary of State in Scotland wrote to Home Secretary William Joynson-Hicks and Neville Chamberlain (then Minister of Health) to raise awareness of the perceived problem and to begin discussing possible solutions. In 1928, a large-scale inquiry over several ministries took place to determine the scope of the problem or whether there was a problem at all.

The debate over Irish migrants highlighted the inherent contradictions and the tension created by British immigration policy in the 1920s and 1930s as the state tried to grapple with the crippling economic depression, an influx of non-white British subjects, and the presumed Irish migrant problem, all without a clear definition of nationality or citizenship. In the case of black migration and racial tension in British port cities, the state passed the Coloured Alien Seaman Order of 1925 as a means of addressing the issue after several calls for the repatriation of colonial blacks (and even British-born blacks) in Liverpool and other port cities of the north.<sup>238</sup> As the 1925 order provided a means to effectively prevent black seamen from entering British ports, the state proposed similar legislation to address the Irish immigration problem, as this chapter explores. However, this endeavor would prove to be much more difficult logistically for the state to implement, so the state considered the idea of repatriating delinquent or impoverished Irish-British subjects.

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<sup>238</sup> Kent, 369

## The Perception of Excessive Migration in 1926

On February 27th, 1926, Hubert Davey, Secretary of the Association of Poor Law Unions, wrote to the Ministry of Health to draw attention to the perceived problem and, given the ambiguity of Irish migrants' status as subjects, discover what statutes were in place to mitigate migration. Davey writes, "I am desired by my Executive Council to inform you that their attention has been called to the fact that persons of Irish Free State Nationality frequently become chargeable to Poor Law Authorities at important Ports of England and Scotland and that no power at present exists to repatriate such persons."<sup>239</sup> In this passage, the use of language by Davey is fascinating as he refers to the migrants as "persons of Irish Free State Nationality." This only added to the confusion over Irish migrant status within Britain, whether this was intentional or not. Davey appears to be associating nationality with identity and, perhaps by extension, belonging; bifurcating nationality and the status of British subjects, which allowed for free flow within the empire. By associating Irish migrants with their Free State Nationality, the assumption is that they belong in the Free State, further solidifying their status as "aliens."

Davey's language even drew a response from the secretary at the Home Office, who sought clarity from the Ministry of Health as to what he meant. The secretary replied, "I am to add that the Secretary of State understands the expression

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<sup>239</sup> "Letter from Hubert Davey to Ministry of Health," HO 45/14634, British National Archives (BNA).

‘persons of Irish Free State Nationality’, which is used in the first paragraph of the letter addressed to your department by the Association of Poor Law Unions on 27th February last, to mean British subjects by birth in His Majesty’s dominions who now are citizens of the Irish Free State.”<sup>240</sup> The question of the nationality of subjects from the Irish Free State and, by extension, the right to domicile in Britain emerged out of the Anglo-Irish Treaty debates in 1921 (explored earlier in this dissertation). As an earlier case of decolonization, there was uncertainty regarding how to define subjects from the Irish Free State and what rights they should have, hence Davey’s comment.

Hubert Davey’s initial request also suggested that the solution to the problem could and should be reached in collaboration with the Irish Free State. This would be a common point in future debates around this subject, whether the Free State agreed that there was a problem or not, as reciprocal arrangements between the U.K. and the Free State did not exist in 1926. Davey states, “My Council has been in communication with the Scottish Poor Law Authorities on this subject with the result that there appears to be general agreement in favour of reciprocal legislation with the Irish Free State being promoted so that repatriations may be legalised in cases where Natives of England and Scotland became chargeable in the Irish Free State or vice versa.”<sup>241</sup> Though Davey mentions that the Free State would be able to repatriate delinquent English and Scots in this arrangement, there is no indication that was an issue in the Free State. In fact, given the high rates of unemployment and poverty in

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<sup>240</sup> Ibid.

<sup>241</sup> Ibid

the Free State during the 1920s, very few laborers were emigrating to the Free State. More likely, a reciprocal arrangement would have given free license to U.K. authorities to deport any Irish they deemed delinquent, as that was not possible under existing laws. In this sense, the absence of a reciprocal arrangement or any statute allowing for repatriation greatly favored the Free State and Irish migrants who could move freely between the Free State and the U.K.

Indeed, the Free State was not anxious to receive the poor Irish from the U.K. and quelled any talks about a reciprocal relationship regarding immigration. In April of 1926, the Attorney General of the Free State, John Costello, was made aware by the executive council that the Bristol Poor Law Guardians were attempting to repatriate Irishman Francis James Clegg and his family and charge the Irish Free State for the removal.<sup>242</sup> The Bristol Guardians had claimed that repatriation was legal under the Poor Removal Act of 1900.<sup>243</sup> As this was the first case where a local authority in Britain attempted to use the Poor Removal Act to repatriate Irish immigrants, the Free State was concerned that if they acquiesced it would set a precedent for other British local authorities to follow.<sup>244</sup> The executive council noted that throughout the short existence of the Irish Free State they only considered repatriation of poor immigrants in special circumstances and only if the individual(s) consented to return to the Free State.<sup>245</sup> In support of this position, Attorney General Costello replied that according to the Free State constitution, “there is no power in

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<sup>242</sup> “Deportation of James Clegg,” AGO/1/126, National Archives Ireland (NAI).

<sup>243</sup> Ibid.

<sup>244</sup> Ibid.

<sup>245</sup> Ibid.

any English authority to remove paupers from Great Britain to the Irish Free State” and that the Poor Removal Act was no longer applicable.<sup>246</sup> Thus, a reciprocal relationship between Britain and the Free State would not happen.

Still, in support of Hubert Davey’s request, G.G. Whiskard writing on behalf of Leo Amery, Secretary of State for the Colonies, reiterated that a reciprocal arrangement would sufficiently address the problem and offered to facilitate the negotiations when the time came.<sup>247</sup> However, he suggested that the various ministries involved should first determine the scope of the problem as the complaints coming from the Poor Law Unions were not substantiated with evidence. Whiskard writes, “It appears, however, to Mr. Amery that it would be desirable to, in the first instance, for the extent of the problem itself, and also the principles to be considered in relation to it, to be investigated jointly by the departments referred to above. Should an interdepartmental conference be arranged for this purpose, he would be glad to appoint a representative to take part in it.”<sup>248</sup> The fact that Amery was included in correspondence and willing to participate in the investigation suggests that there was a recognition that the issue could have wider implications for the Empire. Most of the other Commonwealth nations had reciprocal arrangements for repatriation, though it was unlikely that the Free State would agree to a similar measure. However, this was the first instance where a suggestion was made to

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<sup>246</sup> Ibid.

<sup>247</sup> “Letter from G.G. Whiskard,” HO 45/14634, British National Archives (BNA).

<sup>248</sup> Ibid.

investigate the problem of delinquent Irish migrants. It would take two more years for the various ministries involved to act on it.

### Industrial Transference and the State's Role in Xenophobic Tension

In a meeting of Stanley Baldwin's cabinet on July 23rd, 1928, a discussion was held about problems with Irish immigrants in Scotland. An extract from the meeting read, "the attention of the Cabinet was drawn to the strong feeling aroused in Scotland at the great influx of immigrants from Ireland, many of whom were undesirable characters. It was suggested that at the time when pressure was being put on the Dominion Governments to facilitate the entry of British emigrants, the Government should not refuse those who demanded that measures be taken to check the influx from Ireland."<sup>249</sup> Thus, the state made plans for representatives from cabinet departments to gather and further discuss this issue.

Two days later, on July 25th, 1928, representatives from various U.K. government ministries met at the Home Office several days before an interdepartmental conference to explore the problem of Irish labor migrants and discuss possible solutions. Present at the meeting were Sir John Anderson and Carew Robinson from the Home Office, Sir John Lamb from the Scottish Office, Sir Horace Wilson from the Ministry of Labour, and Mr. Stephenson from the Dominions Office.

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<sup>249</sup> "Extract from Conclusions of a Meeting of the Cabinet Held on Monday the 23rd of July, 1928," HO 45/14634, British National Archives (BNA).



Between this meeting and the subsequent conference, the representatives of each department discovered that establishing a clear picture of Irish migration into the U.K. was a difficult task and attempting to manage it would prove to be even more challenging. Yet, the poor economic conditions that continued to plague a country still reeling from World War I had an enormous impact on the workforce, especially in the industrial hubs of Northern England and Western Scotland. As these conditions had only worsened since 1926, the calls to repatriate Irish migrant workers and/or Irish Poor Law delinquents only became louder, and the British government was pressured into action. However, the size and scope of the problem (or if it was indeed a problem) had yet to be determined, as this conference will show, and questions regarding the rights and legal status to domicile for Irish-born British subjects emerged once again.

In the Home Office meeting on July 25th, Sir John Anderson began deliberations by enumerating the various agencies that had been worried about the influx of Irish migrants into Britain. Anderson mentioned that the Industrial Transference Committee released a report in 1928 on the matter.<sup>250</sup> The Industrial Transference Committee was a fairly recent initiative (1927) in Stanley Baldwin's government that was intended to move workers within the U.K. from areas struggling economically to cities in need of labor. As A.D.K. Owen has observed, Industrial Transference was a state-sponsored internal migration initiative were between 1927

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<sup>250</sup> "Note of Conference on the Influx of Irish Labour into Great Britain, held at the Home Office on 25th July 1928," HO 45/14634, British National Archives (BNA).

and 1937, “nearly a quarter of a million workers (and, in many cases, their families) have been helped to move from depressed areas to centres of new industrial growth under the Ministry of Labour’s industrial transference arrangements.”<sup>251</sup> Industrial Transference was an expensive initiative for the state and depended on balancing internal populations as a way to fight unemployment. However, there is evidence to suggest that it did more harm than good to Britain’s workforce by stagnating wages and causing tensions between residents and migrants in the new industrial centers. As Peter Scott has argued, “long-distance migration had a considerable impact on the growth of Britain's most rapidly expanding industrial centres. It provided them with sufficient inflows of cheap labour to keep adult male wages below the national average despite the rapid growth of those centres, partly as the result of state intervention in the migration process.”<sup>252</sup> Thus, Britain’s Ministry of Labour through Industrial Transference unintentionally contributed to the economic conditions that were the source of tensions within these communities.

Industrial Transference’s impact on wage stagnation and its dependence on redistributing labor with workers in the U.K. also led to xenophobia and sometimes violence against those seen as outsiders, such as the Welsh. Scott states, “The use of transferred labour to reduce upward wage pressures inevitably produced a hostile local reaction. This was strongest with respect to Welsh migrants, whose obvious

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<sup>251</sup> A.D.K. Owen, “The Social Consequences of Industrial Transference”, *The Sociological Review*, 29, No. 4, (1937): 331-354. Writing in 1937, Owen’s observations are centered around the impact that industrial transference had on the areas that lost their working population. Through this program, the state inevitably exacerbated already dire situations in the areas that these workers were moved from.

<sup>252</sup> Peter Scott, "The State, Internal Migration, and the Growth of New Industrial Communities in Inter-War Britain." *The English Historical Review*, 115, no. 461, (2000): 329.

social distinctiveness produced an antipathy in many areas of high in-migration bordering, at times, on overt racism.”<sup>253</sup> The Welsh, with a distinct language and accent as cultural markers thereby making it more difficult to blend in, became convenient scapegoats for residents, especially during this time of economic hardship. For example, a report from the South Wales Council of Social Service recalled, “On her way home in the bus one day an Oxford woman began to say that the Welsh were stealing jobs in Oxford by working for low wages, and that they were uneducated and could not speak English properly.”<sup>254</sup> Though very similar comments were made about the Irish during the same period, the Welsh were at least residents of the United Kingdom whose right to domicile was not in question with British authorities and residents, unlike the Irish. Furthermore, the anger from residents (as it can often be during times of economic hardship) was misplaced. The Ministry of Labor redistributed manpower around the U.K and kept wages lower than average. This led local companies to hire the transferred workers for lower-than-average wages to save labor costs.

Regardless, for the Industrial Transference Committee to be successful, migrant labor from the colonies and commonwealth needed to be tempered. Hence the concern of Sir John Anderson from the Home Office during that first meeting on July 25th, 1928 when he remarked, “the transfer of labour at great expense from one

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<sup>253</sup> Ibid

<sup>254</sup> “Preliminary report on social provision at the ‘reception end’ for workers transferred from South Wales, by South Wales and Monmouthshire Council of Social Service, Committee on Transference, n.d., c. 1939; minutes of conference on transference convened by South Wales and Monmouthshire Council of Social Service, 15-16 May 1936,” Acc. 2720/01/07/01, London Metropolitan Archives (LMA).

part of Great Britain to another would be futile if the labour market was to continue to be flooded with outsiders.”<sup>255</sup> Yet the conference had yet to determine whether these industrial centers were indeed being “flooded” and, more importantly, what could be done under existing statutes if there was a problem with migration from the Free State.

This was a predicament Britain found itself in often throughout the interwar years regarding the Irish, and the interdepartmental conference was no different. As to the views of Sir John Anderson, the report notes that “He had always felt it to be impossible on broad grounds of principle to discriminate between Irish and other British subjects, and it was the established policy of the Home Office that British nationality ought to be regarded as one in respect of any matters touching rights of citizenship and freedom of movement. It was true that the Dominions discriminated against British subjects from other parts of the Empire, but he would be most reluctant to see any similar discrimination by the Home Government.”<sup>256</sup> Anderson was referring to a problem that was increasingly present in the Caribbean during this period, where a combination of economic factors and the desire to stem radical ideology led Britain to implement measures to slow the movement of subjects between colonies.<sup>257</sup> Yet, Home Secretary William Joynson-Hicks argued that these instances should not set a precedent, “It is an established principle in this country that

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<sup>255</sup> “Note of Conference on the Influx of Irish Labour into Great Britain, held at the Home Office on 25th July 1928,” HO 45/14634, British National Archives (BNA).

<sup>256</sup> Ibid

<sup>257</sup> Lara Putnam. *Radical Moves: Caribbean Migrants and the Politics of Race in the Jazz Age*. (Chapel Hill: University of North Carolina Press, 2013), 196-201.

the possession of British nationality carries with it the right of admission to British Territory. This principle has not been fully maintained in the immigration regulations in force in some parts of the British Empire but such regulations ought not...to be regarded as precedents to support any proposal to deprive British subjects of their right of admission to the mother country.”<sup>258</sup> However, Anderson’s previous remarks evoke some of the same racialized language used in early 1920 representations of the Irish when he used the phrase “flooded with outsiders” to describe the perceived problem with Irish migrants.

Indeed, if the view of Sir John Anderson was that the state should not discriminate between Irish and British subjects and their freedom of movement, then why hold this conference at all? Anderson might have been responding to growing outcries for the government to do something about supposed Irish migrants (although it took two years), but it is more likely that Industrial Transference was the primary motivating factor as the program was costly for the state and could not afford to be disrupted by outside migrant labor. Thus, the interdepartmental conference proceeded with the aim of at least trying to see what could be done with the Irish. Although the conference would eventually determine that a thorough investigation was necessary so as to determine to what extent Irish migrants were a problem for jobs and unemployment benefits, it also ran into some of the same issues that came to define the unique relationship between the U.K. and the Irish Free State in the

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<sup>258</sup> “Natives of Great Britain and Irish Free State Chargeable to Poor Law”, HO 45/14634, British National Archives (BNA).

interwar period including whether subjects could be treated as aliens, the demand for Irish labor for certain jobs, and the enormous difficulty in trying to legislate or control the flow of peoples between the Free State and the U.K.<sup>259</sup>

Despite complaints that Irish migrants were taking jobs from local workers, the July 25th meeting before the conference suggested otherwise and illustrated that certain types of Irish labor actually were in demand during the interwar period.<sup>260</sup> The notes of the meeting state, “In reply to inquiries by Sir John Anderson and Sir John Lamb as to why demands for migratory labour should not be met by unemployed miners rather than by Irish, especially in places like East Lothian and Lanarkshire where miners were available on the spot. Sir Horace Wilson replied that attempts had been made to get the miners employed but without much success. The Irish labour was cheap, and the men were willing to work under living conditions that would not be accepted by miners. The point had been taken up especially in connection with the sugar beet industry.”<sup>261</sup> This point contrasts the complaints received from industrial centers about the Irish in Scotland and indicates that, along with the program of Industrial Transference, cheap labor was more of a priority to northern industries than keeping jobs amongst the local working population, especially when those jobs were undesirable to those workers.

