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The "O'Brien Ethic" as an Interpretative Problem

John M. Regan

Abstract The necessity of adopting or redefining illiberal measures—such as torture, internment, or targeted-killings of terrorists—to protect states places burdens on the meaning of liberalism around the world. After 1969, liberal intellectual responses to the so-called Troubles in Northern Ireland identified two conflicted groups of Irish liberals. Then academic and politician Conor Cruise O'Brien attempted to reduce responses to the crisis to the choice between supporting the state and condoning terrorism. "Consenting liberals" compromised professional practices in the law, journalism, broadcasting, and academia to support the state's counterinsurgency. Alternatively, "dissenting liberals" defended their "neutrality" alongside the freedom to criticize the counterinsurgency. Justifying infringements on individual freedoms, O'Brien and others said the democratic state was imperiled. But, anomalously, freedoms were sacrificed in defense of the Irish state, which in security terms did little to defend itself. Nevertheless, the counterinsurgency became an organizing principle in intellectual life, and over forty years colored self-perceptions of Irish society, past and present.

Delivering proportional responses to defeat terrorism is a problem that has long challenged liberal opinion. At issue is the problem of striking a balance between the state's obligation to protect its citizens against subversion and the curtailment of civil liberties. Since the attacks on the United States in 2001, followed by counterterrorist initiatives rolled out around the globe, these issues have been hotly debated.[1] Among the challenging proposals to reemerge from the liberal academy is "the lesser evil" argument, which advocates compromising liberal principles in order to defeat terrorism. This may involve liberal democracies in covert and illegal actions in so-called dirty wars, which are likely repugnant to some liberal opinion. Alternatively, liberal opinion increasingly accepts that there is a need to meet terror with measures unconstrained by liberal principles suitable only to "normal times." Harvard professor and former leader of the Liberal Party of Canada Michael Ignatieff has advanced a legal version of the lesser evil argument.[2] While not

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[1] Michael Ignatieff, *The Lesser Evil* (Edinburgh, 2005); Roy Greenslade, foreword to *Political Censorship and the Democratic State: The Irish Broadcasting Ban*, ed. Mary P. Corcoran and Mark O'Brien (Dublin, 2005), 11–14; Bruce Ackerman, *Before the Next Attack: Preserving Civil Liberties in an Age of Terrorism* (New Haven, 2006); David Bonner, *Executive Measures and National Security: Have the Rules of the Game Changed?* (Aldershot, 2007); Didier Bigo and Anastassier Tsoukala, eds., *Terror, Insecurity and Liberty: Illiberal Practices of Liberal Regimes After 9/11* (Oxford, 2008); Tamar Meisels, *The Trouble with Terror: Liberty, Security and the Response to Terrorism* (Cambridge, 2008).

[2] For a polemical and negative critique of Ignatieff's position, see Derrick O'Keefe, *Michael Ignatieff: The Lesser Evil?* (London, 2011). For more thoughtful appraisals, see Renée Jeffery, "Beyond Banality?

"tolerating torture, illegal detention, [and] unlawful assassination," democracies need to reexamine "what constitutes torture, what detentions are illegal, [and] which killings depart from lawful norms."[3] Ignatieff wants us to consider, for long or short terms, adopting illiberal laws to defeat the greater evil of terrorism. This and other emerging arguments about the conflict between civil liberties and national security have long been rehearsed in societies with experience of terrorism. Ireland, more particularly the Irish Republic, is one such example. There, in the decades after 1969, the meaning of liberalism was severely tested by the war in Northern Ireland (ca. 1969–98), otherwise known as the "Troubles."

In the republic of the 1970s, liberalism confronted a modernizing society in which liberal values were ranged against the powerful collective ideologies found in Irish nationalisms and organized religions, alongside a sometimes reactionary conservatism. What quickly emerged in response to the Northern Ireland crisis were rival forms of liberalism: a "dissenting liberalism," sometimes critical of the state's security policies, and a rival "consenting liberalism," accepting compromises in liberal values in support of the state's counterinsurgency. In this article, the fissures developing between liberal intellectuals are first demonstrated using the example of the debate that surrounded Conor Cruise O'Brien's denunciation in 1974 of Mary Robinson as a "false liberal."[4] This public disputation establishes the terms of reference for consenting and dissenting liberalism. Notable among these terms is what was called at the time the "O'Brien ethic," a term I shall continue to adopt.[5] Where, rightly or wrongly, it equated liberal dissent with the abandonment of liberal democratic values and disloyalty to the state, the O'Brien ethic represents a phenomena likely resonating in other liberal societies confronting terrorism.

Section I of this article thus describes the emerging conflict among liberals in 1974. This is followed by an examination of the tensions between the rhetorical threat deployed by some politicians against dissenting attitudes—that the state was imperiled—and the state's ambiguous security response to this danger. Section III describes the real-life dilemmas confronting citizens, including those practicing the liberal intellectual professions (it is not assumed that all who practice the liberal professions are liberal in their politics or disposition), of whether to be conforming or dissenting liberals. Subsequently, an attempt is made to reconcile O'Brien's professed liberal values with John Stewart Mill's "harm principle" and Isaiah Berlin's essay "Two Concepts of Liberty." In this context of changing ideas about liberal values and the liberal intellectual professions, the Irish historical profession is examined. I argue that the intolerance the O'Brien ethic inculcated influenced intellectual discourses. One demonstrable consequence of this was to allow reductive historical narratives associating the state with positive values (democracy and constitutionalism), and attributing negative values to its enemies (antidemocracy and sectarianism), to go largely uncriticized. This revised history is now critical to some perceptions of twentieth-century Ireland, more particularly, historical experiences

Ethical Responses to Evil in Post–September 11 International Relations," *International Affairs* 81, no. 1 (January 2005): 175–86.

[3] Ignatieff, *Lesser*, viii.

[4] Dick Walsh, "O'Brien Assails 'Confused' Liberals," *Irish Times*, 28 October 1974.

[5] The term was coined in an *Irish Times* editorial. "The O'Brien Ethic," *Irish Times*, 28 October 1974.

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of democratization, sectarianism, and republicanism, alongside political violence. In the penultimate section, an attempt is made to understand liberal intellectual partisanship during the Cold War and how this informed responses to the Irish crisis. What this article queries is the wisdom of basing important decisions, not least how to respond to terrorism, on knowledge that is itself distorted by terrorism. I also challenge the self-understanding of consenting liberalism as always being a recognizable form of liberalism.

I

On 26 October 1974, the Irish cabinet minister for Posts and Telegraphs, Dr. Conor Cruise O'Brien, delivered a public speech on the meaning of Irish liberalism. O'Brien was prompted by a public meeting held days earlier in Dublin's Mansion House. This was addressed by lawyers, academics, and opinion formers, protesting against internment without trial in Northern Ireland. At the meeting, a member of the "republican movement" was permitted to make an impromptu speech. O'Brien described this as an example of collusion between Irish liberals and the Irish Republican Army (IRA). "There are those, claiming to be liberals," pronounced O'Brien,

> who greet with angry protests every response of the State to the [IRA's] conspiracy and who refuse to recognise the existence of such a conspiracy as a genuine threat to democracy and freedom. That is a travesty of liberalism. That is dancing to the tune of the I.R.A. . . . A classic illustration of the confused and confusing alliance between militarist Republicans and a certain kind of Irish liberal occurred in the Mansion House [at an anti-internment meeting]. . . . A member of our parliament [at Leinster House] sat on . . . [the] platform while Mr. Sean Keenan was applauded for describing that parliament as a British establishment. She appears to have made no public protest at this proceeding, although she continues to hold her seat in the institution thus held up to contumely. I think this was a great pity. Senator Mary Robinson (for it was she) is a lady of considerable ability.[6]

O'Brien's denunciation of Robinson identifies a rupture in the Irish intelligentsia. Before 1974, O'Brien and Robinson declared similar liberal values.[7] Both came from privileged middle-class Roman Catholic backgrounds. O'Brien, a diplomat and academic, was the son of a prominent Dublin journalist and belonged to an extended revolutionary-nationalist family possessed of eclectic political beliefs. Robinson was the daughter of well-to-do provincial doctors. O'Brien and Robinson were *alumni* of Trinity College Dublin (TCD), which after 1969 Robinson represented as an Independent in the Irish Senate. Both had returned from the radicalized United States in 1969—O'Brien to successfully run for a Labor Party seat in the Dail, and Robinson, at just twenty-seven years of age, to become Reid Professor

[6] Ibid.

[7] The following draws on John Horgan, *Mary Robinson: An Independent Voice* (Dublin, 1997); Olivia O'Leary and Helen Burke, *Mary Robinson: The Authorised Biography* (London, 1998); Conor Cruise O'Brien, *Memoir: My Life and Themes* (Dublin, 1999); D. H. Akenson, *Conor: A Biography of Conor Cruise O'Brien*, 2 vols. (Ithica, 1994), 1:41–92; Diarmuid Whelan, *Conor Cruise O'Brien: Violent Notions* (Dublin, 2009).