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<sup>259</sup> These points factor greatly in each chapter of this dissertation. The latter two figure prominently in the subsequent chapter on migrant women, domestic servants, and unwed mothers who navigated these spaces.

<sup>260</sup> This will also be explored further in the next chapter as domestic workers were in high demand in the U.K. during this period. Irish women proved adept at this work and, more importantly, worked for less.

<sup>261</sup> “Note of Conference on the Influx of Irish Labour into Great Britain, held at the Home Office on 25th July 1928,” HO 45/14634, British National Archives (BNA).

Furthermore, the fact that hard labor jobs such as the sugar beet industry needed to receive government subsidies to keep jobs within the U.K. illustrates that Northern Britain and Scotland did not necessarily have an Irish problem but rather a low wage/high-risk work environment problem driven by Industrial Transference. In other words, as the comments made in this initial meeting will suggest, it did not matter if wages were low and working conditions were harsh as long as those jobs were filled with internal migration (namely the Welsh) rather than the Irish. The British state created this problem internally, or at least made it worse, and attempting to regulate Irish migration was clearly not a viable solution.

Instead of refocusing their attention on the internal factors that were contributing to local unrest in the North, the conference went forward with trying to find a solution to mitigate Irish migration which had yet to be proven as a legitimate issue.<sup>262</sup> However, the representatives ran into the difficulty of regulating migration, as “the traffic between Great Britain, The Irish Free State, and Northern Ireland is not controlled.”<sup>263</sup> During the initial meeting before the conference, the idea was discussed of implementing migratory control at the ports, a solution that would be quite expensive and require a great deal of organization, something the representatives recognized immediately as an obstacle. It was noted, “Port control would necessitate the inspection of all passengers on all ships arriving at all ports

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<sup>262</sup> A similar situation occurs in the following chapter on domestic workers and unwed mothers, where the victim is usually blamed for “falling into immorality” rather than the poor conditions in the metropolitan areas of England that were impoverished, and crime ridden.

<sup>263</sup> “Note of Conference on the Influx of Irish Labour into Great Britain, held at the Home Office on 25th July 1928,” HO 45/14634, British National Archives (BNA).

from the Irish Free State or Northern Ireland. For, although the object would be to restrict a certain class of passenger, it would not be practicable to segregate this class and to exempt other classes from inspection.”<sup>264</sup> This, it seems, would be increasingly difficult given the high volume of traffic between the Free State and the U.K.<sup>265</sup> Additionally, as the meeting notes point out, it would be challenging for immigration officials to discern between different classes of passengers, seeing as the U.K. only wished to prohibit Irish migrants likely to become a burden on the poor law and not the ones being actively recruited for hard labor and domestic work. This is another instance of the British government, at least officially, being reluctant to discriminate against subjects from white settler colonies fearing that it might have wider implications or set a precedent for the rest of the Empire. This was especially critical given the much larger outflow of British immigrants during the interwar period.<sup>266</sup>

Finally, the meeting wondered, if the organizational and expense issues were put aside, whether would they even be able to institute such restrictions? With regards to this, two questions were raised, “Could a British subject coming from Ireland be required to possess a passport or other document, and to obtain leave to land from an Immigration Officer and could Port Control be made effective?”<sup>267</sup> The

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<sup>264</sup> Ibid.

<sup>265</sup> These numbers are roughly 300,000 annually each way (to and from the U.K.) throughout 1928. Most of these were not permanent residents but rather seasonal labor, families visiting each other, and military personnel.

<sup>266</sup> See Freddy Foks, “Emigration State: Race, Citizenship and Settler Imperialism in Modern British History, c. 1850–1972.” in *Journal of Historical Sociology*, 35, No. 2, (2022): 170–99.

<sup>267</sup> “Note of Conference on the Influx of Irish Labour into Great Britain, held at the Home Office on 25th July 1928,” HO 45/14634, British National Archives (BNA).



representatives determined that each of these would be increasingly difficult to implement. As to the first question, the representatives stated that “if it were proposed to restrict only those British subjects who came from Ireland, these would be placed at an intolerable disadvantage in comparison with British subjects arriving from a foreign country or a Dominion overseas.”<sup>268</sup> As reluctant as the representatives were to burden British subjects traveling from Ireland for legitimate reasons, one of the biggest factors making port control an ineffective method to solve the issue of Irish migrants was the proximity of the two islands. After all port control was somewhat effective in dealing with black seamen in the 1920s, thus some felt a similar measure would be effective for the Irish. However, even if the major ports instituted such measures, the representatives determined that “the short sea passage and the multitude of boats plying between Ireland and Great Britain would make surreptitious landings easy.”<sup>269</sup> With port control off the table, the meeting established that action was still necessary on Irish immigration, but the best way to do that would be discussed further the following week at the interdepartmental conference.

The initial meeting on July 25th, 1928, foreshadowed just how difficult it would be to impose restrictions or regulations on migration between the U.K. and the Free State. More importantly, the meeting showed the imperial contradictions when it came to the British and how they felt they should deal with the Irish including

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<sup>268</sup> Ibid.

<sup>269</sup> Ibid.

wanting to uphold the free flow of subjects while restricting certain classes of subjects, wanting to restrict migrant workers while recruiting for certain jobs, (and creating or perpetuating economic circumstances that made them necessary), and allowing for prejudices against the Irish to drive calls for restrictions when a proper investigation had not been completed. The interdepartmental conference would proliferate many of these contradictions as they struggled to address the supposed Irish migrant problem without the data to support their views.

### The 1928 Interdepartmental Conference

On July 31st, 1928, representatives from the Home Office, Scottish Office, Dominions Office, and the Ministry of Labour met to try and reach a consensus on how to best mitigate the perceived Irish migrant problem. While the prior meeting had established the logistical and financial constraints of attempting to control immigration from the Free State, the interdepartmental conference would shift their focus to suggesting new legislation that would deal directly with terms of immigrant employment, focused specifically on the Irish and granting new powers to Northern jurisdictions to deport poor law violators. Moreover, this conference shows the British state attempting to define and racialize certain classes of workers as a means of limiting freedom of movement and domicile rights, a proposal that foreshadows later restrictions put in place in 1962 and beyond.

The specter of the Industrial Transference Committee was influencing the discussions at the conference as the conclusion focused on filling industrial jobs with U.K. workers rather than outside recruitment. In short, the conference proposed legislation that sought to make it very difficult to use labor from outside the U.K. for certain occupations and certain classes of workers. As stated in the conference notes, “The Conference recognised that there was no precedent for interference with the right of a British subject to enter this country and regarded with misgiving any proposal which would involve such interference; but it seemed to them that the gravity of the situation justified a departure from present law and custom to the limited extent proposed in their recommendations.”<sup>270</sup> However, the claim that there was no precedent to interfere with a British subject’s right to enter the country was not entirely true. As mentioned previously, the Coloured Alien Seaman Act in 1925 restricted the influx of black British seamen.

There were both global and commonwealth factors involved that gave the conference cause to worry about the success of implementing their recommended solutions. The first was the possibility of the United States reducing the quota of Irish immigrants. “It was considered that if any substantial reduction were made,” the conference noted, “the result would be an increased flow of the least desirable class of Irish immigrants into this country.”<sup>271</sup> This fear was motivated by the passing of the Immigration Act of 1924 by Calvin Coolidge which sought to reduce the number

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<sup>270</sup> “Note of Interdepartmental Conference on the possibility of controlling Irish immigration into Scotland and England,” HO 45/14634, British National Archives (BNA).

<sup>271</sup> Ibid.

of immigrants into the United States using a formula to implement quotas based on population size.<sup>272</sup> This fear was not unfounded as the United States did indeed reduce their Irish quota from 17.35% (28,567) in 1925 to 11.61% (17, 853) in 1930, two years after the conference.<sup>273</sup> A reduction of the westward flow of Irish migrants was of great concern to the conference, as it was in their opinion (perhaps not unfounded) that it was primarily unskilled laborers that were emigrating to the United States, and they were deemed the “least desirable class” because they were the most likely to take advantage of the poor law.<sup>274</sup> The conference’s claim of the “least desirable class” of Irish migrants evokes the racialized language used by the state to represent the Irish. In the case of the U.S. quota, the conference’s opinion was that the Irish barred from migrating to America were a lesser group within an already inferior race.

The other external factor involved the commonwealth, in particular Australia and Canada, as each had imposed restrictions on immigration that created issues in Britain, a measure the government was trying to reverse at the time of the conference. The conference brought this up with regards to their proposed solution and noted, “reference was made at the conference to the negotiations in which the government are at present engaged induce the governments of Australia and Canada to relax the present restrictions on the entry of British workmen into these countries. In

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<sup>272</sup> “Immigration Act of 1924 United States Statutes at Large.” (68th Cong., Sess. I, Chp. 190, p. 153-169)

<sup>273</sup> Ibid.

<sup>274</sup> “Note of Interdepartmental Conference on the possibility of controlling Irish immigration into Scotland and England,” HO 45/14634, British National Archives (BNA).

particular, the criticisms of the Industrial Transference Board directed against the Canadian and Australian restrictions might, it was thought, afford material for damaging criticisms of the present proposals.”<sup>275</sup> Restrictions on outward immigration of skilled British laborers no doubt exacerbated the Ministry of Labour’s efforts to redistribute workers through internal migration and, in their view, made it even more imperative that Irish migration was mitigated.

The only way to control the inward flow of Irish migrants without resorting to port control or discriminating between different classes of British subjects, the representatives agreed, was by proposing new legislation that focused on the worker and their occupation rather than their dominion of origin.<sup>276</sup> This type of proposal had been effective with Black and Arab migration with the Coloured Seaman Order of 1925. To legislate this, the conference proposed a system that would require migrant laborers to have a permit specific to their job to work legally in the U.K. The conference notes stated, “the permit, which would ordinarily be issued only after the applicant’s arrival in this country, would specify a particular occupation and a particular employer and it would be an instruction to Employment Exchanges that no such permit should be issued if workmen capable of performing the work locally, or could be made available from other Exchanges. In announcing their intention to legislate, the Government should make it clear that permits would be granted only in exceptional cases.”<sup>277</sup> Migrant workers without a permit would be subject to removal

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<sup>275</sup> Ibid.

<sup>276</sup> Ibid.

<sup>277</sup> Ibid.

from the occupation and deportation, while the employer would be levied a fine. As ambitious as this proposed legislation was, the representatives did not seem to consider an issue they had just discussed a week earlier—in many cases, such as the mining industry, there were workmen capable of performing the work locally, but who refused to do so because of low wages and dangerous conditions, jobs which were often filled by outside labor such as the Irish. However, the proposed legislation did account for special cases or occupations that were actively recruited from outside the U.K. The representatives noted, “Exception might be made in favor of certain classes of workers, e.g. female domestic servants, and arrangements might be sanctioned under which an exchange of skilled workers in the same trade might be made between employers in this country and outside.”<sup>278</sup> While the proposed legislation appeared to address the complaints from northern jurisdictions while at the same time acknowledging that some Irish migrant workers were necessary, it is clear that the conference also wanted to grant these jurisdictions the power to repatriate supposed Irish poor law delinquents—which they were not able to do at this point. The conference notes read, “It was further agreed to recommend that Courts of Summary Jurisdiction should have power to order the removal of any such immigrants who become chargeable to the poor rate within a specified period in this country.”<sup>279</sup> The conference also reiterated their desire that a reciprocal arrangement be in place between the Free State and Britain for repatriation with regards to poor

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<sup>278</sup> Ibid.

<sup>279</sup> Ibid.

law violators (one such arrangement existed between England and Northern Ireland), but the Irish Free State had not responded to such requests.<sup>280</sup>

The proposed legislation was unique because it sought to cleverly discriminate against certain classes of immigrants from the Irish Free State without appearing to do so. As explored in earlier chapters, the British used codified racial language such as class, poverty, and character to attempt to restrict “undesirable immigrants,” including the Irish, without explicitly basing it on race. In this situation, the British employed a similar strategy to legislate Irish immigration while appearing to maintain equality for all of the Dominions. The report noted, “The Conference considered that the advantages of the course proposed were that whereas immigration from Ireland would be greatly reduced, it could not be alleged that this was done on racial or religious grounds, or on any ground other than the protection of workmen of this country.”<sup>281</sup> As the proposed legislation would apply to all of the dominions, the representatives made it seem like it would be fair to all British subjects. However, as the vast majority of migrant workers into the U.K. during this time were from the Irish Free State, this law was intended to discriminate against the Irish, especially since the purpose of the conference was to control Irish immigration. Additionally, the representatives knew that this would be one of the only ways to control Irish immigration as the conference had already determined that port control would be logistically impossible and easily circumvented due to the proximity of the two

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<sup>280</sup> Ibid.

<sup>281</sup> Ibid.

islands. So as a solution to this challenge, their proposal was to effectively generalize the border, extending it into the workplace and local communities. In 1932, when the question of Irish immigration was still prevalent in the industrial north, Harold Scott of the Home Office reflected on the 1928 proposed law. He wrote, “It was then thought that such a scheme might be feasible and not liable to serious evasion, though it would require legislation, and also the taking of special powers to deport immigrants who failed to obtain a permit and became chargeable to the poor rate. The scheme then under consideration was general in form, i.e. it would apply to all British subjects falling within the definition of immigrants, though, of course, it was designed to deal particularly with Irish immigrants. In present circumstances a measure limited to Irish immigrants if feasible, might be found preferable.”<sup>282</sup> Interestingly, in 1932 the Home Office was no longer pursuing blanket legislation that would apply equally to all of the dominions and, instead, wanted to direct measures specifically toward Irish immigrants. This was largely due to changing conditions since 1928 including the worsening global depression impacting available jobs and Eamon de Valera’s Free State government dismantling aspects of the Anglo-Irish treaty discussed later in this chapter.

In 1928, however, the proposed legislation raised many questions that were not answered by the representatives at the conference. First, the conference did not establish how this law would be enforced. If migrant workers were required to have a

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<sup>282</sup> “Restrictions on Employment of Immigrants from the Irish Free State,” HO 45/14635, British National Archives (BNA).



permit to work in the U.K., who would be checking the permits? As port control was not feasible, it seems the assumption is that the responsibility would be placed on the jurisdictions in Scotland to enforce the law and repatriate any violators, which would also carry heavy costs. Second, the permit system proposed did not address British subjects that migrated between the U.K. and the Free State that were not seeking employment or those who were already employed. If all were required to carry a permit, that would also be difficult to execute and to enforce. Finally, the conference recognized that the success of the proposed legislation would depend a lot on Northern Ireland controlling immigration from the Free State. The report noted, “If the matter is to be pursued it will no doubt be thought right to consult the Government of Northern Ireland at an early stage. Any discrimination between Northern Ireland and the Free State would add greatly to the possibilities of evasion, and moreover, if immigrants from Northern Ireland were to remain uncontrolled, the purpose of the scheme might be largely frustrated.”<sup>283</sup> Since the proposed law would only apply to migrants from the dominions, migrating to Scotland through Northern Ireland would be a possible way Irish migrants could evade the law.