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in Constitutional Law at TCD. Both were products of Trinity's quiet nonconformity to the social and cultural norms of independent Ireland. Between 1969 and 1974, O'Brien, alongside the Independent senator for Trinity, belonged to a vibrant, reforming liberalism that was new to Irish life. Confronted by the northern crisis, it is their disagreement over what constituted the responsibility of liberals that makes the O'Brien-Robinson dispute important to understanding developments in Irish intellectual life since 1970.

During 1974, Northern Ireland's conflict entered its sixth year; with no end in sight, the numbers of fatalities passed their first thousand. Following the December 1973 Sunningdale agreement, a unionist-nationalist power-sharing government was formed in Belfast. Resisted by the loyalist-led Ulster Workers' Council strike, in late May 1974 this government collapsed. Loyalist disruption of vital services, alongside the British army's unwillingness to challenge the strikers, meant that the best chance of a political solution was forcibly overthrown. Meanwhile, on 17 May, bombs exploded south of the border in Monaghan and Dublin, killing thirty-three. These events identified the escalation and spread of the violence, and with power sharing soon in ruins, they emphasized a growing dependency on security measures to contain the situation. Essential to this were the extraordinary legal powers both the British and the Irish governments introduced after 1970.

In August 1971, Northern Ireland's Unionist government introduced internment. Initially directed against the Catholic community, it produced a ferocious backlash. Internment continued following the imposition of direct rule from Westminster in March 1972. But the torture of internees and the failure to deliver the decisive blow against the IRA meant that by 1974 internment had become an international embarrassment for Britain. Moreover, by alienating communities from the administration of justice, internment proved counterproductive. Militarist republicans did not attack the republic with the same ferocity as they did the British state, and this partly explains why no internment policy was introduced in the republic. Instead, in May 1972, the republic reintroduced juryless special criminal courts used during earlier IRA resurgences. While the republic did augment its defense forces, it relied primarily on special legislation to meet the new situation.

Provisional IRA no-warning bombings in Britain provided the immediate context for O'Brien's denunciatory speech. These atrocities galvanized public opinion (as nothing before) against militarist republicanism. The Mansion House meeting to which O'Brien objected was organized by the Dublin current affairs periodical *Hibernia*. Earlier in 1974, *Hibernia* had started a petition against internment, which was delivered to both the British prime minister and to the United Nations in December. The Mansion House platform was made up of civil rights activists, including liberal unionist Tom Hadden. Pointedly, militarist republicans were not represented. Nevertheless, IRA sympathizers made their presence known in the audience. One of these, Sean Keenan, secured permission to speak in an attempt to restore order after Father Denis Faul called the IRA a "murder gang," whereupon the IRA supporters erupted into disorder, reportedly shouting abuse.[8]

For O'Brien, letting Keenan speak at the meeting demonstrated a potentially fatal paradox found among liberals: the accommodation of an antidemocratic opposition.

[8] Eileen O'Brien, " Interment Meeting Causes Uproar," *Irish Times*, 17 October 1974.

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In his speech, O'Brien seized on this apparent contradiction to define what he believed was the correct liberal response to terrorism. He argued that the true liberal "is concerned . . . foremost with the threat to the democratic State and to the lives of its citizens."[9] While he conceded that the liberal tradition necessarily demanded there should be concerns about the abuse of power, O'Brien countered that if "a democratic government offends the people by what is felt to be unnecessary repressive legislation then it will fall." Elections were to be the conscience of power.

O'Brien went on to denounce as "false liberals" all who bewailed the injustices of the state, but not those of the paramilitaries. This he complained was inconsistent and even represented complicity with terrorism. To demonstrate this point, O'Brien rounded on Robinson, insinuating hypocrisy in her protestation against internment while not "referring to the murder of two judges in Belfast last month by the same armed conspiracy whose admirers were so vocal in . . . the Mansion House."[10] Setting a different standard a week earlier, O'Brien had successfully moved for a motion at the Labor Party conference condemning internment. This had an amendment stating that the IRA was the cause of internment's introduction as well as its chief beneficiary.[11] O'Brien contended, "to condemn internment without referring to those [IRA] activities which led to internment being imposed was equivalent to condoning those activities." Leveling this charge at Robinson had implications for all Irish liberals.

Released to the press in advance, O'Brien's speech was published in Irish newspapers and attracted controversy for weeks. An *Irish Times* editorial questioned whether the liberal voice was dispensable, warning it "is easily shouted down even when it is a lot less rough than . . . [the situation] is now." The editorial concluded, "generalised smears contribute to creating just the climate of confusion which Dr O'Brien says he abhors."[12] The *Irish Times* editorial labeled O'Brien's invitation to suspend liberal values in support of the state's counterinsurgency "The O'Brien Ethic." It is on O'Brien's invitation that the rest of this article turns.

O'Brien knew his attack on Robinson would alienate part of the liberal constituency, but it was also true he articulated a sentiment embittered by incursions of the north's pain into southern life. Writing to the *Irish Times*, Tommy Murtagh, a lecturer at TCD, complained of the sustenance the gunmen received. "Sometimes," Murtagh wrote, "nourishment takes the form of tacit support or else *omission*: the failure to condemn . . . as we saw in the Mansion House."[13] But Murtagh's final sentence best expresses the moment: "There are rats in the arras and Dr O'Brien is right to point them out."[14] This kind of response was born of pessimism aggravated by the worsening situation. Referencing the OPEC oil crisis, O'Brien exploited related anxieties in his speech, warning, "democracy . . . is likely to be in danger in many countries under the economic pressures which loom ahead."[15] This was even more so in Ireland, where, he added, "these pressures will combine with

[9] Walsh, "Assails."
[10] Ibid.
[11] "O'Brien Position on Internment Supported by Conference," *Irish Times*, 21 October 1974.
[12] "The O'Brien Ethic," *Irish Times*, 28 October 1974.
[13] Tommy Murtagh, letter to the editor, *Irish Times*, 2 November 1974.
[14] Ibid.
[15] Walsh, "Assails."

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other pressures derived from our history." The promise of horrific futures and a particular memory of the past partly justified the "O'Brien Ethic."

Rival definitions of liberalism emerged in a follow-up radio debate between O'Brien and Robinson. Quoting the dictum "The history of liberty is the history of resistance," Robinson argued that the freedom to criticize the state was vital at a time when the state was introducing extraordinary legal measures and when the risk of taking legal "shortcuts" was greatest.[16] (Earlier in 1974, in a public lecture, Robinson had been critical of the administration of the Special Criminal Court.)[17] Countering Robinson, O'Brien stated that her brand of liberalism was too focused on the threat from the state, whereas his liberalism, seeing the real danger, subordinated itself to the counterinsurgency. As late as 1997, former politician and academic John Horgan wrote that the arguments surrounding O'Brien's denunciation remain "at the core of the argument about what constitutes liberalism in Ireland today."[18]

O'Brien demanded that people choose from his dichotomies: the state or its enemies; true liberalism or faux liberalism; and, ultimately, liberty or terror. What is contested is whether these were ever true dichotomies. A problem for any liberal intellectual confronting O'Brien was that he saw the IRA as the defining problem of Northern Ireland, whereas some lawyers, political scientists, journalists, and historians were wont to protest that such a reductive causational explanation was unsatisfactory.[19] O'Brien demanded that Ulster's history of division and inequality, the failure of Northern Ireland's political structures, and the British army's inept tactics should be marginalized or jettisoned as causal factors. In his reading, deep-rooted maladies, not least partition, were overlooked or were to be suppressed.[20] Those rejecting his interpretation by claiming instead that the violence was a "by-product" of partition, O'Brien argued in 1972, accepted "a formula legitimizing an indefinitely protracted sectarian guerrilla [war]" and offered "cover for the deadly reality of the Provisional[s]."[21] O'Brien's arguments appealed then to those who, despairing at structural solutions like reunification, British withdrawal, repartition, or power sharing, became committed to defeating militarist republicanism by force.

At the radio debate's conclusion, Robinson complained that in the future she would have to self-censor and be more careful about with whom she shared platforms. By forcing a debate on the meaning of liberalism and extracting concessions from Robinson, O'Brien achieved victories.[22] "If she feels cramped," he said, "it is not because I am a terrifying individual as Minister for Posts and Telegraphs, it is because she sees that there is a certain amount of force in my argument." But some of that "force" derived, not from the power of O'Brien's argument, but

[16] "Minister and Senator Differ on Role of Liberals," *Irish Times*, 30 October 1974.

[17] See Mary Robinson, *Special Criminal Court* (Dublin, 1974).

[18] Horgan, *Robinson*, 54.

[19] Mary Holland, "Dublin's Ulster Crisis," *New Statesman*, 22 November 1974, 725; John A. Murphy, "Further Reflections on Irish Nationalism," *Crane Bag* 2, no. 1–2 (1978): 156–63; Diarmuid Whelan, "Conor Cruise O'Brien and the Legitimation of Violence," *Irish Political Studies* 21, no. 2 (June 2006): 223–41; Brendan O'Leary and John McGarry, *Explaining Northern Ireland: Broken Images* (Oxford, 1995).