Ultimately, the government failed to pass the proposed legislation, though it was still considered an option several years later in 1932, when the issue of Irish immigration was revisited. Yet, the many unanswered questions regarding this proposed legislation and the logistics of how it would be funded and enforced raised

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<sup>283</sup> “Note of Interdepartmental Conference on the possibility of controlling Irish immigration into Scotland and England,” HO 45/14634, British National Archives (BNA).

doubts about how effective it would be at controlling traffic from the Free State. In 1932, Harold Scott of the Home Office enumerated several reasons why the proposed legislation would fail, namely the difficulty in proving an immigrant came from Ireland, relying on employers to know where their employees came from, and the fact that repatriation would require agreement from the Irish Free State, which was not forthcoming.<sup>284</sup> Scott added, “From one point of view the scheme of 1928 has an advantage over a control of entry, namely, as regards expense. It would avoid the necessity for an increase of the Immigration staff to control the traffic between the Free State and the United Kingdom. But the saving would not be large having regard to the importance of the interests involved and it would to some extent be offset by an increase in police work in enforcing the prohibition of employment.”<sup>285</sup> The reduction in traffic would not be significant enough to justify the extra expense and manpower needed to enforce it. However, the fact that it was still considered in 1932 demonstrates just how difficult it was for the U.K. to devise a plan to handle the migration from the Irish Free State. In 1928, with the legislative route stalled, the various ministries involved in this inquiry, at long last, set their sights on investigating the issue to determine if there was an actual problem with Irish migration. This would take two years, and by the time the report was complete, the U.K. would see the Depression worsen, leading other industrial areas to set their sights on the Irish population.

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<sup>284</sup> “Restrictions on Employment of Immigrants from the Irish Free State,” HO 45/14635, British National Archives (BNA).

<sup>285</sup> Ibid.

## The 1928-1929 Investigation and Report

The Home Office in conjunction with the Scottish Office, Ministry of Labour, Ministry of Health, and the Board of Trade initiated a large-scale inquiry in the winter of 1928-1929 to determine if there was an actual problem with delinquent Irish migrants. This investigation would take months to complete and even longer to finalize, as it involved multiple departments and government ministries. Before the investigation and collection of data, the perception of an Irish immigrant problem, as indicated in this chapter, was based on conjecture and anecdotal evidence. The investigation's primary goal was to determine if any of the claims could be substantiated. The investigation's findings suggested the contrary. While the report recognized that the areas of the industrial north were experiencing economic distress and individuals more frequently chargeable to the Poor Law, this was not due to an influx of Irish immigrants. The report came to this conclusion for several reasons, namely that the immigration numbers from the Free State had been greatly exaggerated, only certain classes of Irish migrants were coming over, and issues that were present often came from established members of the community, not immigrants. Liverpool and Manchester especially had large working-class Irish populations established decades before the interwar period.<sup>286</sup>

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<sup>286</sup> See Wildman, *Urban Redevelopment*.

First, the report determined that there was a negligible impact of migration from the Irish Free State during this time period (even a decrease) and that those that were coming over were mostly women. In a letter to Prime Minister Ramsay McDonald, Home Secretary J.R. Clynes (tasked with summarizing the findings) wrote, “I need not trouble you with the details, but briefly, the conclusions which I reached were, that the Irish-born population in England is decreasing, that there is now no great volume of Irish immigration that the balance of immigrants from the Irish Free State to England (after allowing for those who emigrate from English ports) consists mostly of women who are no doubt mainly domestic servants.”<sup>287</sup> The data that supported this conclusion was difficult to attain as passenger traffic between Great Britain and the Irish Free State was not controlled. Instead, the investigation used a combination of census records, passenger registers on Coast Lines Ltd and the railways, and the Board of Trade, to account for Irish migration in this period.<sup>288</sup> While clearly not all Irish traffic was accounted for due to the piecemeal way the data had to be collected (for example, the data does reflect some individuals who did not go through the Board of Trade or Labour Exchanges), the Home Office seemed satisfied with the result. The report stated, “after making allowances one way or the other for these reservations the broad conclusion to be drawn from these figures is that they furnish no evidence of any considerable immigration of labour from the

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<sup>287</sup> “Letter to PM Ramsay McDonald from Home Secretary J.R. Clynes,” HO 45/14635, British National Archives (BNA).

<sup>288</sup> “Memorandum by the Home Secretary on Irish Immigration,” HO 45/14635, British National Archives (BNA).

Irish Free State to Great Britain.”<sup>289</sup> These figures were quite a departure from the complaints coming from the Industrial North since 1926.

If these areas were indeed experiencing hardships and individuals becoming chargeable to the poor law, but Irish migrants were not to blame, then who was? After speaking with numerous local law enforcement individuals, the report suggested that problems, if there were any, came from established Irish subjects who had been in Britain for generations in the various Irish communities of the North. The report stated, “the general conclusion suggested by these inquiries that there was no great volume of immigration was supported by the results of an inquiry...made by Mr. Cooper, the Superintending Inspector under the Aliens Act at Liverpool. Mr. Cooper interviewed the Chief Constables or their deputies...and his general impression as a result of his tour was that the damage had already been done and that the natural rate of increase of the Irish population already in Great Britain (which is high) greatly outweighed the very limited annual immigration now taking place.”<sup>290</sup> The Irish, it seems, was still viewed as a problem, not as a delinquent migrant population, but as a delinquent class from established communities. The report concluded, “It is in fact the Irish population already established that presents the main problem.”<sup>291</sup> While this news did not serve the Irish communities, it did delegitimize the basis of the claims from the North and made the many attempts to legislate the issue redundant.

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<sup>289</sup> Ibid.

<sup>290</sup> Ibid.

<sup>291</sup> Ibid.

The same conclusion was reached in Scotland following the report. In a letter to Ramsay MacDonald, Scottish Secretary William Adamson wrote, “It [the report] appeared as a whole to indicate that there is no very pronounced volume of immigration from the Irish Free State into Scotland at the present time; and that the growth of the Roman Catholic element in Scotland (which is clearly evidenced by the enrolment figures in Roman Catholic and other schools respectively) is occasioned by the rapid multiplication of relatively old-established Irish ‘colonies’ in Scotland rather than by any existing substantial volume of immigration from the Irish Free State.”<sup>292</sup> It is interesting how in both locations (Liverpool and Scotland) the claimants pivoted to established Irish communities as the source of the problem which, to be sure, still blamed the Irish, but there was even less that could be done about it. Regardless, Adamson resigned himself to the fact that he would not have the power to repatriate the Irish though he would keep an eye on the Irish communities which, according to him, seemed to breed faster than the Scots. He wrote, “While I should be glad...to have the power to control immigration from the Irish Free State into Scotland, I can not claim that this is a matter of great urgency at the present moment...I may point out that the complete stoppage of immigration from the Irish Free State would not remove what appears to be the main ground for the complaints addressed to me—the marked tendency for the Irish (and Roman Catholic) element already in Scotland to increase in numbers, as compared with the native population.”<sup>293</sup>

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<sup>292</sup> “Letter from William Adamson to Ramsay Macdonald,” HO 45/14635, British National Archives (BNA).

<sup>293</sup> Ibid.

Finally, the report reiterated that Britain could not deport British subjects, no matter what their origin, under existing statutory laws. Aside from the aforementioned findings, the report reached this conclusion for many reasons. First, it was established that there was not a necessity to institute repatriation. The report stated, “There is at present no power in this country to deport British subjects, and any such proposal would involve legislation which, as introducing an entirely new principle, could only be justified by the clearest necessity. So far as he has been able to investigate the question on Irish immigration, the Home Secretary is not satisfied that there is such a necessity and he could not undertake to propose legislation of the kind indicated.”<sup>294</sup> Essentially, Home Secretary J.R. Clynes had come to the conclusion through the investigation that if there was a negligible impact in the U.K. with Irish immigration then there was no need to institute immigration restrictions that could be costly and ineffective.

Additionally, the discrimination against British subjects from the Irish Free State would involve several practical difficulties. Aside from the close proximity of the two islands and multiple avenues to circumvent the laws, the U.K. recognized that there were larger issues at play when it came to classification and identity as different places within the dominions (namely Australia and New Zealand) sought to define nationality and institute immigration laws of their own. In a letter from J.R. Clynes to Ramsay Macdonald, he writes, “In the first place, it would be necessary to define

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<sup>294</sup> “Memorandum by the Home Secretary on Irish Immigration, ” HO 45/14635, British National Archives (BNA).

which subjects belong to the United Kingdom. This is already a difficulty with which we are faced in the negotiations...as to the proper destination of British subjects deported from foreign countries.”<sup>295</sup> Clynes raised this issue because while the U.K. did not have legislation that would allow for the deportation or discrimination of British subjects, other parts of the Empire did. Clynes saw this as a potential problem. If the Dominions could deport British subjects to the U.K but not the other way around, there was a possibility for a large influx of deportees who were British subjects, but without a connection to the U.K. Clynes argued, “Even if the United Kingdom and each Dominion establish which particular British subjects are to be regarded as ‘local subjects’, it is easy to see that there may be a considerable number of persons who possess British nationality but [are not] regarded as ‘local subjects’ of any particular part of the Empire.”<sup>296</sup> The actions of the Dominions, influenced by the global depression, presented Britain with a significant challenge to the policy of free movement within the Empire and the reluctance to have a clear definition of British nationality and citizenship.<sup>297</sup> As it relates to the Irish Free State and the report, Clynes was concerned that any attempt to legislate Irish immigration would force the U.K. to define which British subjects belong there which would be practically difficult and have far wider implications.

Finally, the report argued that deportation would raise wider issues because it would involve discrimination against different classes of subjects. This was a matter

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<sup>295</sup> “Letter to PM Ramsay McDonald from Home Secretary J.R. Clynes,” HO 45/14635, British National Archives (BNA).

<sup>296</sup> Ibid.

<sup>297</sup> The large outward migration of Britons to the Commonwealth was also a factor.



that the interdepartmental conference in 1928 was well aware of and trying to avoid with their proposed legislation applying to all of the dominions. The report reiterated Britain's position that as British subjects, people from the Irish Free State could not legally be denied free entry to and the right to domicile in England, nor could they be repatriated legally.

Yet, even with the report's findings, requests for Irish repatriation and various unsuccessful attempts to implement them persisted well into the 1930s as economic conditions in Britain worsened. In addition, global factors as well as political changes in the Irish Free State during the 1930s helped to breathe new life into renewed calls to counter Irish migration to the U.K.

#### The 1930s: The Depression, Liverpool, and de Valera

The 1930s began with the U.K. in a global economic depression which only worsened employment prospects and hardened people's attitude even more against those viewed as "outsiders." Additionally, the U.S. had instituted tighter quotas for immigration from Ireland, leading many in Britain to fear that Irish traffic would be rerouted to the U.K. Whereas the original calls in 1926 to repatriate Irish migrants came mostly from Western and Southern Scotland, in the 1930s it was primarily of Merseyside County including Liverpool that wanted the government to do something about their Irish problem. As was the case with earlier calls to repatriate Irish immigrants, most of the complaints were based on perception rather than real data.

Writing to R.R. Bannatyne in the Home Office in 1931, the Lord Bishop of Liverpool inquired, “I want information about the immigration conditions existing between this country and its Dominions. It appears that Australia, New Zealand, etc have and exercise the right to send emigrants back to us when they become chargeable to public funds. Have we reserved the right to deal similarly with emigrants from them to us? The reason why I want this information is that there is much trouble here with Irish immigrants. It has been established that steerage passengers are crossing to us at the rate of 6,000 a year...”<sup>298</sup> The Lord Bishop’s figure of 6,000 Irish passengers came from the Social Survey of Merseyside which placed the number at 6,015 in 1929.<sup>299</sup> This was not completely accurate. In his reply to the Lord Bishop, Bannatyne stated, “I see you have been given a figure of six thousand steerage passengers a year. We have no reason to question these figures, but in the absence of any system of registration or regular official returns, it is, of course, impossible to say how far they can be relied on as an index of the real volume of immigration from Ireland to this country.”<sup>300</sup> With regards to the Lord Bishop’s other inquiry, Bannatyne reiterated that while some of the dominions such as Australia and New Zealand can repatriate certain British subjects, within the U.K. that power only applied to aliens.<sup>301</sup> The correspondence between the Lord Bishop

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<sup>298</sup> “Letter from Lord Bishop of Liverpool to R.R. Bannatyne of Home Office,” HO 45/14635, British National Archives (BNA).

<sup>299</sup> “Irish Immigration to Merseyside”, *The Times*, May 8th, 1931.

<sup>300</sup> “Letter from R.R. Bannatyne to the Lord Bishop of Liverpool,” HO 45/14635, British National Archives (BNA).

<sup>301</sup> *Ibid.*

and Bannatyne further illustrates the great difficulty in attaining an accurate picture of Irish migration given the inconsistency in record keeping.

The perception of a large influx of Irish migrants taking advantage of the dole was incredibly powerful and even attracted the attention of the local Catholic diocese. The Economic Advisory Council's 1930 report on Irish Free State migration noted, "The problem has not escaped the attention of the co-religionists of the emigrants, and the local Catholic societies have sought to deal with the matter. A letter was addressed some time ago to every Irish branch of the Society of St. Vincent de Paul asking that the utmost be done to dissuade Irish from coming to Liverpool owing to the distress prevalent here. Warnings were given in the Irish press and the Irish pulpit, but all to no avail."<sup>302</sup> Catholic societies long played a role in the care of impoverished Irish migrants, but in this case, there is not a distinction made between those individuals seeking help. There is no doubt that Liverpool, much like the rest of the U.K., was experiencing a crisis with unemployment and poverty due to the depression, but just because more people were seeking help does not mean that they were Irish immigrants. This distinction was at the center of the 1929 interdepartmental report which indicated that it was mostly established members of the community, not Irish immigrants, that were placing the most stress on local social services. The crisis in Liverpool, however, shows just how persistent anti-Irish immigration was in the interwar U.K., especially during times of economic hardship.

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<sup>302</sup> "Economic Advisory Council, Committee on Empire Migration, Irish Free State Emigration," HO 45/14635, British National Archives (BNA).

The political maneuvers of the Irish Free State in the early 1930s would do little to alleviate this perception.

In 1932, Eamon de Valera's Fianna Fáil government took the bold step of removing the Oath of Allegiance to the British Monarchy required for all civil servants in the Irish Free State.<sup>303</sup> While largely symbolic, the vote to abolish the Oath of Allegiance signaled to Britain that de Valera planned to take the Irish Free State in a different direction and it was clear the U.K. took it as such. The abolishment of the Oath reignited calls to legislate restrictions on Irish immigration, this time without applying the proposed law to the rest of the dominions to appear equal.

The abolishment of the Oath raised doubts in the U.K. if the Irish Free State intended to remain in the Commonwealth and how that might impact their status as British subjects. This prompted the Home Office to consider a law on Irish immigration if indeed the Irish were not upholding their end of the Anglo-Irish Treaty. In a Home Office memorandum from April 29th, 1931, "the question of possible sanctions to be imposed after the passage of the Free State Bill for the removal of the Oath of Allegiance is considered on the assumption that the Free State has not yet ceased to be a member of the British Commonwealth. Amongst other measures, it is suggested that steps might be taken to place special restrictions on

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<sup>303</sup> The Oath of Allegiance was a point of contention between Anti-treaty and pro-Treaty forces during the Irish Civil War. Republicans, represented by Sinn Féin, refused to give allegiance to the King, while Pro-treaty forces wanted an end to the war even if it meant having to swear an oath.

persons coming to this country from the Irish Free State to seek employment.”<sup>304</sup> The 1928 proposed legislation that would have required permits from Irish migrants seeking employment in the U.K. or risk being deported and employers fined was reconsidered.

The Home Office also considered invoking another law that would treat the Irish as aliens, like any other non-subject, and redirect enforcement to the ports. Though some version of this was also considered before, it was determined at the time that port control would be expensive, difficult to organize, and easily violated. The memorandum noted, “But whether the scheme of 1928 as limited to persons from the Free State or a control at the ports on the lines of Article 1 (3) (b) of the Aliens Order is in question, it seems desirable that before any decision is taken the wider implications of such action should be considered. Either would involve discrimination between different classes of British subjects and would likely give rise to ill-feeling, particularly among the Southern Irish Loyalists to whom it would necessarily have to be applied.”<sup>305</sup> In 1928, the interdepartmental conference took great care to consider the implications of such legislation and to ensure the U.K. could not be accused of discriminating between British subjects and extended the proposed legislation to all of the Dominions, though the laws were meant to specifically deal with Irish migration. In 1932, on the other hand, the Home Office was no longer concerned if it appeared discriminatory towards Irish-born British

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<sup>304</sup> “Restrictions on Employment of Immigrants from the Irish Free State,” HO 45/14635, British National Archives (BNA).

<sup>305</sup> Ibid.

subjects (except Southern Loyalists) as the feeling was that the Irish Free State's actions indicated a desire to no longer uphold the Anglo-Irish Treaty.

Yet, the Irish Free State was still part of the British Commonwealth in 1932, and the U.K. found itself in a difficult diplomatic situation with regards to de Valera. It was clear that de Valera was cleverly moving towards complete separation by systematically dismantling aspects of the Treaty, but the U.K. lacked the political will and public backing to do much about it. In considering new legislation to mitigate Irish immigration, the Home Office risked giving de Valera a valid reason for leaving the Commonwealth. The memorandum notes, "Either scheme would, moreover, give Mr. de Valera the opportunity of saying that His Majesty's Government were themselves declining to honour the conception of a common citizenship and were taking steps to treat upon the same lines as aliens members of the Free State while that state was admittedly still a member of the British Commonwealth."<sup>306</sup> This was a risk that the Home Office, it seemed, was not willing to take as the attempt to legislate Irish immigration once again failed to move past the conceptual stage. The Home Office's proposal to legislate against Irish immigration in 1932 was curious because it had just finalized an investigation and report that concluded that migration from the Irish Free State was not the problem it was made out to be. The persistent claims of Irish vagrancy and "taking jobs" in the industrial north show the enduring viewpoint of the Irish as "aliens" within their own communities.

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<sup>306</sup> Ibid

## Conclusion

The 1932 proposal to mitigate Irish immigration was not the last time the British government attempted to address the issue in Liverpool and the rest of the industrial north. 1935, 1936, and 1937 all saw renewed calls to deal with delinquent Irish migrant laborers and each time the state reached the same conclusion: there was simply not enough data to suggest that Irish immigration was a problem for social services.<sup>307</sup> The circular nature of this debate suggests that the communities of the industrial north were not satisfied with the conclusions reached by the various state ministries.<sup>308</sup> As economic conditions worsened and unemployment increased in the 1930s, the Irish in Northern Britain found themselves in a familiar situation as “outsiders” though most had spent years, decades, and even generations in their British communities.

The debate over Irish migrants in the interwar period foreshadowed similar debates in the post-WWII and the backlash over colonial migrants. While the vast majority of immigrants into Britain were from white settler colonies or commonwealths (including the Irish Free State) during the interwar period, West Indian, South Asian, and African migrants would migrate in larger numbers following WWII. Though all were British subjects during these respective time periods, their

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<sup>307</sup> For instance, in a letter to the Ministry of Labour to the Ministry of Health in 1936 the issue was raised again and the Labour secretary asked if anything had changed in the few months that had passed between the last time Irish migration was questioned. The health secretary replied that nothing had changed, MH 57/313, British National Archives (BNA).

<sup>308</sup> Ibid.

presence in Britain raised questions about their right to domicile and each faced significant backlash in their communities. Moreover, the work permit proposal suggested by the interdepartmental conference in 1928, though not used at the time, would be enacted in the postwar era to limit entry of migrants from the Commonwealth with the 1962 work permits. In both cases, we have the British state passing judgements about who can work, what types of work colonial migrants are fit for, and connecting labor with the right to domicile in Britain. The Irish cases examined in this chapter are an early example of how work became a part of the history of immigration control.

The work permit proposal in 1928 is also an early example of the long-term project of bordering Britain, more specifically, how the border started being attached to work, the bodies of migrants, and the desirability of certain types of labor. In the calls to repatriate Irish migrants discussed in the chapter, the one exception were female domestic servants. As the next chapter will explore, Irish women domestic servants were in high demand in the interwar period throughout Britain, though they faced similar, if not more intense, scrutiny of their bodies, hygiene, intelligence, and their ability to work effectively. Irish domestic servants performed docile, exploitable labor; thus the British state saw them a less of a threat.

Additionally, in post-WWII Britain, we see similar language patterns used to describe unwanted migrants. Words such as “flooded”, “outsiders”, “undesirable characters”, etc, reemerge though this time they are used to describe black British subjects from the West Indies, Africa, and South Asia. Though the Irish Free State



was no longer part of the Commonwealth following the war and Irish migrants no longer British subjects, the Irish (along with Eastern Europeans) became the preferred labor migrants of the state, as Britain sought to redefine itself along white lines and exclude non-white subjects.

There is a familiarity in the story of the interwar debates around Irish migration and possible repatriation. In times of great economic stress or great change, people tend to become more xenophobic and insular and turn their ire towards those they see as outsiders instead of the state. The interwar economic depression is evidence of this, as is the post-war backlash of the 1940s and 1950s. More recently, the vote in favor of Brexit has shown that fear of becoming “flooded with outsiders” still reverberates in modern Britain.

**“Gone to the Bad”? Domestic Workers, Unwed Mothers, and Irish Women  
Migrants to Britain 1922 - 1937**

**Introduction**

Between 1922 and 1937, most Irish immigrants to Britain were women seeking domestic work or unwed mothers. Sometimes described as destitute, alone, and ignorant, there was concern amongst the London ruling class that these women would fall (or fall further) into moral decline and become a drain on local social services. In collaboration with the Catholic Church and Poor Law Hospitals, London Council officials led calls to stem the flow of Irish women based on moral grounds and, sometimes, willful disregard of immigration laws. Drawing primarily on the work conducted by upper-middle class feminists Dr. Letitia Fairfield, a physician with the London County Council (LCC), and Gertrude Gaffney, who wrote a series of popular articles in 1936 for the *Irish Independent* aimed at warning Irish girls of the dangers of emigrating to England, this chapter focuses on Irish women migrants in Britain during the 1920s and 1930s. Through an examination of these cases, this chapter argues that the motivations behind the migration of Irish women from the Free State in the interwar period were largely exaggerated in the public sphere and that the real motivations for migration were, more often than not, economic and, sometimes, a way to recover agency and opportunities lost in the conservative,

patriarchal Free State. Britain's active recruitment of Irish domestic workers throughout this period demonstrates that Britain did not necessarily want the influx of Irish women to stop; they wanted to control the women who were migrating selectively. Though the timeframe of this chapter is relatively the same as the previous chapter (late 1920s-early 1930s), these cases present alternative ways Irish migrants were demonized aside from violent threats or taking advantage of the dole.

Furthermore, this chapter argues that the work of Fairfield and Gaffney, including the language used to describe Irish women, represents a reconstitution of British feminist views on colonial women outside the metropole in the 19th and early 20th century.<sup>309</sup> Both Fairfield and Gaffney use diminutive, infantilizing language to describe Irish women and approach their studies more or less from a maternalist viewpoint, justifying their work as “caretakers” of ignorant, lower-class women. As Phillipa Levine has argued, “British feminists have routinely portrayed women from the colonies as helpless and degraded, enslaved and in need of help rather than as partners in a broader enterprise aimed at equality.”<sup>310</sup> Similarly, Fairfield and Gaffney do not view the Irish women they study as equals or capable of making their own decisions but rather as “girls” who need saving. While Fairfield and Gaffney's studies are biased in many ways, they do shed some light on the conditions and reasons Irish women migrated. Moreover, the existence of such studies illustrates

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<sup>309</sup> See Both Antoinette Burton, *Burdens of History: British Feminists, Indian Women, and Imperial Culture* (Charlottesville: University of North Carolina, 1994) and Margaret Jacobs, *White Mother to a Dark Race: Settler Colonialism, Maternalism, and the Removal of Indigenous Children in the American West and Australia, 1880 – 1940*, (Lincoln: University of Nebraska Press, 2009).

<sup>310</sup> Phillipa Levine, *The British Empire: Sunrise to Sunset* (Edinburgh Gate, U.K.: Pearson Education Limited, 2007), 162.

how Irish women were “othered” and subjected to specific forms of social control, beyond the border and their right to enter and live in the UK.

This chapter will also examine the mobility and agency of Irish women migrants during the depression years. As Jennifer Redmond has argued, the motivation behind female migration to the U.K. during the interwar period was far less nefarious than popular narratives (on both sides) suggest.<sup>311</sup> Rather than abandoning their faith for Protestantism or seeking out moral temptations as the Irish Catholic clergy feared, Irish women overwhelmingly held on to their Catholic beliefs and embraced traditional family roles in the U.K.<sup>312</sup> Furthermore, Redmond notes that though there were popular fears in Britain that Irish women migrants were inexperienced, naive, or unwed mothers, meaning to exploit social welfare, the vast majority were emigrating because the U.K. offered more economic opportunities and upward mobility than Ireland.<sup>313</sup> Therefore it is imperative to examine the patriarchal social and economic context in which Irish women lived to recognize the motivations behind Dr. Fairfield’s and Gertrude Gaffney’s studies and the often inaccurate portrayal of Irish women migrants. There is a feminist argument to be made in how Irish women demonstrated agency by choosing to leave the Free State to seek better economic prospects or for the welfare of their children. Throughout the interwar period, Irish working-class women’s agency is located in their ability to move. Irish women were aware of and able to exploit these possibilities to their own end.

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<sup>311</sup> See Jennifer Redmond, *Moving Histories: Irish Women’s Emigration to Britain from Independence to Republic*, (Liverpool: Liverpool University Press, 2018).

<sup>312</sup> Ibid

<sup>313</sup> Ibid.

There are several ways this chapter analyzes the cases of Dr. Fairfield and Gertrude Gaffney and contextualizes them within a broader history of interwar Britain. The first is through the framework of relations between the Irish Free State and Britain during the 1930s. In 1927 Eamon de Valera's newly formed Fianna Fáil party achieved electoral success and became focused on transforming Ireland into a republic from within. Five years later, de Valera was elected President of the Executive Council (Prime Minister) and quickly began dismantling aspects of the 1922 Anglo-Irish Treaty. De Valera's vision for Ireland was based on religious piety and social conservatism and desired complete separation from Britain. This culminated in the 1937 Irish constitution, which removed the last vestiges of the treaty and remaining British political power in Ireland, making the Irish Free State a member of the British commonwealth in name only. Throughout Dr. Fairfield's inquiry and report, she is increasingly critical of the Free State government, contending that they are unconcerned and doing very little to address the issue of single women migrating to Britain. Thus Dr. Fairfield's committee was forced to go through religious and social outreach organizations on both sides of the Irish Sea.

These cases also constitute an early case of post-decolonization migration, where the bodies of migrants were put under increased scrutiny. In both Dr. Fairfield's and Gertrude Gaffney's studies unwed mothers and domestic servants, women's bodies, hygiene, mental acumen, spirituality, and agency became the focal point in ascertaining who had the right to domicile in Britain and who should be persuaded to return (and in some cases legally repatriated) to the Irish Free State.

Fairfield and Gaffney's focus on the class and character of Irish women reproduced the same racialized language used to represent the Irish in Britain throughout the 1920s. Irish women throughout the nineteenth and twentieth centuries were racialized just as much, if not more, than their male counterparts, as their reproductive roles and the expectation for maintaining "Catholic adherence" posed a threat to the myth of British homogeneity.<sup>314</sup> Similar to nineteenth-century instances of imperialist feminism, there is a strong interplay between race and gender in Fairfield and Gaffney's work.

These cases are analyzed through the larger history of migration from the Irish Free State to Britain during the interwar period. Throughout the 1920s and 1930s, repeated calls to repatriate or deport Irish-born individuals thought to present a threat, taking advantage of the dole, or taking jobs away from the native British led to several bureaucratic inquiries. The inquiries ultimately determined that the problem was exaggerated in the public consciousness and Britain could not legally repatriate Irish migrants as they were indeed British subjects. However, the cases examined in this chapter (as well as earlier chapters) are not just about migration. They represent cases that demonstrate the emergence of the deportation state in the U.K. Each of these chapters center on British efforts to control, manage, and restrict the mobility of the Irish during the interwar period, including scrutinizing their activities and lives and attempting to remove them when they are perceived as no longer viable. This

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<sup>314</sup> Mary J. Hickman and Bronwen Walter, "Deconstructing Whiteness: Irish Women in Britain," *Feminist Review*, Summer, No. 50, (1995): 5-19.

chapter will examine this process through the cases of Irish women, as some were in high demand as domestic workers while others were viewed as potential threats to English domesticity and racial homogeneity.

### Early Twentieth-Century Irish Women in Context

To understand the motivations behind women migrating to the U.K. from the Free State during the interwar period, one needs to look closely at how women's roles in the Free State were redefined following the Anglo-Irish Treaty of 1921 and, even more so, with the rise of Eamon de Valera's Fianna Fáil party and the eventual Constitution of 1937. Women were not always marginalized and relegated to household roles in Ireland. Many had played important political, military, and strategic parts in the 1916 Easter Rising and the Anglo-Irish War (1919-1921). However, following the signing of the Anglo-Irish Treaty and the establishment of the Irish Free State, women were effectively stripped of any meaningful political or economic roles as the Free State ushered in a dominant era of paternalistic conservatism. With regards to the amnesia of women's contribution to the independence movement and their hopes for the postcolonial state, David Lloyd has examined how "multiple temporalities" with differing possibilities have existed in

any given insurgency.<sup>315</sup> For example, he explains that in the 1916 Rising, nationalist, socialist, and women's movements converged simultaneously. However, as the nationalist movement eventually emerged victorious with the Free State in 1922 and a conservative nationalist state was established, the socialist and women's movements were "occluded" and subsumed by the nationalist narrative.<sup>316</sup> Yet, as Lloyd argues, these movements did not end, nor were they eradicated, but rather they faced a moment of "hesitation" and were wrapped up, but not destroyed, by the dominant nationalist narrative.<sup>317</sup>

Before the Irish Free State, Irish women had made significant gains in the realm of politics and social movements in Ireland. Specifically, the burgeoning republican movement of the early 1900s and its political arm Sinn Fein welcomed female participation and mobilization (Sinn Fein would eventually have six women in Second Dail or Irish parliament). While the contributions of women to the Easter Rising and Anglo-Irish War have been well-documented, other organizations figured large in this era. For example, the Irish Women's Franchise League (IWFL) was established in Dublin in 1908 to fight for women's suffrage, boasting a large and visible presence in addition to the *Irish Citizen* publication. Jason Knirck notes, "The IWFL called for women's suffrage, pacifism, and greater attention to social issues and problems. Unlike Sinn Fein, which relentlessly pointed blame at England for all of Ireland's ills, the IFWL identified patriarchy as the major factor holding Ireland

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<sup>315</sup> David Lloyd, "Regarding Ireland in a Postcolonial Frame" in *Cultural Studies*, 15, No.1, (2001): 12-32.

<sup>316</sup> Ibid, 15.

<sup>317</sup> Ibid.



back.”<sup>318</sup> However, if it was the revolutionary moment of the early 1900s (including the Rising and the Anglo-Irish War) that gave Irish women hope in challenging the patriarchy and a voice in politics, it was the aftermath of the Irish Civil War and the Anglo-Irish Treaty that reestablished and strengthened the patriarchy for the Irish Free State.