[20] Conor Cruise O'Brien, *States of Ireland* (London, 1972), 300–03.

[21] Ibid., 302.

[22] For an extension to the public debate on liberalism, see Liam de Paor, "Liberals and Irish History," *Irish Times*, 5 November 1974.

instead from associating his opponents with pub bombers. This was intellectual thuggery, and arguably the times justified it: alternatively, they did not.

O'Brien's denunciations of Robinson demonstrated that, aside from those taking an unequivocal stance against the IRA, there would be consequences for publicly commenting on Northern Ireland. Robinson warned: "This . . . could amount to a real and practical encroachment on the liberty of expression of the individual."[23] It is the aggravated context in which choices about freedom of association and speech were forced that we turn to next.

II

"O'Brien . . . was the pre-eminent Irish intellectual of his generation," Roy Foster tells us.[24] While O'Brien always attracted both antipathy and applause, few deny his influence on Irish public life during the Troubles. He was well placed to do so, matching his formidable intellect with wide-ranging experience, as diplomat, literary critic, UN envoy, historian, academic, and eventually as cabinet minister. By the mid-1960s, he had established an international reputation as a Left-leaning writer. After a troubled stint as vice-chancellor of the University of Ghana, he took a chair at New York University, before returning to Dublin in 1969.[25] At this point, his talents appeared boundless. A combative debater, he possessed the ability to communicate complex ideas to expert and lay alike in an accessible journalistic register. His early Irish civil service career was spent writing antipartition propaganda, which gave him insights into the hypocrisy of official separatist-nationalism (which, O'Brien noted, was decidedly pro-partition).[26] After electoral defeat in 1977, O'Brien, however, returned to writing ever more polemical op-ed pieces. By 1996 when he joined the UK Unionist Party, he appeared to some a spent reactionary crank. He opposed Sinn Fein's participation in the "peace process," issuing warnings of doom.

Within sections of the academy there remained a respect for O'Brien's analysis. Above all, one book published in 1972, a rushed, polemical, quasi-historical meditation, *States of Ireland*, long retained its influence. Following O'Brien's death in 2008, Foster noted how many memorial writers likened reading *States of Ireland* to an "epiphanic moment."[27] In a critical intervention, O'Brien presented an insider's-outsider's critique by challenging the assumptions, emotionalism, and woolly thinking professed by some separatist nationalists. In the book, O'Brien combined a familial history with a critique of Irish separatist nationalism, most particularly southern attitudes toward partition. But his vigorous and iconoclastic analysis sometimes reduced the "Irish crisis" to blaming the "Republican Movement" and the literature, ballads, and histories supposedly inspiring republican violence. As Foster suggests, O'Brien's views in *States of Ireland* about the dangers of a particular historical

[23] "Minister and Senator Differ."

[24] R. F. Foster, "The Cruiser," *Standpoint* (February 2009), http://standpointmag.co.uk/node/853/full (accessed 16 July 2013).

[25] Alexander Kwapong, "Conor Cruise O'Brien: A Legon Perspective," in *Ideas Matter: Essays in Honour of Conor Cruise O'Brien*, ed. Richard English and Joseph Skelly (Dublin, 1998), 265–76.

[26] See John M. Regan, "Southern Irish Nationalism as a Historiographical Problem," *Historical Journal* 50, no. 1 (March 2007): 197–223.

[27] Foster, "Cruiser."

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memory exerted important influences on an emergent generation of commentators. In the book and in later writings, O'Brien raised a *kulturkampf* against the already crumbling settlement the republican revolutionaries had institutionalized inside the southern state after 1920.[28] O'Brien's favorite example of history translating into political violence remained the martryology of the 1916 rising and, notably, its celebration in the jubilee commemorations of 1966. In 1972, O'Brien wrote: "These celebrations had to include the reminder that the object for which the men of 1916 sacrificed their lives—a free and united Ireland—had still not been achieved."[29] He continued, "[C]alls for rededication to the ideals of 1916 were bound to suggest to some men and women not only that these ideals were in practice being abandoned . . . but that the way to return to them was through the method of 1916."[30] For anyone accepting the causal connection between history and violence, a purely academic interest in the recent past became untenable. Moreover, O'Brien gave new meaning to scholarship at a time when the relativists were in the ascent and the aspiration for objective scholarship was becoming a subject for doubt, if not derision.[31] For the doubters, O'Brien ably demonstrated that once liberated from the pretence of objectivity, interpretations could be applied in a war he understood to be historical and cultural in origin.

"I am afraid that this country," O'Brien told the Dail in early February 1972, "may be on the verge of . . . a disaster comparable even to the Great Famine of the last century."[32] In the aftermath of British paratroopers killing thirteen unarmed protestors on Derry's "Bloody Sunday," such foreboding perhaps was understandable. Nevertheless, apocalyptic prophesies became a mainstay of O'Brien's rhetoric. D. H. Akenson writes sympathetically that, to prevent a debacle, O'Brien "had to eliminate from the pile of explosive chemicals the catalyst that could set everything off. That meant suppressing the Provos, and therefore manically, using every opportunity that came to hand, Conor fought them."[33] Reconciling O'Brien the liberal academic with his denunciation of liberals, Akenson adds: "Conor . . . was not in this period a balanced person, or anything close. He was in the grip of a passion, a passion for his country."[34] While not arguing for consistency or coherence, some of O'Brien's positions in 1974 chimed loudly with those he later championed.

Former foreign minister Dr. Garret FitzGerald has recalled the anxieties in 1974 that a threatened British withdrawal from Northern Ireland created inside the coalition.[35] "Neither then nor since," wrote FitzGerald in 2006, "has public opinion in Ireland realized how close to disaster our whole island came during the last two years of Harold Wilson's premiership [1974–76]."[36] FitzGerald continued, "Wilson in his first meeting . . . with Liam Cosgrave . . . in April 1974 . . . placed so much emphasis on British political and public pressure for withdrawal as to suggest

[28] See Conor Cruise O'Brien, "An Unhealthy Intersection," *New Review* 2, no. 16 (July 1975): 3–8.
[29] O'Brien, *States*, 150.
[30] Ibid.
[31] David Hackett Fischer, *Historians' Fallacies: Toward a Logic of Historical Thought* (New York, 1970), 41–43.
[32] Dail Eireann printed debates (DEPD), vol. 258, 4 February 1972, col. 1128.
[33] Akenson, *Conor: A Biography*, 1:419–20.
[34] Ibid., 420.
[35] Garret FitzGerald, "The 1974–5 Threat of British Withdrawal from Northern Ireland," *Irish Studies in International Affairs* 17, no. 1 (January 2006): 141–50.
[36] Ibid., 150.

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he himself might be thinking along these lines."[37] Shortly afterward, British defense minister Roy Mason said as much publicly.[38] The perceived threat of British withdrawal created a crisis for the Dublin government and may help explain O'Brien's behavior during 1974. While withdrawal was always an option for the British, it is also true that in a statement at Westminster following the collapse of power sharing Wilson said, "[T]here is no easy solution through the withdrawal of troops unless the House [of Commons] is prepared to risk a holocaust."[39] Flying the "troops out" kite, Mason, it seems likely, had earlier attempted to nudge Ulster loyalists toward power sharing. Meanwhile, the Irish government generated a crisis in Dublin either out of genuine concern about what the British intended or because a heightened sense of crisis in itself was desirable.

Whatever British intentions were, no Irish government could be assured that the British would stay in Northern Ireland. This identifies an anomaly. If we accept that national security is the first responsibility of sovereign government, then defense readiness gives us the best indication of perceived levels of threat. This becomes important where we need to distinguish real threats from the rhetorical threats deployed by politicians from time to time. Identifying this distinction bears heavily on debates around liberty and terror in the republic because these were often predicated on the threat of an island-wide civil war. By 1974, the republic's combined air, land, and sea Permanent Defense Force (PDF) stood at just 11,333 service personnel, with 5,500 of its soldiers available for "operational duties."[40] (The 1974 PDF strength bears comparison with the 53,000 raised during the civil war from 1922 to 1923, and the 38,000 strong neutral army of the "Emergency" from 1939 to 1945.) In the five years after 1968, the Irish army had expanded by just 2,500 troops, while the Fórsa Cosanta Áitiúil (the local reserve) contracted by 2,000 volunteers.[41]

Throughout the crisis, the state's first line of defense remained the mostly unarmed Garda Siochana, standing at 8,500 in 1975. In 1973, the Garda Special Branch "Crime and Security" section, C3, having primary responsibility for countering subversion, was staffed by five gardai ranking above detective sergeant, supported by nine uniformed gardai working in two rooms. A judicial report in 1974 concluded that "filing, indexing, and co-relation of information obtained has fallen below the adequate and proper standard," and recommended its reorganization and increase in strength.[42] Five years into the crisis, this situation described a bewildering approach to the defense of the state.