Following the Anglo-Irish War, the Anglo-Irish Treaty pitted the Irish against one another and divided them into two factions: pro-Treatyites and anti-Treatyites. Pro-Treatyites were made up of individuals who were not necessarily British loyalists but those who thought the treaty was the best offer they would get to avoid more bloodshed. Anti-Treatyites were separatist republicans (Sinn Fein) who desired complete separation from the U.K. Pro-Treatyites emerged victorious from the Irish Civil War and established the Irish Free State in 1922. But how did women, so vocal and prominent in the fight for independence, become marginalized in the Irish Free State? The answer lies in the debates around the Treaty and the equating of republicanism with femininity by pro-Treatyites.

In *Women of the Dail*, Jason Knirck argues that the marginalization of women from the Irish Free State was deliberate and coincided with the marginalization of republicanism by pro-Treaty politicians during the Treaty debates.<sup>319</sup> The six Sinn Fein women in the Second Dail were vehemently against the Treaty (four had lost men who were martyred for the nationalist cause) and invoked the sacrifices of the

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<sup>318</sup> Jason Knirck, *Imagining Ireland's Independence: The Debates Over the Anglo-Irish Treaty of 1921*, (Maryland: Rowman & Littlefield Publishers, 2006), 23.

<sup>319</sup> See Jason Knirck, *Women of the Dail: Gender, Republicanism, and the Anglo-Irish Treaty* (Dublin: Irish Academic Press, 2006).

dead in their opposition to the treaty.<sup>320</sup> This, as Knirck argues, allowed Treaty supporters to portray the women (and thus republicanism by extension) as emotional, irrational, and volatile.<sup>321</sup> Women contributed greatly to the independence movement and had differing visions for the future of Ireland. Still, their narrative was subsumed by the victorious pro-Treaty forces and subsequent Irish Free State. In the Free State, Irish women no longer had access to politics and, thus, no voice to criticize male politicians.<sup>322</sup> In short, the moment of the Easter Rising opened a moment of possibility for Irish women, which the Irish Free State tamed and eventually closed entirely.<sup>323</sup>

When Eamon de Valera and his republican Fianna Fáil party took over in 1932, conditions for women did not improve with regard to politics or the public sphere. “Despite all the loyal service provided by his female supporters,” Knirck writes, “de Valera proved no more enlightened in such matters than Cumann na nGaedheal [the first Free State party]. He gave his Minister of Industry and Commerce the power to exclude women workers from certain industries during the Depression. His greatest legacy, the Constitution of 1937, unmistakably reflected a belief that women should be placed firmly and permanently in the home.”<sup>324</sup> In this

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<sup>320</sup> Ibid, 72-74.

<sup>321</sup> Ibid, 73.

<sup>322</sup> Ibid, 171

<sup>323</sup> During the interwar period, Irish female migration became increasingly sexualized in both the Free State as well as Britain. The loss of thousands of unmarried women represented a loss of those who were intended to be ‘mothers of the nation’ or ‘mothers of the race’ in the new Irish Free State. See Louise Ryan, “Sexualising Emigration: Discourses of Irish Female Emigration in the 1930s,” *Women’s Studies International Forum*, 25, No. 1, (2002): 51 – 65.

<sup>324</sup> Knirck, *Women of the Dail*, 171

context, during the interwar period, Irish women left the Free State in numbers higher than their male counterparts for various reasons. But, as the rest of this chapter will explore, Irish Women were almost always seeking services and economic opportunities that simply were not available under the stifling Catholic patriarchy of the Irish Free State.

“Their Own Free Will”: Irish Women Migrants and the Social Welfare Work of Dr. Letitia Fairfield

Australian-born Dr. Letitia Fairfield began working at the London County Council (LCC) in 1912, where she spent the next several decades (apart from her medical military service during both world wars) in the public health department, eventually becoming the first woman senior medical officer at the LCC.<sup>325</sup> At the LCC, Fairfield focused primarily on women's and children's health during her tenure. In 1929, the LCC took control over London's poor law board hospitals where Fairfield sought to improve maternity and obstetric services.<sup>326</sup> Socially, Dr. Fairfield was an early suffragette, a feminist who wrote at length about women's issues, and a member of the Fabian Society in London.<sup>327</sup> Throughout her life, Fairfield made many contributions to improve public health in London.

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<sup>325</sup> M. A. Elston. “Fairfield, (Josephine) Letitia Denny.” *Oxford Dictionary of National Biography*, (Oxford: Oxford University Press, 2004).

<sup>326</sup> Ibid

<sup>327</sup> Ibid

In 1936, Fairfield was tasked by the Cardinal's Committee for Social Work for Women and Girls to investigate the "moral danger" facing Irish women and girls (namely unwed mothers and domestic workers) in the Westminster diocese. Ultimately, the committee's goal was to formally investigate what was purely speculative and anecdotal up to that point: Irish women had become a strain on London's welfare and social services. No doubt the speculation was at least partially motivated by existing prejudices towards certain classes of Irish women, as the report's findings suggest. Of course, however, this was initiated under the guise of concern for the physical and spiritual welfare of the women. In a report titled "Welfare Work for Irish Girls in London," Dr. Fairfield provided an in-depth examination of the size and scope of the issue and suggested possible solutions. Throughout her work, Fairfield reproduces similar racialized language used to represent the Irish throughout the interwar period and argues against the agency of lower-class Irish women migrants to England.

Though Dr. Fairfield's study covered both unwed mothers and domestic workers, the vast majority of cases studied were unwed mothers, though they amounted to a very small percentage of Irish women migrants overall. The portion of Dr. Fairfield's inquiry that deals specifically with unwed mothers is broken down into two categories: women who became pregnant in Ireland and women who became pregnant after arriving in London. Fairfield writes, "It will be noted that the number of Irish girls greatly exceeded that of the English, Scotch, Welsh and foreigners put together (274 against 199). The figures do not of course include all Irish girls who

had illegitimate children in London during the year, for some girls remain with relatives or are sheltered by their employers, but it probably includes the great majority.”<sup>328</sup> These cases only included those that were referred by a variety of social service and religious institutions in Westminster.

Though not the majority, roughly a third of the Irish women represented in this study had become pregnant in Ireland before making their way to London. Often, these women fled the familial and societal scorn associated with being an unwed mother in the Catholic Irish Free State. Once referred to the committee, every effort was made to persuade them to return to the Free State. Fairfield writes, “This inquiry was undertaken owing to a revival of the old-standing objections made by Irish girls arriving in this country pregnant, to repatriation to Ireland. They frequently allege that they dare not face the disapproval of their families and friends, and moreover, that the treatment in the homes for unmarried mothers is harsh and the period of detention very long. As these girls cannot be legally deported, they have to be persuaded to go back at their own free will.”<sup>329</sup>

However, this was not entirely true. A provision existed where legal formal repatriation to Ireland could be achieved by appealing directly to the High Commissioner’s office. Between 1930 and 1938, 114 Irish-born subjects were repatriated using this provision. Of the 114, 34 were children, 17 were unwed mothers, and 63 were domestic workers. Still, it was preferred that any girl coming

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<sup>328</sup> “Welfare Work for Irish Girls in London,” PH/GEN/3/26, London Metropolitan Archives (LMA).

<sup>329</sup> Ibid.

from Ireland pregnant should be persuaded to return of her own free will. Fairfield explains, “It may be asked why all girls arriving pregnant in England should not be referred at once to Public Assistance and dealt with by formal repatriation. It has been found that 1) many are technically not destitute as they have a little money or can find employment; 2) some are not of the Poor Law type and it is not desirable to force them into an Institution...3) if girls of another type go to an Institution they find they are so comfortable that they refuse to return to Ireland”<sup>330</sup> Fairfield’s “typology” breaks down a very small percentage of Irish women migrants (those arriving pregnant) into specific subsets that reproduce familiar language to describe the Irish and indicates that some classes of migrants are more desirable than others. The first type Fairfield mentions are those that have money or can find work, i.e., those that are economically viable and can fill roles in the high-demand domestic work sector. Though pregnant, these Irish women migrants were the ones actively recruited by Britain. The second group Fairfield mentions were those “not of the Poor Law Type” and thus did not belong in an institution. This could include Irish women who either had family in Britain or arrangements with a host family or diocese, in essence, someone who could keep an eye on her and ensure she did not “go to the bad.” The final classification Fairfield mentions are those “of another type” who might find the conditions in the institution so comfortable they would not want to leave. This reproduces the stereotype of the “lazy Irish” taking advantage of the dole.

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<sup>330</sup> Ibid.

Interestingly, the case of girls arriving pregnant from Ireland bears a striking resemblance to calls for repatriation of Irish migrants in the Industrial North in the late 1920s and early 1930s. In both cases, the calls for repatriation centered around a perceived problem based on prejudices against the Irish, and in both cases, the problem was nowhere near as acute as believed. For instance, Fairfield argues, “It will be noted that the number of girls arriving actually pregnant (99 in London in the year 1937) has been exaggerated in the popular imagination.”<sup>331</sup> The “popular imagination” during the Interwar period proved to be a highly effective catalyst for driving migratory inquiries concerning the Irish. As Mo Moulton has argued, “Pregnant Irish immigrants symbolically threatened the nation through invasion, undermining the valorized image of the English national home through the reproduction of a potentially subversive and disloyal minority. As a moral panic, the concern over pregnant Irish immigrants was not major, but it was symbolically intense and emotionally charged.”<sup>332</sup> This points to a revealing contradiction discussed throughout this chapter as Britain wanted a consistent flow of cheap Irish domestic workers while running up against the “moral panic” that Moulton refers to. The work that the figure of the Irish on the dole during the Depression (and earlier, the Irish republican in Britain), the figure of the pregnant Irish migrant somewhat does in this context. However, the nature of the “threat,” the basis for the moral panic,

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<sup>331</sup> Ibid.

<sup>332</sup> Mo Moulton, *Ireland, and the Irish in Interwar England*, (Cambridge: Cambridge University Press, 2014), 292.

is slightly different as Irish women were also controlled by constructing them as subjects in need of rescue, not only as threats.

The second focus of Dr. Fairfield's inquiry also found that the cases of girls who became pregnant after arriving in London also challenged preconceived myths about Irish migration. She writes, "This problem is more serious than had been supposed. Many of these girls had only been in England one or two years and most were under the age of 23 years. [most named Irishmen as the father] ...No account has been taken of cases where information about paternity was withheld. This aspect of the problem was a great surprise to the workers as much has been laid on the plight of the innocent country girl surrounded by sophisticated Londoners."<sup>333</sup> Here, Dr. Fairfield is pushing back on a different sort of myth coming out of the Free State: that Irish girls are preyed upon by Londoners seeking to tarnish their virtue. This myth that was propagated by de Valera when he sought to demonize the English and blame the dangers facing Irish girls in London on unsubstantiated claims of white slave traffickers. Nevertheless, the perceived problem of Irish women becoming pregnant while in London became an important issue to address in Dr. Fairfield's report.

So, what happened to these women? Fairfield notes that "Every help was given to these expectant mothers provided they themselves were willing to bear some responsibility towards their children."<sup>334</sup> However, the type of help given was often dependent upon the girl's physical health, Catholic spirituality, willingness, and, more

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<sup>333</sup> Fairfield, "Welfare Work for Irish Girls in London", PH/GEN/3/26, London Metropolitan Archives (LMA).

<sup>334</sup> Ibid.



importantly, adeptness at working in domestic work. For instance, a girl with a clean bill of health who agreed to nurse the baby for three months, not “sacrifice the child’s faith,” and could help pay for her expenses through domestic work could be placed in a Catholic home where conditions were quite good.<sup>335</sup> On the other hand, girls of “too unsatisfactory a type,” unhealthy, and unable or unwilling to work or bear responsibility were often sent to Public Assistance Institutions where conditions were poor.<sup>336</sup> These girls were often persuaded to return to the Free State or legally repatriated through the High Commissioner’s office. Thus, Fairfield as well as the British state, placed value on certain types of migrants deemed worthy of staying while others were considered undesirable.

The final focal point of Dr. Fairfield’s inquiry was more than 150 domestic workers who were unable to “hold their own in the London labor market.”<sup>337</sup> Fairfield notes that, “In many instances, they had escaped moral disaster, but any girl in any community is in potential danger if friendless and destitute.”<sup>338</sup> Therefore an effort was made to “rescue” these girls from spiritual and physical ruin while at the same time categorizing those with the potential to “fit in” and those who should return to the Free State. Thus “rescue” in practice entailed sorting Irish migrant women. Just as with the cases of pregnant women, the focus was on their bodies and mental capacity. Fairfield explains, “The reasons for the girl’s trouble usually lay in their own subnormality of mind and inability to adjust themselves to London life.

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<sup>335</sup> Ibid.

<sup>336</sup> Ibid.

<sup>337</sup> Ibid.

<sup>338</sup> Ibid.

Sometimes the girl had had bad luck with her original place and had not known how to find another. If she had any capacity for domestic service these cases were soon happily settled as the demand for female domestic labour is very large. But usually there was much more in them than that. The girls turned out to be hopelessly dirty and incompetent or extremely irresponsible.”<sup>339</sup> In other words, there were Irish girls who fit the category of the ideal domestic worker (strong, sharp, and responsible) and thus “belonged” in London. In contrast, others, according to the report, served no other purpose than becoming a drain on social services and a danger to themselves on the streets of London.

Following the report, Dr. Fairfield wrote a detailed conclusion complete with suggestions for preventative measures. Fairfield’s conclusion begins by outlining the many reasons why outreach and other programs have not been effective at stemming the flow of Irish girls. She then suggests that, though there are dangers in London, these have been exaggerated, before finally placing the majority of the blame on Ireland for the problem.<sup>340</sup> Cooperation on this matter between the Irish Free State and Britain, though never great, had by the mid-to-late 1930s become virtually non-existent. Fairfield contended that there was more the Free State could do to address the problem. In her final recommendations, she pleads for more cooperation between Dublin and London, for the Irish Free State to prevent migration of young girls by

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<sup>339</sup> Ibid.

<sup>340</sup> Ibid.

warning them of the dangers they will encounter, and for the Free State to stop furthering rumors of unsubstantiated white slave traffic facing Irish girls.<sup>341</sup>

However, Fairfield notes that the girls who become burdens on local social services were the exception, not the rule. Fairfield writes, “It should be clear that in the experience of the Committee only a small portion of the many thousands of girl immigrants who come to England ‘go wrong.’ The great majority, normally endowed with character, health, and intelligence, do very well and are a credit to their country, and their Faith...Exceptions to the rule have excited perhaps undue attention but they are sufficiently numerous to have caused considerable scandal and embarrassment to the [Catholic] Church in England.”<sup>342</sup> Though critical of the Free State’s lack of cooperation in the matter of Irish women migrants and the paucity of social outreach programs for Irish women in London, Fairfield seems to fall right in line with the Free State’s view of the ideal Irish woman: religiously pious and a “credit to their country.” More broadly, Fairfield’s description of the ideal Irish woman migrant presents a direct contrast to the types of Irish migrants Britain wished to prohibit based on stereotypical Irish representations: unintelligent, lazy, impoverished, and “unsavory” characters.

The work of Dr. Fairfield demonstrates that the often-false public perception of Irish women migrants was powerful enough to instigate a study, especially when it became an embarrassment for the Catholic Church. By her own admission, the

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<sup>341</sup> Ibid.

<sup>342</sup> Ibid.

majority of cases of Irish women migrants were benign, and it was the more egregious cases that were driving the popular narrative. However, Dr. Fairfield's report is revealing about the "classes" of migrants that Britain desired in the interwar period, such as skilled workers that would fulfill an economic purpose, a process that would be strikingly similar in the postwar period, though more focused on non-white British subjects. Fairfield's report also reveals that the lives and movements of Irish women migrants were under increased scrutiny, as every effort was made to intercept them upon arrival, control their movements within England, and manage their social lives. The scrutiny of Irish migrant domestic workers carries on through the work of Gertrude Gaffney in 1936 who, in her critique of de Valera and the Irish Free State, reproduces the Free State's patriarchal conservatism.