[37] Ibid., 143.

[38] "Speculation on Military Phase Out Increases," *Irish Times*, 25 April 1974.

[39] Wilson, Speech to the House of Commons, 4 June 1974, Parliamentary Debates, Commons, 4th ser., vol. 874 (1972), col. 1051. The contemporary British records demonstrate Wilson wanted a long-term exit strategy and contemplated giving Northern Ireland dominion status. Paul Bew, drawing on Bernard Donoughue's oral testimony and memoirs, concludes that "The Prime Minister's own leaning was certainly in favour of withdrawal." See Richard Bourke, "Wilson Clearly Wanted to Disengage from the North," *Irish Times*, 3 January 2005; Paul Bew, *Ireland: The Politics of Enmity, 1789–2006* (Oxford, 2007), 514–16.

[40] Report of Interdepartmental Committee on Northern Ireland: Discussion Paper No. 3, July 1974, National Archives of Ireland (Hereafter NAI), DT/2005/7/658.

[41] DEPD vol. 242, 27 November 1969, col. 2167; vol. 300, 12 October 1977, col. 338.

[42] *Commission of Investigation into the Dublin and Monaghan Bombings of 1974 Final Report* (Dublin, 2007), 72–73.

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Following a possible British withdrawal, three scenarios were envisaged for Northern Ireland by an Irish cabinet interdepartmental committee appointed in May 1974: negotiated independence; repartition; and collapse into anarchy. FitzGerald offered two reasons why "strengthening of the [Irish] army had to be ruled out." First, expansion "could create serious unrest and a threat to public order within our state." Second, enlarging the army "might well be interpreted by Northern Unionists as a threat to them."[43]

Rapid expansion might indeed have antagonized Ulster loyalists, among them the 25,000–40,000 strong paramilitary Ulster Defence Association.[44] This still left the possibility of civil defense measures, which the interdepartmental committee discussed but about which it is difficult to find evidence of implementation. As for a policy of military enlargement encouraging mayhem in the republic, this remains contentious. What can be said is that after 1970, in anticipation of a British evacuation or an equivalent crisis, successive Irish governments left the state vulnerable—particularly its border communities.

Unreferenced by FitzGerald, the interdepartmental committee recorded a third reason for not expanding the army. It insisted, "[I]f we were to appear to be ready to face up to the security and economic burdens of intervention in the North, it might lead the British to hasten their own relinquishment of those burdens."[45] A year later, FitzGerald endorsed British direct rule in a secret memorandum: "[E]very effort should continue to be made privately to secure it."[46] At length, the interdepartmental committee's report dwelt on the cost of increasing military expenditure in the wake of the oil crisis, and this, arguably, was the most important incentive for maintaining a tiny PDF.[47] As a percentage of gross domestic product, defense spending in the republic fell between 1966 and 1994. Of the western European democracies, Ireland spent the least per capita on its army in the 1970s.[48] As a percentage of gross domestic product, only one country spent less, Luxemburg.

III

The offensive against dissenting liberals coincided with a "get tough" policy against dissidents and suspected terrorists. From 1974, reports appeared in the Irish press about gardai interrogating suspects allegedly using strong-arm tactics. In February 1977, concerned about police morale, two gardai approached FitzGerald. The

[43] FitzGerald, "Withdrawal," 144.

[44] NAI Report of Interdepartmental Committee.

[45] Ibid.

[46] Garret FitzGerald, Secret Memorandum to the Irish Government, June 1975, NAI, DT/2005/151/703.

[47] Report of Interdepartmental Committee, NAI.

[48] Trevor Taylor, "European Harmonisation of National Security and Defence Policies," in *The Role of Ground and Air Forces After the Cold War*, ed. Gert de Nooy (Hague, 1997), 79–97; Nicholas Rees, "Europe and Ireland's Changing Security Policy," in *Ireland and the European Union: Nice, Enlargement and the European Union*, ed. Michael Holmes (Manchester, 2005), 55–74; Francis G. Castles, *Comparative Public Policy: Patterns of Post War Transformation* (Cheltenham, 1998); see comparative figures for non-European countries serving with the United Nations in Katsuni Ishizuka, *Ireland and International Peacekeeping Operations, 1960–2000* (London, 2004), 10–15.

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gardai dismissed previous allegations of abuse, but in pending trials they feared some gardai might perjure themselves over coerced confessions. FitzGerald wrote to the Taoiseach recommending safeguards for prisoners while in police custody, but otherwise he did nothing. In his memoir, FitzGerald claimed that he had contemplated resigning on the issue of garda brutality in September 1976, when he proposed an inquiry to other ministers. He was then told any official inquiry would send confused messages to the public when the government was introducing legislation to extend the length of detention in police custody (see below). FitzGerald says only, "I was deflected from my purpose by a consensus in the government."[49] Garda brutality emerged into the public light in February 1977, when *Irish Times* investigative reporters exposed what they called an interrogation "Heavy Gang" operating inside the force.[50] The implications of defeating subversion confronted every citizen with real-life dilemmas about what to condone and what to condemn. But condoning and condemning could be, and were, taken as declarations for or against the state. The problem this posed for the liberal intellectual professions is explored in this section.

In November 1974, *Hibernia* published a letter alleging that some people were refusing to sign its anti-internment petition because they feared their names would become known to the Garda Special Branch.[51] Nonetheless, by December almost 90,000 people had signed *Hibernia's* petition in Ireland.[52] Around this time, accusations began to accumulate about police intimidation of political activists—some militarist republicans, others dyed-in-the-wool constitutionalists. Among the former, were four men associated with the official Sinn Fein Party (so called "Stickies"), who were charged with the murder of Larry White in Cork city. White belonged to the paramilitary organization "Saor Eire" and was killed in June 1975 during a feud among republican factions. One of those accused of White's murder, Bernard Lynch, was (and remains) a prominent political activist in Cork city politics.[53] The solicitor of the accused men, Gerald Goldberg, complained the investigating gardai denied him access to his clients during interrogation, and afterward withheld their sworn statements from him. Subsequently, Goldberg wrote an open letter to the minister of justice protesting that his clients' confessions were made under duress. The letter was copied to *Irish Press* journalist T. P. O'Mahony and became the basis for the headline: "Torture Being Used on Suspects, Says Lawyer."[54]

The Special Criminal Court sentenced Goldberg's clients for murder, but the Court of Criminal Appeal subsequently overturned two of the convictions.[55] Both courts rejected the defense plea that the confessions were coerced. Remarkably, the appeal court found no admissible evidence for murder in one conviction, and it set aside another. In the meantime, the director of public prosecution issued proceedings for contempt against Goldberg, O'Mahony, the *Irish Press*, and its editor. In a sworn

[49] Garret FitzGerald, *All in a Life: An Autobiography* (Dublin, 1992), 313–14.
[50] Dick Walsh, "No Garda Interogation Squad Exists—Cooney," *Irish Times*, 18 February 1977.
[51] *Hibernia*, 22 November 1974, 2.
[52] *Hibernia*, 20 December 1974, 5.
[53] See Brian Hanley and Scott Millar, *The Lost Revolution: The Story of the Official IRA and the Worker's Party* (Dublin, 2009), 298–300.
[54] *Irish Press*, 11 July 1975.
[55] "Murder Convictions against Two Cork Men Set Aside," *Irish Times*, 17 November 1976.

affidavit in August 1975, Goldberg explained why he had gone public with his letter; "I do not see how I can discharge my professional obligations and reconcile my conscience with my knowledge of the facts and events in this case," he wrote, "without being false to my clients, to myself, to the profession of which I am a member and to the State of which I am a citizen."[56] The High Court later judged the publication of Goldberg's letter was not in contempt of court, because the letter merely stated the case for the defense that the confessions were falsely obtained and therefore inadmissible as evidence.[57]

There were alternative views to Goldberg's. In 1998, O'Brien recounted his garda driver's story about an IRA suspect who in October 1975 divulged the whereabouts of kidnapped Dutch industrialist Tiede Herrema. Transferring the suspect, the Special Branch driver pulled over and O'Brien's garda informant told him, "Then the [Special Branch] escort started asking him [the prisoner] questions and when at first he refused to answer, they beat the shit out of him. Then he told them where Herrema was."[58] O'Brien continued, "I refrained from telling this story to Garret [FitzGerald] or Justin [Keating], because I thought it would worry them."[59] O'Brien concluded: "It didn't worry me."[60]

Following a siege, Herrema was freed by the gardai. Extralegal "shortcuts" could indeed win results, but where legal transgressions emerged, they did so at some cost to the justice system. The overturning of four convictions, also resting on confessions, following the 1976 Sallins' train robbery proved a case in point.[61] Whatever the short-term gains, the chief objection to removing the law's protection from any suspect was that in so doing it removed it from every citizen. This became the concern of the Irish Council for Civil Liberties, which Robinson helped found in July 1976.