#### Gertrude Gaffney and the Problem with Irish "Girls"

At the end of 1936, a feminist and prominent Irish journalist, Gertrude Gaffney, wrote a series of popular articles for the *Irish Independent* aimed at warning Irish girls of the dangers of emigrating to England in addition to speculating why this had become such a critical issue. These articles were reprinted several times and were eventually published and circulated as a pamphlet titled *Emigration to England: What you should know about it: Advice to Irish Girls*. These articles functioned as both an advisory to potential Irish women immigrants as well as a condemnation of the conditions that created this problem in the first place. Gaffney, though an Irish

Catholic, strongly disliked Eamon de Valera and the Fianna Fáil government, specifically concerning their treatment of women, and thus placed much of the blame of Irish girls “going to the bad” on Irish Free State policies during the 1930s.<sup>343</sup> Yet, similar to Fairfield, Gaffney’s concern for Irish women migrants comes from an uneven maternal-feminist relationship, and she describes certain lower-class Irish women in diminutive, infantilized terms (the “sub-normal girl”) while others (i.e. those more intelligent and stronger in faith) could clearly cope better with life in London.<sup>344</sup> Though critical of the Free State’s treatment of women, Gaffney’s articles reproduce several of the Free State’s thoughts on the role of Irish women, including their roles in the home, as “reproducers of the nation,” and as stewards of the Catholic faith.<sup>345</sup>

In her introductory article, Gaffney provides a cursory overview of the issues facing Irish girls before assigning the responsibility to the Irish Free State. She writes, “I am definitely of the opinion that the whole root of this matter of the alarming number of Irish girls who have in a comparatively brief period after their arrival, go to the bad in London lies not in London but in Ireland.”<sup>346</sup> Yet, her explanation of why the root of the problem lies in Ireland contains many contradictions. For instance, she writes, “There is one great area of London, the East

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<sup>343</sup> Gertrude Gaffney, “Irish Girl Emigrants: The Dangers they Encounter”, *Irish Independent*, 7th December 1936.

<sup>344</sup> Jennifer Redmond, *Moving Histories: Irish Women’s Emigration to Britain from Independence to Republic* (Liverpool: Liverpool University Press, 2018), 113.

<sup>345</sup> *Ibid*, 129.

<sup>346</sup> Gertrude Gaffney, “Irish Girl Emigrants: The Dangers they Encounter”, *Irish Independent*, 7th December 1936.

End and the North East, where a young girl, unless she has a very rigid back-bone and is a very good Catholic, indeed, has comparatively slender chances of keeping straight...because of the conditions she finds herself working and recreating.”<sup>347</sup> Here the problem seems to be less about the issues in Ireland driving women to migrate but rather the social, criminal, and economic problems present in some of the seedier parts of London. Gaffney’s series of articles does not present possible solutions to these issues or suggest that there is clearly more London could do to improve conditions in the East End and the North East.

Even when Gaffney discusses some of the reasons the Free State is responsible, blame can clearly be shared with England. Gaffney argues, “There are certain servants’ registries, both in Dublin and in the provinces, that recruit girls for these areas [East End]. I do not for a moment insinuate that the registry office in any case deliberately sends a girl to an undesirable house, but certain registries do the major part of their business either directly with employers, or with cross-Channel agencies which serve them, living in those parts of London to which I definitely state that it is dangerous for any unsophisticated Irish girl coming directly from a country district to go.”<sup>348</sup> Gaffney fails to mention that clearly there is a high demand for Irish domestic servants in the U.K., and much of the effort to recruit within Dublin and the other provinces is driven by this demand. Experienced Irish domestic servants

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<sup>347</sup> Ibid.

<sup>348</sup> Ibid.

were one of the only “types” of migrants Britain wanted from the Free State during the interwar period.

When Irish women were recruited and made their way to England, Gaffney explains that the burden of intercepting them at the ports and steering them clear of trouble largely fell on English religious and welfare societies, as well as a handful of port workers.<sup>349</sup> This was well known and is corroborated by the work of Dr. Fairfield and the National Vigilance Association. The problem, as Gaffney saw it, was that these charitable organizations relied solely on subscriptions and donations and they were severely overtaxed by the sheer number of girls coming over to England seeking domestic work.<sup>350</sup> For example, Gaffney cites the Port and Station Society, which posted workers at the port in Liverpool to meet Irish girls, “is purely voluntary, it gets with difficulty the annual income to pay its expenses by begging it from English subscribers. It can afford to pay but two workers, and if one of these were ill, or for any reason unable to attend to her duties, the consequences for the girls who are not met could be very serious.”<sup>351</sup> Even while praising the efforts of these charitable organizations and the English people for supporting them, Gaffney said very little about the conditions that cause the dangers that made these interceptors necessary and focused instead on the faults of the Irish Free State to mitigate the flow of Irish girls and that they should bear some of the financial responsibility for the workers at the port. She writes, “It is unfair and humiliating that

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<sup>349</sup> Gertrude Gaffney, “Many Destitute on Reaching England”, *Irish Independent*, December 8th, 1936.

<sup>350</sup> *Ibid*

<sup>351</sup> *Ibid*

English people should have to pay for such a service to this nation.”<sup>352</sup> However, it is quite unheard of and difficult to ascertain other instances where other government-funded workers met expatriates at the port of entry. Gaffney’s remarks also demonstrate the large effort to surveil and control the movements of Irish women upon their arrival in an attempt to monitor their activities and “protect” them from moral decline. Though Gaffney comes from an upper-middle-class background and a place of privilege, she does not indicate that the same freedom of movement should be extended to Irish women from the lower classes.

As for the types of Irish girls coming over, Gaffney’s series of articles focused primarily on “unsophisticated” and “ignorant” country girls, even though research had shown (Fairfield) that a fair amount of girls from Dublin and its environs emigrated to England during this period, especially under the category of unwed mothers. Gaffney, though a feminist, comes across in her writings as viewing that the rights she saw as indispensable were more for middle to upper-class women, rather than the lower class who were easily misled and in such dire need of shepherding and saving. Gaffney writes, “I am told that many of these Irish Girls who go to England are easy prey to the undesirable acquaintance. Coming from country districts where they may with safety talk to everybody they meet, almost anybody who is well-dressed and pleasant to them can gain their confidence.”<sup>353</sup> Furthermore, Gaffney notes that even though charitable organizations make every effort to intercept them,

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<sup>352</sup> Ibid.

<sup>353</sup> Ibid.



these girls, “do get themselves into difficult and dangerous situations through their own willfulness and ignorance.”<sup>354</sup> Any Irish woman of lower means or from the country, in Gaffney’s opinion, needed to be protected from her naivete and inexperience. Additionally, Gaffney explains, their intelligence and knowledge of practical life skills are lacking: “Nearly everybody who has had anything to do with these Irish girls told me the same story: that they seem to have no sense whatever of money values; that they have no conception of hours or time; and that they are completely ignorant of geography.”<sup>355</sup> Irish girls from the city or more financial stability, by contrast, were often seen as lacking in religious piety when it came to their vulnerability at English ports and to the dangers that they faced.<sup>356</sup> This draws attention to the stark divide between urban middle to upper-class women and their lower-class counterparts, even amongst the Irish. Women’s rights, agency, and independence were not universally conceived by feminists for all women, and those thought of as ignorant, unintelligent, or naive required rescuing and supervision.

If the root of the problem is in the Irish Free State, as Gaffney believed, what should the Free State do to combat this issue? In her final article in the series, Gaffney explores several ways the Free State should address it. Gaffney suggests that the Free State should make training of young Irish girls in domestic work mandatory in schools. She writes, “girls would have to be trained by working in an ordinary house, dusting, cleaning, waiting, cooking, using their heads and wits...”<sup>357</sup> This, in

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<sup>354</sup> Ibid.

<sup>355</sup> Ibid.

<sup>356</sup> Ibid.

<sup>357</sup> Gertrude Gaffney, “Root of the Problem at Home”, *Irish Independent*, December 18th, 1936

Gaffney's opinion, would alleviate the problem with women who emigrate to England untrained and thus vulnerable to dismissal from their employers. Yet, Gaffney wonders if this might be seen as "training the girls for export," to which she answers that a proactive approach would help those already intent on leaving and may even deter some from emigrating if they are skilled enough to find work in the Free State.<sup>358</sup> Furthermore, Gaffney cites recent theories that teaching children technical skills help develop their overall intellect. She writes that compulsory training would allow Irish women to "become better cooks, better housekeepers, better managers at home, with consequent effect on the standard of living and of health of the nation."<sup>359</sup> In essence, they would fit right into de Valera's vision of the role of women in the Irish Free State, which Gaffney was so critical of.

Gertrude Gaffney's series of articles in the *Irish Independent* demonstrates the bifurcated view and representation of Irish women migrants in the interwar period. The articles show that, amongst working-class Irish women, certain characteristics made some more desirable than others, which can be viewed as a microcosm for Britain's interwar representations of the Irish more broadly. Gaffney's "feminism" is contradictory because although she claims to be coming from a place of empathy and criticism of Free State policies, her conclusions suggest that her views of what is appropriate behavior are more complimentary of de Valera's vision for Irish women.<sup>360</sup>

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<sup>358</sup> Ibid.

<sup>359</sup> Ibid.

<sup>360</sup> Redmond, 129.

Mother and Baby Homes, “Coercive Confinement,” and Dr. Fairfield’s 1949 “The Irish Repatriated Unmarried Mother” Report.

In 2014, on the former site of the St. Mary’s Mother and Baby Home in Tuam, County Galway, Catherine Corless, an amateur researcher, uncovered the mass grave of roughly 800 infants buried in what was once a septic tank.<sup>361</sup> The infants, it was found, had died throughout the home’s operation between 1925 and 1961 from various causes. The discovery of the mass grave prompted international media attention and eventually led to the formation of a Commission of Investigation by the Irish Government in late 2014 to examine and review claims of abuse and harsh treatment (something the government had ignored or denied up until this point) in Mother and Baby homes throughout their more than seventy-year existence. In addition to formal recognition by the government of the abhorrent conditions women faced in Mother and Baby Homes, the Catholic Church also issued an apology for, “hurt caused and...its role in society’s ‘culture of isolation and social ostracising’ of ‘unmarried mothers’.”<sup>362</sup> The discovery also brought international attention to an issue that was already well-known and feared amongst unwed Irish mothers throughout the twentieth century: Irish Mother and Baby homes were often places of systematic abuse, forced labor, and incarceration. The fear of being placed in a

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<sup>361</sup> Paul Michael Garrett, “Excavating the Past: Mother and Baby Homes in the Republic of Ireland” in *British Journal of Social Work*, 49, No. 1, (2017): 358.

<sup>362</sup> *Ibid*, 359.

Mother and Baby Home was a key factor that drove the few unwed Irish mothers to exercise their rights as British subjects and relocate to the U.K. The burgeoning Free State government's culture of paternalistic religious conservatism and rural idealism allowed these homes to be established (the first one opened in 1922) and operate with little to no oversight from the government.

If a woman became pregnant out of wedlock in the Irish Free State during the 1920s and 1930s, she had very few options. If she was fortunate enough to have an understanding family, she could stay with them, and the child would be placed with either her immediate family or a close relative. If this was not possible, the mother would likely be placed in one of the several Mother and Baby Homes that opened throughout the interwar period in the Free State. This section uses Mother and Baby Homes as a general term that encompasses a variety of different birthing and detainment centers for Irish women and children, some of which will be discussed in more detail below. Nearly all were run by the Catholic Church, and nearly all had little to no oversight from the Free State government, which outsourced this work to the clergy. In short, there were "special establishments" that were the least restrictive and then there were County Homes, Magdalen Asylums, or poor law institutions which were more restrictive and in which women faced harsher conditions. The names of the latter institutions were often interchangeable. Despite the differences in taxonomy, none of these institutions were particularly desirable for Irish unwed mothers.

It is important to recognize that one factor that may have been contributing to the emigration of Irish mothers is that legal adoption did not exist in Ireland until 1952, whereas adoption laws were instituted in England and Wales in 1926 and in Scotland in 1930. The reluctance by the Free State government to institute legal adoption hinged on two main factors; the first being the State's concern that a child could be adopted to Protestant parents, thereby facilitating proselytism.<sup>363</sup> As Paul Michael Garrett argues, "Fears were also expressed that legal adoption might run counter to the teaching of the Roman Catholic church."<sup>364</sup> In fact, when legal adoption finally became enacted in Ireland in 1952, the law stipulated that the adopting parents needed to be of the same faith as the child. The second factor that made the Irish Free State hesitant to enact legal adoption was a bit more complex and had to do with the disruption of land inheritance in the rural parts of the country. Garrett argues, "this critique highlights the fact that frequently in Ireland, and particularly in the context of the post-famine restructured agrarian economy, every issue returns, in some respects, to more fundamental questions which are rooted in discourses centered on patriarchy and land ownership."<sup>365</sup> In the context of the Irish Free State, this included the control of reproduction for the agricultural economy and the marginalization of female agency more broadly. As Catherine Nash has argued, "This denial of the female was also linked to the control of sexuality by Catholicism. This moral code supported the economic and social system of family farming, which

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<sup>363</sup> Paul Michael Garrett, "The Abnormal Flight: The Migration and Repatriation of Irish Unmarried Mothers", *Social History*, 25, NO.1, (2000): 333.

<sup>364</sup> Ibid

<sup>365</sup> Ibid, 334.

demanded the regulation of sexuality for the control of inheritance.”<sup>366</sup> Both of the factors that prevented the enactment of legal adoption in Ireland during the Free State years were more or less in line with the idyllic image desired by the Free State based on Catholic conservatism and a robust agricultural economy.

Without legal adoption in the Free State, illegitimate Irish children could still be placed with families through “de facto” adoptions where children were exported overseas (mainly to America) to Catholic families without children. Though these adoptions increased exponentially in the postwar years, they began in earnest in the interwar period with the backing of the Catholic Church. Paul Michael Garrett notes, “Despite the church being somewhat hesitant about the introduction of legal adoption, it remained complicit, however...in covert and legally dubious endeavours to provide childless American couples, who were Roman Catholics, with children.”<sup>367</sup> Often there was a racial subtext to these adoptions, as some American families believed that children from Ireland would be less likely to contain “negro blood.”<sup>368</sup> While the racist subtext of these adoptions is not surprising, they are telling about the grip that Catholic conservatism had over Ireland throughout this period. The church would rather place these children into questionable and potentially dangerous situations thousands of miles from home than adopt them out to loving Protestant families in Ireland or the U.K.

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<sup>366</sup>Catherine Nash, “Remapping and Renaming: New Cartographies of Identity, Gender and Landscape in Ireland,” *Feminist Review*, 44, No. 1, (1993): 47.

<sup>367</sup> Garrett, “The Abnormal Flight,” 334.

<sup>368</sup> *Ibid*

Illegitimate children that were not placed with foreign families through “de facto” adoptions had very few options within the Irish Free State. Once born and weaned from their mothers, they were either sent to foster care with a Catholic family until claimed by family members, placed in orphanages, or, in many cases, sent to the notorious industrial schools--vestiges of the colonial past funded by the public and run by religious orders. Industrial schools (or reform schools) were established in the 1860s as an extension of the Poor Law to help care for abandoned or orphaned children. By the interwar period, however, their purposes had expanded to include criminal cases as well, and the schools became a catch-all for unwanted children. Much like the Magdalen asylums and county homes for Irish unwed mothers, industrial schools were places of systematic physical, sexual, and verbal abuse which was obscured and sometimes justified through religious righteousness. No matter the situation, however, illegitimate children in interwar Ireland faced grim realities once removed from their mothers.