At this time, anyone adopting views interpreted as critical of the state risked being associated with subversion. Lecturer in architecture Martin Reynolds lent his name to a campaign for the commutation of the death penalty for anarchists Noel and Marie Murray, convicted in 1976 for the murder of a garda. Reynolds, an office-holder in his local Fine Gael branch, accepted the Murrays were rightfully convicted, but he objected to capital punishment on principle. After addressing a public meeting in Dublin, Reynolds claimed his home was visited three times by Special Branch detectives.[62] On the first occasion, in Reynolds's absence, his mother was informed that her son "could lose his job."[63] Reynolds wrote a letter protesting this treatment to FitzGerald, whom he knew personally.[64] In a radio broadcast on 5 September 1976, the minister for justice, Patrick Cooney, said allegations of brutality by

[56] "High Court Discharges Conditional Order against Irish Press Ltd. For Contempt," *Irish Times*, 16 December 1976.

[57] Ibid.

[58] O'Brien, *Memoir*, 355.

[59] Keating was elected as a Labour Party deputy and served as minister for industry and commerce (1973–77).

[60] O'Brien, *Memoir*, 355.

[61] See Patsy McGarry, *While Justice Slept: The True Story of Nicky Kelly and the Sallins Train Robbery* (Dublin, 2006).

[62] John M. Regan interview with Martin Reynolds, Dublin, 17 August 2009.

[63] Ibid.

[64] See Hanley and Millar, *Lost*, 374.

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gardai, "emanated from people on the subversive side and their fellow travellers."[65] Two days later, O'Brien accused members of the Irish Council for Civil Liberties of living in the "foggy middle ground" between the IRA and the law.[66] When Goldberg, a respected lawyer of many years standing, addressed the Special Criminal Court during the White murder trial, he felt obliged to declare: "All I know of the IRA is what I read in the newspapers and see and hear on television. I am happy to say I am not often consulted by these people."[67]

In July 1976, Britain's ambassador to Ireland was murdered by the IRA, and in September extensive counterinsurgency legislation was introduced in the Dail. An Emergency Powers Bill extended police powers of search and arrest, including an increase in the time suspects could be detained in garda custody without being charged from two to seven days. When the president of Ireland the respected jurist Cearbhall Ó Dálaigh exercised his prerogative of referring emergency legislation to the Supreme Court to test its constitutionality, he was denounced as a "thundering disgrace" by Defense Minister Patrick Donegan.[68] This precipitated a constitutional crisis and the president's resignation. A recent assessment claims Ó Dálaigh attempted to "block" the legislation, but this is disputed.[69] Establishing in advance of its enactment whether or not the legislation was constitutional anticipated likely challenges in the courts and later lengthy delays. In so doing, Ó Dálaigh had the support of one or more cabinet ministers.[70] Alongside the office of the president, Ó Dálaigh became the most senior casualty to fall prey to the O'Brien ethic.

IV

Throughout the 1970s, O'Brien vigorously proclaimed his liberalism. But defining what "liberalism" means, beyond believing in "liberty," always presents problems. John Dunn tells us, "[B]eing liberal is often a matter of broad cultural allegiance and not of politics at all. . . . If the central dispositional value of liberals is tolerance," Dunn says, "their central *political* value is perhaps a fundamental antipathy toward authority in any of its forms."[71] Paul Kelly offers a useful working definition, writing: "Liberalism is best seen as a social and political theory of freedom that conceives liberty in terms of non-interference."[72] In functioning societies some interference is inevitable, but most liberals agree that encroachments on liberty should be proportional according to prevailing circumstances and the need to secure the maximum liberty for society as a whole. Where the compromise between freedom and interference is struck in moments of terror or panic, the problem of proportionality presents a significant challenge. Gerald Gaus claims liberalism rests on a "fundamental liberal principle": that the freedom of the individual is both normative and

[65] "Cooney Scorns Complaints, Refuses Inquiry Machinery," *Irish Times*, 6 September 1976.
[66] "O'Brien Warns of Deadly and Immediate Threat to the State," *Irish Times*, 8 September 1976.
[67] "Solicitor in Murder Trial Tells Court He Is Frightened," *Irish Independent*, 4 December 1975.
[68] Henry Patterson, *Ireland Since 1939: The Persistence of Conflict* (Dublin, 2006), 270–71.
[69] Anthony Craig, *Crisis of Confidence: Anglo-Irish Relations and the Early Troubles* (Dublin, 2010), 191.
[70] FitzGerald, *All*, 316.
[71] John Dunn, *Western Political Theory in the Face of the Future* (Cambridge, 1993 edn.), 30.
[72] Paul Kelly, *Liberalism* (Cambridge, 2005), 61.

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basic.[73] Alongside this, Gaus argues, the onus of justification for limiting freedoms rests with those who would encroach upon our liberties.

Out of ministerial office in 1977, O'Brien answered critics who denied he was a liberal. Scorning his opponents' supposed refusal to define their philosophical foundations, O'Brien named his own influences as Wilhelm von Humboldt, Emile Faguet, and John Stuart Mill.[74] In particular, he cited Mill's "harm principle": "That the only purpose for which power can be exercised over any member of a civilized community against his will is to prevent harm to others."[75] By declaring, "I regard myself as a liberal in terms of that principle," O'Brien made the principle of justification central to his own liberal philosophy.[76]

In 1990, O'Brien called for the republic to introduce internment and criticized the liberal southern media for complaining about Britain's "dirty war" in Northern Ireland.[77] "This type of liberalism is for export only," he opined, before prophesying that in the south, "[t]he beating of suspects and a 'shoot to kill policy'" would be routine, and public opinion in the republic "would have no fault to find with it provided it worked."[78] While complaining that "media pundits of the Republic dilate on such impeccable themes as the security forces must never 'descend to the level of the terrorists,'" O'Brien identified another dilemma confronting all liberal democracies. "[A]s well as being impeccable," he concluded, "[this kind of liberalism] is very helpful to the terrorists." Here, O'Brien invoked a lesser evil argument.

To better identify O'Brien's politics, it is useful to reference Berlin's essay "Two Concepts of Liberty."[79] At the height of the Cold War, Berlin described two by no means comprehensive ideas of freedom, identifying what he called "negative liberty" with the Western liberal democracies and "positive liberty" with communist and other authoritarian regimes. This positive freedom is achieved by the realization of the "true self" through collective action and is compatible with coercing the individual toward that goal. Referencing Mill, "negative liberty" was defined as the "maximum degree of non-interference compatible with the minimum demands of social life."[80] On social issues, such as the right to divorce and access to contraception, O'Brien and other Irish progressives remained "freedom *to*" liberals. On security matters and issues of intellectual freedom, O'Brien tentatively moved alongside some public opinion in the 1970s toward an authoritarian positive liberty. The republic's reactivated special powers and courts, parliament's annual vote renewing special censorship legislation, and other laws curtailing civil liberties were defined as necessary to secure the community's minimum freedoms. It is likely scholars will continue to debate whether some or all of these measures were justified or excessive, liberal or illiberal. But interpreted either way, they were delivered by a

[73] Gerald Gaus, *Justificatory Liberalism: An Essay on Epistemology and Political Theory* (Oxford, 1996), 162–66.

[74] O'Brien, "Liberalism in Ireland," *Sunday Press*, 25 September 1977.

[75] John Stewart Mill, *On Liberty* (London, 1867), 6.

[76] O'Brien, "Liberalism in Ireland."

[77] Conor Cruise O'Brien, foreword to *The Dirty War*, by Martin Dillon (London, 1990), xv.

[78] Ibid., xvi.

[79] Isaiah Berlin, *Two Concepts of Liberty: An Inaugural Lecture Delivered Before the University of Oxford, 31 October 1958* (Oxford, 1958).

[80] Ibid., 46.

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representative Parliament and implemented by all the political parties that formed governments during the crisis.

Nonetheless, O'Brien condoned ignoring constitutional rights to uphold order before law. It is true Mill's harm principle can be invoked to justify great limitations on individual liberties where, for example, a threat to the state's security is apparent. Repeatedly, O'Brien invoked the threat to the state to justify interference in individual liberties. But the anomaly persists, that the protection of society's minimum freedoms by curbing individual rights was never matched by the state's preparedness for the war sometimes said to threaten those freedoms. This strongly suggests that the threat of an escalating war, while no one doubt it existed, was sometimes used as a scare tactic.

The defense of freedom, O'Brien claimed, justified his wish to censor cultural and historical interpretations he understood encouraged murder. Introducing a Criminal Law Bill in September 1976, O'Brien referenced the *Irish Press* decision to publish correspondence defending the killing of the British ambassador.[81] Interviewed by a *Washington Post* correspondent before the Dail debate, O'Brien stated (confidentially, he believed) that he might use an incitement clause in the Criminal Law Bill against offending newspaper editors. A public furor broke out after this was disclosed, and the incitement clause was narrowed. But O'Brien's definition of "subversive propaganda" included other equivocations. The *Washington Post* reported, "O'Brien acknowledges the measures could punish music teachers who lead classes in IRA ballads or even history teachers who glorify the Irish revolutionary heroes."[82] This begins to identify the scope of O'Brien's thinking about the "wrong" history inspiring violence and the necessary interference to prevent this from happening. It is to the historians and their historiographies that we now turn.

V

Alan Bennett, playwright and sometime historian, reminds us "that there is no period so remote as the recent past."[83] In examining the influence of the O'Brien ethic on history and culture in the 1970s and after, our close proximity confronts us with a historical problem. Arguably, historians are most insensitive to the past immediately preceding the beginning of their own professional careers. This cannot be remembered, and likely it has not been historicized, but it is precisely this history that shapes the profession into which they are quietly initiated. Post-1970, it is true, historical research on Ireland was enhanced by methodological innovations. These included, it has been argued, postmodernism alongside continental philosophy.[84] Invigorated by an expanding and diversifying profession, this research enjoyed access to new archives and, for a brief time before 2008, expanding resources. Pointedly, it was also influenced by attitudes reacting to the protracted political violence in Northern Ireland.

[81] DEPD, vol. 292, 7 September 1976, col. 478.

[82] "What the Washington Post Published," *Irish Times*, 6 September 1976.

[83] Alan Bennett, *The History Boys* (New York, 2004), 74.

[84] Evi Gkotzaridis, *The Trials of Irish History: The Genesis and Evolution of a Reappraisal, 1938–2000* (New York, 2006); see also Richard Kearney, "Myth and Terror," *Crane Bag* 2, no. 1–2 (1978): 125–39.

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On occasion the reaction involved casual associations among some ideas, criticisms, historical interpretations, and narratives with inadvertent or even overt support for terrorism. In 1995, novelist Colm Tóibín gave expression to a form of liberal prejudice referencing the Field Day theater company in the *Times Literary Supplement*. "There were times in the 1980s," Tóibín wrote, "when it was hard not to feel that Field Day had become the literary wing of the IRA."[85] Founded in 1980 by playwright Brian Friel and actor Stephen Rea, Field Day explored the possibilities of cultures and identities, and attempted an artistic intervention into the calcified politics of the Troubles. Joined by poet Seamus Heaney and academics like Seamus Deane, Field Day, alongside its theater productions, published politico-cultural pamphlets with contributions from varied literary critics, including Tom Paulin, Terry Eagleton, and Edward Said, among others. Quoting Tóibín's accusation against Field Day, a cultural historian from a younger generation, Frank Shovlin, wrote in 2009: "It is hard to believe now, a decade after the signing of the Belfast Agreement, that the stakes in the Irish culture wars were ever raised to this high a pitch."[86] But Tóibín's "pitch" is all too believable for those experiencing or studying Irish intellectual life during the Troubles. Referencing what she calls Ireland's "history wars," historian Margaret O'Callaghan said in 2007 that these, "marginalised important intellectuals" and that "people have paid career prices for not going along with a prevailing consensus."[87]

This section considers how the dilemmas of conscience confronting other liberal intellectual professions affected some Irish historians. During the 1970s, and since, all Irish intellectuals were questioned about their attitudes toward the northern crisis and partition, and, ultimately, toward terrorism. The historical profession experienced particularly close scrutiny. In part, this was because the conflict was understood as a product of historical "processes" and "divisions" some historians said originated in seventeenth-century Ulster.[88] In the early 1970s, the dominance of this idea is partially explained by the absence in Ireland of a full-fledged political science profession. Consequently, it fell disproportionately to historians to fill the expanding role for public intellectuals by explaining the "roots" of the crisis. Married to the historical explanation of origins was the belief that the violence was inspired by separatist nationalist historiography. The assumption that endorsing the "wrong" history sanctioned terrorism burdened historians with special responsibilities during the crisis. The assumed relationship between historiography and terrorism helps clarify why in 1976 O'Brien was adamant that teachers of the "wrong" history should be prosecuted before the law.

Only recently have historians begun publicly to discuss problems associated with this coercion. In 2010, J. J. Lee and Gearoid Ó Tuathaigh spoke about historians being seen to sanction terrorism. Ó Tuathaigh referred to what he called the

[85] Colm Tóibín, "On the Literary Wing: Review of Marilynn J. Richtarik, *Acting Between the Lines*," *Times Literary Supplement*, 28 April 1995, 10.

[86] Frank Shovlin, "A New View of Nationalism?" *Irish Times*, 14 March 2009.

[87] "The Irish Historian," Sean Ó Mordha dir., 27 November 2007, RTE 1 Television.

[88] Liam de Paor, *Divided Ulster* (London, 1970); T.W. Moody, *The Ulster Question, 1603–1973* (Dublin, 1974); A. T. Q. Stewart, *The Narrow Ground: Aspects of Ulster, 1609–1969* (London, 1976).

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"ideological frisking" to establish "where you stood."[89] This, as both Ó Tuathaigh and Lee attested, became an acute problem for early career historians, and some of these made explicit declarations against the Provisional IRA in their published research.[90]

Confusion arising about some historical interpretations sanctioning or being perceived to sanction terrorism presented difficulties for all. This, arguably, provides the critical interpretative context for some aspects of modern Irish historiography. In 2006, addressing a conference on the meaning of the Easter 1916 rising, Charles Townshend delivered a paper titled "The Worst Event in Twentieth-Century Irish History? 1916 in Perspective."[91] As he explored the Rising in its changing historiographical context, Townshend spoke humorously about polemical interpretations written during the Troubles. He prefaced these remarks saying, "[B]elatedly, it has become possible to discuss this question publicly."[92] Townshend explained that this represented a "change from the experience I've had most of my life working on some aspects of Irish history."[93] But Townshend did not aver to why public discussion had been impossible (though he may have assumed the audience understood well enough). Inevitably, after 1970, the Northern Ireland conflict affected all Irish historians, but for those writing on political violence, their subject invited new sensitivities.

To begin to explain the assumptions about the relationship between historiography and violence, it is necessary first to examine wider debates about the relationship between culture and politics. As ever, O'Brien applied himself to this discourse. Art, he argued, translated into action, and in Ireland writers bore special responsibilities for directing culture toward positive channels.[94] "The area where literature and politics overlap has, then, to be regarded with suspicion," O'Brien wrote in 1975. "It is suffused with romanticism, which in politics tends in the direction of fascism."[95] What concerned O'Brien were the mobilizing powers of separatist nationalist mythologies and their transmission of the tragic-heroic motifs of Irish republicanism—sacrifice, martyrdom, failure—into the public consciousness.[96] O'Brien saw republican narratives, carried by poetry, plays, ballads, and histories, combining with Catholicism to form a lethal atavistic nationalist-religious force.[97] The

[89] "Miriam Meets," RTE Radio 1, 28 August 2010, http://www.rte.ie/radio1/miriammeets/220810.html (accessed 17 October 2012).

[90] See Tom Garvin, "The Discreet Charm of the National Bourgeoisie," *Third Degree* 1, no. 1 (1977): 16–17; Michael Laffan, "Violence and Terror in Twentieth-Century Ireland," in *Social Protest, Violence and Terror in Nineteenth- and Twentieth-Century Europe*, ed. Wolfgang J. Mommsen and Gerhard Hirschfeld (London, 1982), 172.

[91] Papers from a conference held at Trinity College, Dublin on 21 and 22 April 2006, organized by the Ireland Institute and Dublin University History Society, http://www.theirelandinstitute.com/institute/p01-townshend_worst_page.html (accessed 20 January 2012).

[92] Ibid.

[93] Ibid.

[94] O'Brien, "Unhealthy Intersection," 3–8.

[95] Ibid., 7.

[96] These ideas are developed across the post-1970 O'Brien canon. See for examples: *States*; *Ancestral Voices: Religion and Nationalism in Ireland* (Dublin, 1994); *God Land: Reflections on Religion and Nationalism* (London, 1999); cf. Kearney, "Myth and Terror."

[97] See Richard Bourke, "Languages of Conflict and the Northern Ireland Troubles," *Journal of Modern History* 83, no. 3 (September 2011): 544–78.

"intertwining" of politics and religion exerted, he claimed, a metaphysical influence on Irish consciousness, which found expression in the fascistic IRA. O'Brien adapted an analogy taken from Albert Camus's *La Peste* to demonstrate the persistence of these hatreds: "The bacillus of the plague can be dormant for years in furniture and linen," O'Brien warned, adding it may again "awaken its rats and send them to die in a happy city."[98] (This was the analogy Murtagh referenced in his allusion to liberals as "rats.")