While the existence of Mother and Baby homes is not unique to Ireland, their development and operation not only reflected the Free State’s conservative Catholic society but also a broader punitive process reminiscent of penal welfarism popularly characterized by nineteenth-century British workhouses.<sup>369</sup> In essence, these homes were reproducing British colonial institutions. This process, referred to by Eoin O’Sullivan and Ian O’Donnell as “coercive confinement,” defined and shaped the

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<sup>369</sup> Eoin O’Sullivan and Ian O’Donnell, “Coercive Confinement in the Republic of Ireland: The Waning of a Culture of Control,” *Punishment and Society*, 9, No. 1, (2007): 27-48.

Irish penal system in the first half of the twentieth century and included a wide range of institutions such as psychiatric hospitals, industrial schools for children, and homes for unmarried mothers.<sup>370</sup> O’Sullivan and O’Donnell argue that these institutions were “utilized to reform, quarantine, or reject those who did not conform to societal norms” which went far beyond the average criminal to include the insane, the poor, and the “feeble-minded.”<sup>371</sup> In fact, by 1951, only around 3% of all Irish men and women “detained” were part of the prison population (702 out of 31,651), the rest were scattered throughout these institutions.<sup>372</sup> O’Sullivan and O’Donnell contend that these sites “are not usually counted when discussing contemporary levels of incarceration. However, there can be little doubt that they served as repositories for the difficult, the deviant, and the disengaged.”<sup>373</sup> Such was the case with Mother and Baby homes in the Irish Free State where unwed mothers were detained for at least two years, often without any legal reason for doing so. The “coercive confinement” of Irish women in Mother and Baby Homes in the Free State during the interwar period did not stem from concern for the safety of the mother or the child, rather it was an extension of the social conservatism of the Free State that sought to regulate unmarried mothers and detain those seen as morally deficient.

British mother and baby homes, by contrast, while by no means highly desirable places to give birth, were much more utilitarian in their operations. Gillian Clark writes, “The primary purpose of mother and baby homes of the twentieth

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<sup>370</sup> Ibid, 28.

<sup>371</sup> Ibid.

<sup>372</sup> Ibid, 35.

<sup>373</sup> Ibid, 32-33.



century [in Britain] was to provide unmarried girls with accommodation and support before, during, and after the birth of their illegitimate children. The secondary purpose was to give time during the period of support for decisions to be made about the future, the outcome of which could be to have the child adopted.”<sup>374</sup> Just as with the Irish Free State, unwed mothers in Britain were stigmatized and ostracized from their communities and received little to no support from their families.<sup>375</sup> However, the difference between mother and baby homes in Britain is that they mostly functioned to provide assistance that would help to remove the stigma of illegitimacy rather than punish the mother for her actions. This distinction would make a large difference to Irish mothers not wishing to go to the Mother and Baby Homes in the Free State. In England, adoption was a way to remove the blemish of unwed mothers, provide a fresh start, and mask the stigma of illegitimate birth rather than punish it.

After its establishment in 1922 and throughout the interwar period, the Free State government leaned heavily on its conservative Catholic base for both its policies and its outward public image. Women, including middle to upper-class feminists, despite figuring largely into the 1916 Easter Rising and the 1921-1922 Anglo-Irish War, were effectively forgotten in the Free State years and relegated to the role of religiously pious mother in charge of the moral and spiritual health of her household. Irish women who became pregnant out of wedlock, therefore, threatened to undermine this image and contributed to what Paul Michael Garrett calls the “Social

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<sup>374</sup> Gillian Clark, “The Role of Mother and Baby Homes in the Adoption of Children Born Outside Marriage in Twentieth-Century England and Wales,” *Family & Community History*, 11, No.1, (2008): 45.

<sup>375</sup> *Ibid.*

Authoritarianism” of the Free State era.<sup>376</sup> This included the establishment of Catholic Mother and Baby Homes (there had only been Protestant services prior to the Free State) and a “bifurcated policy” towards Irish unwed mothers.<sup>377</sup> Garrett argues that this policy emerged out of a conscious effort to “criminalize” illegitimate pregnancies and sought to delineate unwed mothers into two categories: those “amenable to moral reform” and those “less hopeful cases.”<sup>378</sup> This bears a striking resemblance to the categorization that Dr. Fairfield used during her report.

Garrett notes that language used in the Free State to describe this problem reveals a move towards a more punitive policy in the 1920s with such words and phrases as “detainment,” “repeat offenders,” and “reform,” especially in the 1927 Report of the Commission on the Relief of the Sick and Destitute Poor which advocated for new classifications and penalization of unwed mothers.<sup>379</sup> Though illegitimate births in the Free State never rose above 3.5% of total births during the interwar period, thousands of women were detained in Mother and Baby homes, though not all were treated equally.<sup>380</sup>

The split policy towards unwed mothers in the Free State often, but not always, reflected the economic and education divide between Irish women. “First offenders” and those “likely to be influenced towards a useful and respectable life”

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<sup>376</sup> Garrett, “The Abnormal Flight,” 332.

<sup>377</sup> Ibid. Catholic charities and societies were concerned about “proselytizing Protestant bodies” taking care of and influencing Catholic children. The establishment of the Child Protection and Rescue Society in 1913 was in direct response to this perceived threat.

<sup>378</sup> Ibid.

<sup>379</sup> Ibid.

<sup>380</sup> Ibid.

were usually sent to establishments that specialized in religious education, domestic skills, and agricultural work, with the aim that they would eventually be suitable to rejoin society as moral women.<sup>381</sup> Though the women sent to these establishments were still detained and their children fostered out, their future prospects were supposedly not as grim as other “less hopeful” unwed mothers. Furthermore, these women also tended to have a formal education and come from a more stable economic background. Still, only around 30% of unwed mothers were sent to these establishments.<sup>382</sup>

Conversely, the remaining 70%, which included “repeat offenders,” the poor, and the uneducated, were regularly confined to county homes (usually former workhouses), poor law institutions, or Magdalen asylums.<sup>383</sup> Magdalen asylums were a special provision intended for the most severe cases. Magdalen asylums were institutes privately run by the Catholic church that emerged in the 1840s to “rescue” prostitutes and other “fallen women.” However, during the Free State years, they were regularly used to detain and enslave poor, uneducated, or “difficult” unwed mothers.<sup>384</sup> Due to their reliance on free labor, Magdalen Asylums expanded in the interwar period, and the definition of “fallen women” became much vaguer.<sup>385</sup> As the asylums functioned without oversight from the government, they were not transparent

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<sup>381</sup> Ibid.

<sup>382</sup> Ibid, 332.

<sup>383</sup> Ibid, 333.

<sup>384</sup> Frances Finnegan, “Article in Response to the Irish Times Coverage of the Channel Four Documentary *Sex in a Cold Climate*,” *Congrave Press*, March 22, 1998. See also, Frances Finnegan, *Do Penance or Perish : Magdalen Asylums in Ireland*. (Oxford: Oxford University Press, 2004).

<sup>385</sup> Ibid.

in their operation, and there were countless uninvestigated claims of physical, sexual, and emotional abuse throughout their operation.

The Magdalen asylums in the 1920s and 1930s reflected the patriarchal and religiously conservative culture of the Free State government as they housed (and disposed of) women who knowingly or unknowingly challenged traditional Irish morals and values. As such, they also reflected the fear of female agency and sexuality. As Frances Finnegan argues, “The Magdalen Movement, though ignoring men's contribution to ‘sin’, cannot be attributed to the Victorian double standard in sexual morality, since most of its victims were casualties, not of the nineteenth century but the post-Victorian age. It seems more likely to have resulted from a continuing fear of female sexuality. But whatever its cause, it was an appalling injustice towards women, and particularly those of the poor.”<sup>386</sup> Although according to Garrett, “the incarceration of these women was [intended] ... to safeguard the community from the contagion of evil,” their detainment was not permanent, and they were usually released after a couple of years if they were able to demonstrate an ability to care for themselves and after they had sufficiently helped pay for the operation of the home through their forced labor.<sup>387</sup>

Whether sent to “special establishments,” county homes/workhouses, or Magdalen asylums, unwed mothers faced a period of detainment, social ostracisation, and often abuse at the hands of their caregivers. While the Free State government

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<sup>386</sup> Ibid.

<sup>387</sup> Garrett, “The Abnormal Flight,” 332.

was not directly involved with the operations of these homes (this was handled within the auspices of the Catholic church), they certainly contributed by sending unwed mothers to homes through the Ministry of Health or the Poor Law and by not acknowledging reports of the conditions in the homes. Many unwed mothers, however, took heed of the rumors and first-hand accounts and decided to emigrate to England rather than be forced into an abusive and confining environment. Here is where Irish women's agency is found: in their ability to move.

After 1936, Dr. Fairfield continued to work for the LCC until 1948, when the National Health Service was established. Following 1948, Fairfield continued to publish articles and reports about public health issues. "The Irish Repatriated Unmarried Mother" was a report written in 1949 by Dr. Fairfield that recounts the issues that London faced during the 1930s in trying to convince Irish unwed mothers to return to Ireland as well as attempts (and some successes) to formally repatriate them. Ultimately, though, the report was intended to follow up on claims from Irish women that one of the reasons for fleeing Ireland were the conditions and harsh treatment they faced at homes for unwed mothers in Dublin, Cork, etc and the long detention times for women at these homes. Acting on behalf of the charitable organizations that sometimes convinced Irish women to return home (and feel responsible for their fate) and on behalf of the National Council for the Unmarried Mother and her Child (NCUMC), Fairfield wanted to investigate whether the claims of Irish women could be substantiated. In her report, Fairfield provides a fairly

thorough investigation into several of these homes as well as suggestions for improving the relationship between charitable organizations and the state. As a Catholic working with Catholic organizations, however, Fairfield's report comes across as biased in some areas as she hesitates to be too critical of the Irish homes run by Catholics.

To have some concrete data with which to substantiate or refute the claims of Irish unwed mothers, Fairfield chose to investigate several homes in Ireland where these women were placed. It should be mentioned that Fairfield only visited the "special establishment" homes aimed at reforming "first offenders" and those likely to adhere to the Free State's conservative morality. Missing from the report are the county homes/workhouses and the notorious Magdalen asylums. While the report contains extensive research into the quality of the "special establishment" homes, Fairfield's findings are mixed as some of the homes, in her opinion, are satisfactory and others were as harsh as some of the unwed mothers feared, though not nearly as bad as the placements for "hopeless cases" or the "feeble-minded."<sup>388</sup> Regardless of the report's findings, however, the study is revealing about the nature of Irish society in the interwar period and presents a bleak outlook for women in the Irish Free State (and, later, the Republic) as each of the homes tends to reinforce the radically patriarchal and religiously pious view of the government.

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<sup>388</sup> Letitia Fairfield, "The Irish Repatriated Unmarried Mother," PH/GEN/3/26, London Metropolitan Archives (LMA).

Fairfield first visited St. Patrick's Home, Pelletstown, outside of Dublin, one of the largest Mother and Baby Homes in Ireland, and run by the Sisters of Charity of St Vincent de Paul. St. Patrick's housed up to 130 mothers and 400 children, and at the time of Fairfield's visit following WWII, had recently been expanded and renovated, though the home was still overcrowded with children kept in close quarters.<sup>389</sup> Still, Fairfield notes the clean and "institutionalized" conditions of the facility in her report and credits the Sisters for their hard work in ensuring the survival of most of the children in the home. However, sanitary conditions at St. Patrick's only began to improve in the 1940s and, as a result, the child mortality rate lowered to around the national average of 6 to 7 percent.<sup>390</sup> During the interwar period, though, and in the early years of St. Patrick's, the mortality rate for children was much higher; even reaching close to 50 percent in 1925.<sup>391</sup> Though Fairfield praises the cleaner conditions, she is critical of the cramped environment from a medical perspective, though she places the blame on Dublin rather than the Sisters of Charity or the Diocese in charge of managing the facility. She writes, "The physical condition of the children is only fair, but it is a great credit to the Sisters that any survive these nightmare conditions. How the nurseries are organized with up to 30 mothers coming in to look after their own children I cannot imagine. At a previous visit to Pelletstown about twenty years ago I found that the mortality rate was appalling - it is now said to be low. But why Dublin (which hasn't the excuse of

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<sup>389</sup> Ibid.

<sup>390</sup> Paul Redmond, "Over 9000 Irish Women or 'Inmates' Went Through these Doors, Forced to Repent", *The Journal.ie*, October 11, 2015.

<sup>391</sup> Ibid.

being bombed) has persisted in keeping this huge agglomeration of little ones in defiance of all medical experience is a mystery.”<sup>392</sup>

Fairfield’s contradictory tone in her report on St. Patrick’s Home is curious because it appears she is reluctant to be too critical of the Sisters of Charity and is quick to place some blame on Dublin for the conditions. A likely explanation is that Fairfield was working closely with the Cardinal’s Committee for Social Work for Women and Girls in the Westminster diocese and was hesitant to implicate the Catholic Church in any wrongdoing in their Mother and Baby Homes. Furthermore, methodologically, Fairfield’s investigation into St. Patrick’s was incomplete because she did not speak to any of the mothers staying at the home or, if she did, it did not make it into the final report. Even if she had spoken to the mothers, it is unlikely that any of them would have voiced the true conditions of St. Patrick’s, which included years of physical and mental abuse, neglect, and underfeeding.<sup>393</sup> Who would believe them? What recourse would they have? Portrayed as poor, uneducated, and immoral, these mothers had no power in Ireland to expose the many cases of abuse happening at these homes. For some, the only choice was to move to England where they might fare better.

Fairfield also visited Castle Pollard, a Sacred Heart Home, which opened in 1936 less than fifty miles from Dublin. Fairfield describes it as “a fine old country house in a beautiful park” where the “Mother Superior and her staff take the keenest

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<sup>392</sup> Letitia Fairfield, “The Irish Repatriated Unmarried Mother,” PH/GEN/3/26, London Metropolitan Archives (LMA).

<sup>393</sup> Paul Redmond, “Over 9000 Irish Women or ‘Inmates’ Went Through these Doors, Forced to Repent”, *The Journal.ie*, October 11, 2015



interest in the children and the beautiful nurseries are evidently well managed and the results are excellent".<sup>394</sup> As a relatively newer home, the facilities at Castle Pollard were more modern and better equipped, resulting in healthier children overall and a low mortality rate.<sup>395</sup> While the children seemed well-cared for, Fairfield notes that the mothers did not fare as well and were treated more like convicts. She writes, "In spite of the devotion and great kindness of the nuns, the atmosphere was definitely penal. This statement is made with deliberation, for I have visited many women's prisons - and, moreover, I know too well the rhetorical charges brought unfairly against Rescue homes. But it is no accident that these girls are so often referred to as 'penitents' or 'first and second offenders'."<sup>396</sup> The language used by Fairfield is similar to the "Coercive Confinement" described by Eoin O'Sullivan and Ian O'Donnell and, more broadly, the carceral landscape of Mother and Baby Homes in Ireland during the interwar period and beyond.<sup>397</sup>

The coercive aspect of the carceral landscape was less about physical barriers to freedom and more about psychological ones. For instance, at Castle Pollard, mothers were renamed after Catholic saints upon admission purportedly to obscure and protect their identities but also had far-reaching psychological effects. Fairfield notes, "It is not surprising that the girls struck me as very subdued and depressed. It cannot help that they are all given new names on admission...I am aware that is done

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<sup>394</sup> Letitia Fairfield, "The Irish Repatriated Unmarried Mother," PH/GEN/3/26, London Metropolitan Archives (LMA).

<sup>395</sup> Ibid.

<sup>396</sup> Ibid.

<sup>397</sup> Eoin O'Sullivan and Ian O'Donnell, "Coercive Confinement," 27-48.

to protect the girls' identity but it seems psychologically wrong."<sup>398</sup> Aside from the mental anguish associated with giving up one's identity, there is a religious aspect of the renaming process that is an extension of the Catholic conservatism of the interwar Free State and the early Republic of Ireland. Admitted into homes nearly all exclusively run by Catholic sisters, compelled to attend mass, and forced to endure mental and physical abuse; the renaming of mothers after Catholic saints was another reminder of the sin committed by having a child out of wedlock.