In political office, O'Brien challenged the separatist "story of Ireland" and the certainties it carried about the progressive uses of political violence, alongside the inevitability of reunification. Introducing the Broadcasting Authority Amendment Bill in March 1975, O'Brien returned to the responsibilities of liberal intellectuals. He first addressed journalists, criticizing them where they referred to "republican prisoners" as if "they were jailed for their opinions not their crimes."[99] What was significant about this, O'Brien pleaded, "is the . . . equivocal approach to the IRA it implies." O'Brien wanted militarist republicans criminalized in journalistic writing, adding that "other categories—clergy, teachers, businessmen, trade unionists—bear responsibilities."[100] Here, O'Brien identified as a problem what he called a "kind of neutral professionalism."[101] In the struggle between liberty and terror, it was no longer acceptable to hide behind professional obligations, and this, he stated, extended beyond journalists to all liberal intellectual professionals.

In May 1971, reviewing F. S. L. Lyons's *Ireland Since the Famine*, Terence de Vere White complained, "I am not quite sure where Dr Lyons stands on what seems to me the most vital issue in Irish historical controversy—the use of force."[102] White added, "[Lyons] faces the moral dilemma by describing as 'a soldier' any patriot who puts forward a bloodthirsty, as opposed to a peaceful, solution of a problem." Lyons's study, mostly written before 1969, appeared to White (and to others) almost to excuse terrorism. This presented Lyons with his own dilemma: by giving "undue prominence to the concept of revolutionary militancy," historians bore responsibilities for the new men of violence.[103] Should he write a history consciously responding to the contemporary crisis? Or alternatively, should he continue, as before, to study the past "for its own sake"?[104]

White's critique alongside O'Brien's later suggestion, that those who did not abandon professional neutrality were somehow aiding terrorism, had to inform responses to Lyons's dilemma. It is impossible here to assess the effect any of this may have had in a comprehensive survey of Irish history. Nevertheless, it is feasible briefly to consider Irish state formation historiography covering the period from

[98] O'Brien, *States*, 303; from Albert Camus's *La Peste* (Paris, 1947), 248.
[99] Seanad Eireann printed debates, vol. 79, 12 March 1975, col. 791.
[100] Ibid.
[101] Ibid., col. 796.
[102] F. S. L. Lyon, *Ireland Since the Famine* (London, 1971); Terence de vere White, "A Pride of Lions," *Irish Times*, 1 May 1971.
[103] F. S. L. Lyons, "The Dilemma of the Irish Contemporary Historian," *Hermathena* 115 (Summer 1973): 53.
[104] Ibid., 52.

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1916 to 1923. Using a recent analysis, it is possible to comment on the influence of the O'Brien ethic on at least some of this writing.[105]

The guardians of a past-centered approach (though they were less doctrinaire on the issue than their detractors sometimes suggest) were T. W. Moody and Robin Dudley Edwards, who together in 1938 founded the journal *Irish Historical Studies* (*IHS*). Under the auspices of *IHS*, Moody and Edwards oversaw a professionalization of Irish historical research, placing it on a regulated and more scientific footing. It was Moody's protégé, Lyons, the founding professor of history at the University of Kent in England, who led the defense against history purposefully applied against any side in the post-1970 conflict.

The first contest between a more past-centered approach and a more politically self-conscious applied history occurred in 1971. In this year, Lyons identified historians who were reacting to the resurgence of violence by exaggerating the importance of constitutionalism in their interpretations. In a rebuke delivered in Dublin, Lyons warned against replacing the teleology associated with a popular physical force narrative ("1916 and all that"), with an equally Whiggish constitutional alternative.[106] Such interpretations, Lyons said, were predicated on the overbearing needs of the present, and inevitably, these prejudiced the selection of evidence. Instead, he argued, the balanced approach associated with the historical research *IHS* promoted would be the way to proceed.[107] Lyons also warned that "the study of constitutional history in revulsion to the present" jeopardized the "temper of sweet reasonableness" that professionalization supposedly had inculcated among Irish historians.[108] The argument between the "constitutional historians" and Lyons continued into a published collection of radio lectures titled *The Irish Parliamentary Tradition*, edited by Brian Farrell.[109] Farrell, a broadcaster and political scientist, denied Lyons's accusation of Whig history leveled against a so-called constitutional tradition.[110] Nevertheless, Lyons's influence inside the academy (in 1974 he became provost of TCD), buttressed by Moody and Edwards, ensured that any bid to align the historical profession behind a constitutional-nationalist teleology was temporarily thwarted.

For those subscribing to the idea that the "right" history might save lives, the behavior of Lyons may have looked like criminal folly. Adapting lines of Yeats for his purposes, Lyons responded to such suggestions, writing: "Did that play/book of mine send out/Certain men the English shot?" Lyons's answer was emphatic: "Historians," he said, "have never aspired either to such influence or

[105] See, for example, John M. Regan, "Michael Collins, General Commanding-in-Chief, as a Historiographical Problem," *History* 92, no. 307 (July 2007): 318–46; idem, "Irish Public Histories as an Historiographical Problem," *Irish Historical Studies* 37, no. 146 (November 2010): 265–92; idem, "'The 'Bandon Valley Massacre' as a Historical Problem," *History* 97, no. 325 (January 2012): 70–98. See also Regan's review of Richard English's *Irish Freedom: The History of Nationalism in Ireland (Basingstoke, 2006)*, and English's response, http://www.history.ac.uk/reviews/review/704 (accessed 30 September 2012).

[106] Lyons's lecture was delivered to the Irish history society at University College Dublin in November 1971.

[107] Lyons, "Dilemma," 54.

[108] Ibid., 52.

[109] Brian Farrell, ed., *The Irish Parliamentary Tradition* (Dublin, 1973), especially Lyons, "The Meaning of Independence," 223–33.

[110] Brian Farrell, preface to *Parliamentary*, 10.

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arrogance."[111] There is nothing to suggest he changed his mind.[112] O'Brien too asked Yeats's question, and as Diarmuid Whelan demonstrated, O'Brien's answer became an increasingly unequivocal "Yes!"[113]

For historians subscribing to O'Brien's thesis, any concession to Whiggish constitutional history risked placing themselves in professional difficulties while Lyons held sway. They could do historical research on contemporary history, but their results might sanction militarist republicanism where, for example, the origins of the Irish state were located in unmandated violence.[114] Discouragement before the 1970s of contemporary history within the Irish academy—from which Lyons famously dissented—meant that the twentieth century remained relatively underresearched before the 1990s. This deficit was noticeable in Irish universities, but it is unlikely historians were uninterested in the recent past. Rather, the void probably indicated an unwillingness to write contemporary political history on Lyons's terms or, indeed, on O'Brien's.

Reviewing two major television histories of Ireland in 1981, Foster vented the frustrations of impatient historians. "[T]hose scholars, now about to retire, who launched a heroic effort to explore the more ambivalent dimensions of Irish history," wrote Foster, "must feel some doubt at the simplifications on their television screens these last two months."[115] Aided by television producers, the "wrong" history proved persistent, and it reached enviably large audiences. The republican hunger strikes of 1981 can only have exacerbated the disappointment. Lyons and Moody died, respectively, in 1983 and 1984, and Edwards (following a long illness), in 1988. After nearly fifty years, the domination of the so-called founding fathers came to a close, and this invited questions about who and what should replace them.[116]

Almost immediately, the struggle began anew between past-centered historians and those self-consciously addressing the Troubles. This consciousness gained notable expression in two essays published in 1986. Roy Foster's "We Are All Revisionists Now," demonstrated a robust attitude toward historiographical engagement. Lampooning the "influential popular histories written by zealous converts [to Irish separatist nationalism] like Cecil Woodham Smith," Foster ridiculed, "naively hilarious works of piety about the Young Irelanders, written by amateur historians on the British left . . . joined by the half baked 'sociologists' employed on profitable never-ending research into 'anti-Irish racism' [in Britain]."[117] Criticism of reductive analysis and even poor scholarship was justified. That the recipients of Foster's attack went unidentified was not. Moreover, Foster's derisory tone broke with the

[111] Lyons, "Meaning," 224.

[112] See Charles Townshend's review of F. S. L. Lyons's *Culture and Anarchy in Ireland, 1890–1939* (Oxford, 1979), *English Historical Review* 96, no. 378 (January 1981): 173–75.

[113] Whelan, *O'Brien*, 112–13.

[114] See L. P. Curtis Jr., review of Charles Townshend, *Political Violence in Ireland* (Oxford, 1983), *Journal of Modern History* 58, no. 3 (September 1986): 716–19.

[115] R. F. Foster, "Irish Histories: Revised and Unrevised Versions," *Times Literary Supplement*, 6 March 1981, 257.

[116] L. P. Curtis Jr., "The Greening of Irish History," *Eire/Ireland* 29, no. 2 (Summer 1994): 9.

[117] R. Foster, "We Are All Revisionists Now," *Irish Review* 1, no. 1 (1986): 3; cf. Willy Maley, "Revisionism and Nationalism: Ambivilances and Dissensus," in *Ireland in Proximity: History, Gender, Space*, ed. Scott Brewster, Virginia Crossman, Fiona Becket, and David Alderson (London, 1999), 12–27.