Finally, the psychological barrier that was perhaps most effective was that most detainees had no other choice but to remain at the Homes for the duration of their confinement because of the lack of options and the social stigma of being an unwed mother in Ireland. This was a fact that was exploited by the Sisters that ran these homes. For example, at one of the County Homes in Rathdrum (outside Dublin), mothers were detained for several years, long after their child had been fostered out. Fairfield writes, "The system in force here is that after weaning (at about 9 months) the babies are sent to foster homes, at a cost of 5 to 11 [pounds] a week, by the County manager, while the mother remains on for about two years...working as an unpaid servant in the County Home. She is never allowed out, but the foster mother brings the baby to see her about every two months."<sup>399</sup> In the absence of physical barriers such as bars or locked doors, mothers were nonetheless coerced into remaining at Rathdrum in a form of indentured servitude (Fairfield notes

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<sup>398</sup> Letitia Fairfield, "The Irish Repatriated Unmarried Mother," PH/GEN/3/26, London Metropolitan Archives (LMA).

<sup>399</sup> Ibid.

that “the value of her labour is now worth more than the cost of maintenance of herself and her child”) as the possibility of freedom brought with it a whole new host of troubles.<sup>400</sup> Fairfield explains, “It may be asked why these women stay in the County Homes under such harsh conditions. I was told that if they leave without permission their child or children are sent for from the foster home and put in their arms before they go. It is notoriously hard for an unmarried mother with a child to get either lodging or a job and foster mothers prefer to take children from public authorities rather than from a mother direct. A girl may well feel unable to cope with such a situation and decide to stay where she is.”<sup>401</sup> Thus Mother and Baby Homes could exploit the labor of mothers knowing full well that they had nowhere else to go. The physical conditions, lack of options, and widespread psychological abuse were key factors driving unwed mothers to Britain well beyond the interwar period.

Fairfield’s visits to these homes and her subsequent report present a fairly thorough yet deeply conflicted and sometimes contradictory assessment of early twentieth-century unwed mothers in Ireland. There were very few options for Irish women in the Free State, yet Fairfield does not advocate that these women should have more options or agency to make their own decisions. Instead, Fairfield’s solution is that the Free State government should intervene more in the lives of Irish women while at the same time she reproduces the state ideology that limited the mobility of Irish women in the Free State.

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<sup>400</sup> Ibid.

<sup>401</sup> Ibid.

It should be noted that although Fairfield is writing in 1949 and reflecting on her work in the interwar period, she argues that the problem of Irish unwed mothers fleeing to England was just as acute in the post-WWII era. In fact, following the war, the bulk of Irish women going to England were unwed mothers as the demand for Irish domestic servants was virtually non-existent. As Kathleen Paul has argued, this was due to a shift in cheap labor recruitment where Britain began to favor female white workers from war-ravaged Eastern Europe rather than the Irish and non-white workers from Britain's current and former colonies.<sup>402</sup>

The problem in the interwar period (and the post-war period for that matter), as addressed in the report and as mentioned in Fairfield's previous study, was that far too many Irish women were either leaving for England after becoming pregnant or becoming pregnant after arriving in England. This, in turn, put an unnecessary strain on state and charitable resources. The scope of the problem, Fairfield notes, was largely unknown due to several factors. First, as Fairfield worked chiefly with Catholic organizations, women who came from Ireland and were sheltered by friends or family in England went unnoticed and were never tallied in any official way.<sup>403</sup> This was more of an issue in the 1910s and 1920s, mainly before Fairfield and others had organized the Catholic charities with the local governments and High Commissioner in the 1930s.<sup>404</sup> Second, the Catholic charities that oversaw and

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<sup>402</sup> See Kathleen Paul, *Whitewashing Britain: Race and Citizenship in the Postwar Era* (Ithaca, NY: Cornell University Press, 1997).

<sup>403</sup> Letitia Fairfield, "The Irish Repatriated Unmarried Mother," PH/GEN/3/26, London Metropolitan Archives (LMA).

<sup>404</sup> *Ibid*

organized the interception and management of Irish women did not keep extensive records of the numbers of women coming over nor did they ever collaborate with one another to produce a national total.<sup>405</sup> This was due in large part to the disparate and scattered nature of these organizations as well as their lack of staffing to coordinate such a count. Finally, Fairfield notes that the Free State did not provide any assistance in terms of keeping records of the number of women leaving for England. She writes, “No official estimates of numbers have ever been published by the Irish government, as it was evidently feared they might be misused for political or religious propaganda.”<sup>406</sup> Here Fairfield is referring to the motivations and public image of de Valera’s government—based on religious piety and rural prosperity—and the contradictory idea of hundreds of Catholic women becoming pregnant out of wedlock and fleeing for England. Furthermore, Fairfield substantiates this claim by citing “articles in responsible Dublin papers suggesting that Mr. de Valera [was] to blame for the existence of the problem.”<sup>407</sup> The number of Irish unwed mothers arriving pregnant in England or becoming pregnant while in England had been either greatly exaggerated or severely underestimated depending on the source of the information.

Regardless, attempts were made to repatriate Irish unwed mothers throughout the 1930s, though the numbers of women actually repatriated were relatively small. As this dissertation argues in the case of perceived Irish Poor Law delinquents during the Depression, Britain determined that Irish migrants were indeed British subjects

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<sup>405</sup> Ibid.

<sup>406</sup> Ibid.

<sup>407</sup> Ibid.

with the privilege of free flow between colonies, the commonwealth, and the metropole and could not be legally repatriated under any existing statutes. However, this did not stop Fairfield and the Catholic charities she worked with from attempting to set up some sort of plan to return Irish women to Ireland in collaboration with both governments. This was not an easy endeavor as the Free State government did not wish to cooperate and rejected any attempts to arrange a repatriation agreement. This meant that collaboration would have to take place between the lower levels of government and social outreach organizations. Fairfield writes, “After many fruitless endeavors to persuade higher authorities on both sides of the Channel to formulate a scheme in 1931, informal arrangements were made at ‘officer level’ between the London County Council, the Irish Local Government Ministry, and Catholic social workers in London. The girls’ fares were paid by the Public Assistance Department, L.C.C., a representative of the Irish Ministry met her on the quay and placed her in a home in Dublin until she could be admitted to one of the special mother and baby homes established by the Irish government.”<sup>408</sup> Still, this plan would involve convincing the unwed mother to return to the Free State, and very few of them were persuaded to do so between the 1920s and 1930s. Many of the women cited the fact that no matter what was said to try to convince them, they would still have to face their families and/or the notoriously harsh conditions at the Mother and Baby homes or Magdalen asylums in the Free State. Returning Irish women to the Free State did not resolve the underlying issues that drove them to leave in the first place.

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<sup>408</sup> Ibid.

## Conclusion

The stories of moral dangers, white slave trafficking, and waves of unwed Irish mothers entering the U.K. may have been enough to stoke the flames of the public's imagination and drive British bureaucratic, social welfare, and religious institutions to mitigate the flow of Irish women migrants. However, the truth was far more mundane. The cases examined by Fairfield and Gaffney were extreme outliers and by no means the normal experience of Irish women migrants in the U.K. The great majority of Irish women did not get into "trouble" in England and most followed the "typical" path of "courtship, marriage, and then children."<sup>409</sup> Yet, the outliers became the focal point of British xenophobia and the fear that certain classes of Irish women, through their roles as producers and reproducers posed a threat to the national myth of British heterogeneity. In the postwar period, the biggest threat to the national myth of British heterogeneity would be the influx of British subjects from West Africa, South Asia, and the West Indies. The role that the working-class Irish woman served in the British imagination during the interwar period would be replaced by the black man in the postwar era.

Irish women migrants greatly outnumbered male migrants, and though many were the same age and from the same type of background, Irish women were more

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<sup>409</sup> Redmond, 123.

likely to be described as “ignorant, childlike, and foolish.”<sup>410</sup> The focus on morality, behavior, and intelligence with regard to colonial female subjects was not new and has its roots in nineteenth-century maternalist feminism. Irish male migrants, conversely, especially during the Depression, were described as lazy, impoverished, and taking advantage of social welfare, by those who would seek to deny them entry to the U.K. Taken collectively, however, in the context of Irish migration in the interwar period, the spectrum of how the Irish were represented reinforced the cultural stereotype of the Irish as ignorant, backward, uncivilized, and thus racialized by some within the British populace.

This is not to say that all Irish migrants were undesirable. As this chapter has demonstrated, Irish women were in high demand as domestic servants, though even in those cases there was a fine line between desirable and undesirable. This is evident by the studies of both Fairfield and Gaffney, where the intelligence, hygiene, sharpness, class, and character of Irish women were under increased scrutiny, concluding that those who fit the “ideal” profile could stay while others should be persuaded to return to the Free State. What Britain desired most of all with regard to the Irish (not only in the cases of Irish women but in all the cases covered in this dissertation) was the power to be selective about certain classes of Irish migrants, which proved to be very difficult to attain. Britain did not necessarily want the flow of Irish women migrants to stop, rather they wanted to power to control it or, essentially, the power to place borders on the bodies of Irish women migrants.

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<sup>410</sup> Ibid, 12



The Irish Free State's silent role in the migration of Irish women was also significant and deeply impacted their state-building. The focus on paternalistic religious conservatism and the myth of a booming rural agrarian economy with women serving as 'mothers of the nation', both literally and figuratively, left many women with very few options in the new Free State, and thousands (not only women) left in droves. As Jennifer Redmond has argued, "This key period, in which the political success of independence was contingent upon economic success, was deeply marred by the continued emigration of people which threatened the national project"<sup>411</sup> Yet, the Free State did little to address the issue or improve conditions for Irish women. In fact, Irish women did not see significant changes until much later in the twentieth century. In sum, the true tragedy of the story of interwar Irish women migrants is that they were caught between two states that did not have their best interests in mind.

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<sup>411</sup> Ibid, 10

## Epilogue

Michael Murray was born in Roscommon, Ireland, in 1908 to Irish parents. He moved to Leicestershire, England in 1934, found a good job, and resided there for years until he was arrested and fined in 1942 for failing to present himself for a medical examination for military service. As an Irish citizen (at least, according to the 1937 Irish constitution), Murray argued, he was not liable for conscription in the British Army.<sup>412</sup> Murray appealed his fine in the spring of 1942 to the King's Bench Divisional Court in London. Unbeknownst to him, this case would have far-reaching implications for Irishmen residing in Britain during the war and settle several pending cases of other Irishmen with similar appeals. Furthermore, this case emphasized the shift in how British officials and some Irish residents viewed and conceived of the distinction between domicile and nationality regarding legal rights and obligations since the interwar period.

The Divisional Court, led by Lord Chief Justice, Lord Caldecote, agreed to hear Murray's appeal and issue a decision. Though a resident of Leicestershire for seven years, Murray's argument against being liable for military service was that he never intended to reside in England permanently, though he did not own or maintain a residence in Ireland.<sup>413</sup> Murray further argued that being born in Ireland and the recent separation of Ireland from the Commonwealth of Nations made him an Irish

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<sup>412</sup> "Irish Liable to Conscription," PRES/1/P 2212, National Archives of Ireland (NAI).

<sup>413</sup> Ibid.

citizen and not obligated to comply with mandatory military service. The Divisional Court disagreed and ordered Murray to present himself for a medical examination followed by service in British Forces. Lord Caldecote's decision centered both on Murray's status as a British subject (established by the 1914 British Nationality and Status of Alien's Act) and his uninterrupted residency in England for seven years. In other words, Lord Caldecote did not find any evidence that Murray's status as a British subject had been disrupted. However, Caldecote's decision provided even more in terms of insight into shifting categories and representations of the Irish since the interwar period discussed in this dissertation.

First, Lord Caldecote's decision attempted to establish that the British nationality included citizens of Ireland (and the Irish Free State before it). Lord Caldecote argued, "The legislation which made him a citizen of the Irish Free State in 1922 did no more than confer upon him a national character as an Irish citizen within the wider British Nationality. The same is true, in my opinion, of the Constitution of 1937."<sup>414</sup> This was remarkable considering that nationality (often a racialized one at that), in the cases of 1922 deportees and even the late 1920s calls for repatriation, was what differentiated Irish residents from "native" Britons and was often seen as the reason for their exclusion from British communities and the "wider British Nationality" that Caldecote refers to.

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<sup>414</sup> Ibid.

Second, Lord Caldecote determined that regardless of citizenship conferred from Commonwealth countries (whether former or current), continued residency in Britain was enough to establish “civil status,” a rather broad term intended to be differentiated from political status. Caldecote stated, “The civil status of the individual may be quite different from his political status. The political status may depend on different laws in different countries, whereas the civil status is governed universally by one single principle, namely, that of domicile, which is the criterion established by law for the purpose of determining civil status.” As such, this civil status, according to Lord Caldecote, allowed Murray to have certain municipal rights while at the same time carrying certain obligations, namely wartime conscription. The convoluted and perplexing changes to legal definitions, however, show that even during WWII, questions of how to distinguish between subject and alien, or even a British and an Irish citizen, lingered.

Lord Caldecote’s decision was intended to clarify the rights and responsibilities of Irish-born residents in Britain by placing importance on residency when determining an individual’s legal status. “Domicile is wholly different and distinct from nationality,” Caldecote maintained, “and in my opinion is not even a relevant consideration in determining a man’s nationality.”<sup>415</sup> This was contradictory to Britain’s position in the 1920s and early 1930s, where Irish nationality and race were connected to the right to domicile. Moreover, nationality and race were used to

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<sup>415</sup> Ibid.

differentiate between British subjects and the Irish and to selectively grant or deny rights based on different circumstances. In his attempt to clarify the position of the Irish in Britain, Caldecote seemingly only made things more complicated by explicating the ambiguous terms of citizenship, nationality, civil status, and domicile, in the absence of any British formal legislation.

On December 29, 1937, the Irish Free State officially ended with the enactment of the *Bunreacht na hÉireann* or Constitution of Ireland. The new constitution was the crowning achievement of Éamon de Valera's Fianna Fáil government following his election as President of the Executive Council in 1932. In the years leading up to the new constitution, de Valera had used the Free State's position in the Commonwealth and the 1931 Statute of Westminster (which granted more sovereignty to the self-governing Dominions) to systematically dismantle the Anglo-Irish Treaty and push the Free State further towards complete independence. The Constitution of Ireland replaced the 1922 Free State Constitution and asserted the total sovereignty of the new state named Éire (or Ireland). Essentially, de Valera achieved what his political opponent Michael Collins had envisioned during the Anglo-Irish Treaty debates by using the Free State's position in the Commonwealth to gradually move towards a republic rather than a clean break from Britain in 1922.

While the Constitution of Ireland may have been welcome news to some within the Irish diaspora in Britain, it did little to improve their tenuous position as outsiders or how they were represented or represented themselves in the U.K.

Though the Constitution of Ireland clearly defined Irish citizenship as separate and sovereign from Britain, British citizenship would remain ambiguous in the U.K. until well after WWII. As evidenced by Lord Caldecote's ruling on Michael Murray's case in 1942, the 1937 Constitution of Ireland and the persistence of ill-defined political categories only made things messier for the Irish diaspora in Britain.

Following the war, the British state faced new challenges with the influx of colonial and Commonwealth migrants from Africa, the West Indies, South Asia, and beyond, who posed new threats to the myth of "British homogeneity." The presence of thousands of non-white subjects in the metropole forced Britain to deal with the ambiguous language of political categories at long last, which they did with the Nationality Act of 1948 and successive Race Acts in the following years. As the British state began to legislate and define itself along white lines in the postwar era, caught in the middle, in similar ways to the Irish in interwar Britain, were non-white British subjects who were forced to occupy the ambiguous space between subject and alien.

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