Moody-Edwards professionalization, ushering into Irish historical discourse a sardonic register. Foster's concern, not unfairly, was that the "best" historians "barely penetrate to the popular audience."[118] Here, "best" identified revisionist historians who were busy debunking separatist nationalist mythologies. Foster concluded that "'revisionist' should just be another way of saying 'historian'" and advocated promulgating the "best history" to the widest possible audience.[119]

The second essay, Ronan Fanning's "'The Great Enchantment' Uses and Abuses of Modern Irish History," shared Foster's concern with popular historical understanding, but it pointed toward a more hazardous direction.[120] Fanning endorsed—transparently for the *cognoscenti*—a history applied against the republican insurgency, wherein, he noted, nowhere else "in the European, North American or antipodean democracies does the writing of twentieth-century history demand so constant a confrontation with mythologies designed to legitimize violence as a political weapon in a bid to overthrow the state."[121] A sense of doom worthy of O'Brien's worst forebodings accompanied this, where Fanning contrasted Lyons's predicament in the 1970s with his own in the mid-1980s, confronting the electoral success of the Provisionals' "ballot box and armalite" strategy. "[T]he pessimism of the historian who believes the worst will happen," warned Fanning, "must be distinguished from the pessimism of the historian who witnesses the worst happening and believes there may be still worse to come."[122] In the Irish history wars, the self-proclaimed revisionists declared they were losing to the gunmen.

Fanning's endorsement of an applied history supporting the state's counterinsurgency is important, because earlier he had sided with Lyons. In 1975, Fanning exposed the teleology at the center of Farrell's revisionist essay "Irish Political Culture and the New State," vindicating Lyons and humiliating Farrell.[123] Written *before* the Troubles began, Farrell's essay provided the master narrative for a constitutional, later democratic, foundation myth for the Irish state. Reasserted in the historiography after 1980, this foundation myth increasingly displaced a rival in the physical force story, which located the origins of the state in the Easter 1916 Rising. In 1983, months after Lyons's death, Fanning published *Independent Ireland*.[124] Fanning's textbook embellished Farrell's constitutional narrative, where Fanning awarded the 1922 Irish Free State a democratic legitimacy. The crowning achievement of this seamless democratic narrative was the nonrecognition of the contradictions relating to Michael Collins's leadership. At the time of his death on 22 August 1922, it is argued, Collins had affected a de facto military dictatorship.[125]

[118] Foster, "Revisionists," 5.

[119] Ibid.

[120] Ronan Fanning, "'The Great Enchantment:' Uses and Abuses of Modern Irish History," in *Ireland and the Contemporary World: Essays in Honour of Garret FitzGerald*, ed. James Dooge (Dublin, 1988), 131–47.

[121] Ibid., 142.

[122] Ibid.

[123] Brian Farrell, "The New State and Irish Political Culture," *Administration* 16, no. 3 (October 1968): 238–46; Ronan Fanning, "Leadership and Transition from the Politics of Revolution to the Politics of Party," in *Reports—14th International Congress of the Historical Sciences*, 3 vols. (New York, 1977), 3: 1741–68.

[124] Ronan Fanning, *Independent Ireland* (Dublin, 1983).

[125] Ibid., 1–34; cf. Regan, "Collins," and, especially, idem, "Public Histories," 282–89.

But evidence contradicting the constitutional and democratic narratives went unrecorded by Fanning alongside other historians endorsing the new foundation myth.[126]

It is difficult, if not impossible, to measure the influence of historiographies on violent action. Recognizing O'Brien's interpretations were often propagandistic, his assumption that historiographies nurtured terrorism deserves careful consideration. For example, the hero cults of the separatist pantheon had been available to earlier generations, but it is noteworthy that during the IRA's "border campaign" (1956–62), those cults failed to mobilize popular support, north or south.[127] After 1970, though all northern and southern separatist nationalists had been exposed to similarly romantic historiographies, support for antistate organizations in the republic remained nominal. This observation again invites other causal explanations for the reappearance of militarist republicanism. Unsurprisingly, these identify rising expectations among Northern Ireland's Roman Catholic minority amid the radicalizing international tumult of the 1960s and the inability of unionist governments to introduce reforms while containing growing unrest. Arguably, it is the inadequacy of political structures—among them partition—rather than plague-carrying histories that better explains the resurgence of violence. This is not to dismiss outright O'Brien's cultural cause and effect argument, but rather to argue it cannot bear the weight he and others placed on it.

O'Brien amplified after 1972 the substance of what sociologist Stanley Cohen calls a "moral panic." Cohen (also in 1972) defined this term as a "condition, episode, person or group of persons emerges to become defined as a threat to societal values." This in the republic describes some responses to anyone rightly or wrongly associated with resurgent militarist republicanism. Cohen continues, "[I]ts nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnosis and solutions."[128] In the republic, a moral panic found expression in the idea that separatist historiographies inspired separatist terrorism. (The belief that historiographies can directly affect human action is described here as "historical agency.") Official anxieties about commemorating Easter 1916, the banning of rebel songs from the state's broadcaster RTE, and removal from public places of symbols associated with revolutionary republicanism were symptoms of a moral panic over historiographies and formed part of a "Green Scare." By predicting catastrophes and claiming that separatist historiographies nurtured terrorists, O'Brien, alongside other commentators, stoked fears about historical agency. In some quarters, the resulting hysteria is still heard.[129] Cohen warns that moral panics "might produce such changes as those in legal and social policy" or "the way society conceives

[126] Cf. David Fitzpatrick, "Ethnic Cleansing, Ethical Smearing, and Irish Historians," *History* 98, no. 329 (January 2013): 135–44.

[127] Patterson, *Ireland Since*, 132–36.

[128] Stanley Cohen, *Folk Devils and Moral Panics* (London, 1972), 9.

[129] For accusations that academic historians critical of Peter Hart's interpretation of the "Bandon Valley massacre" (see below) support "IRA apologists" and for comparisons between these historians and Nazi collaborators, alongside clerics who failed to stop pedophilia inside the Roman Catholic Church ("Just as [Monsignor] O'Callaghan's first duty was to protect the children of the diocese who could not speak for themselves, so the first duty of academic historians is to protect past victims of the IRA who no longer have a voice"), see Eoghan Harris, *Sunday Independent*, 26 June and 17 July, 2011.

itself."[130] There is little doubt that some Irish self-perceptions were altered by the revisions to historical understanding O'Brien supported, and these may be traced to recent historical writing.[131]

Revising his influential essay "History and the Irish Question" for republication in 1993, Foster added the sentence: "By then [1972] the results of simplistic historical hero-cults had become obvious in carnage of Northern Ireland."[132] When the essay was delivered as a lecture in 1982—perhaps in deference to Lyons—these "obvious" results went unmentioned.[133] In the 1990s, Foster's revision demonstrated that O'Brien's endorsement of historical agency had penetrated the emerging mainstream inside the academy.[134]

Inevitably, the belief that some narratives inspired terrorism informed the discourse on Northern Ireland—notably, by helping to silence opposition to O'Brien's "primitivist" explanation of the conflict. Claiming the violence was the product of "irreconcilable," "atavistic . . . tribal hatreds," primitivist explanations displaced structural ones. But O'Brien's analysis, Richard Bourke now argues, was unequal to the conflict's complexity.[135] Describing O'Brien's primitivist interpretation as fallacy, Bourke demonstrates its influence in the work of Foster, Townshend, Richard English, and Marianne Elliott.[136]

In the 1990s, some present-centered historians superimposed conceptualizations of the contemporary Northern Ireland conflict onto the earlier period of state formation. Alongside interpretations of the Irish civil war (1922–23) as a struggle between the democratic state and antidemocratic republicanism, Ulster's contemporary ethno-sectarian violence was projected southward on to the 1920s. Both narratives found expression in the work of the late Peter Hart, who provided a controversial revision of revolutionary republicanism in *The IRA and Its Enemies 1916–23: Violence and Community in Cork 1916–23* (1998).[137] Central to Hart's identification of sectarianism in the revolutionary period was the massacre of thirteen Protestants near Bandon, West Cork, in late April 1922, killed by Roman Catholics, or so he speculated, inside the IRA. In 1993, Hart described this event as an attempt by the IRA to "exterminate or drive away all Protestants in the area," and in 1996, he claimed the massacre was indicative of "what might be termed as 'ethnic cleansing'" in half a dozen southern counties.[138] This raised suspicions that beneath the assumed ecumenism of southern life lurked primordial hatreds similar to those tearing at the Balkans and Ulster. That memories of ethnic violence in county Cork (and similar

[130] Cohen, *Panics*, 9.

[131] For O'Brien's influence on a contemporary study, see Regan's review of English's *Irish Struggle* and Bourke, "Languages."

[132] R. F. Foster, *Paddy and Mr Punch: Connections in Irish and English History* (London, 1993), 17.

[133] R. F. Foster, "History and the Irish Question," *Transactions of the Royal Historical Society* 33 (1983): 169–92.

[134] Cf. O'Brien, *States*, 150.

[135] Bourke, "Languages," 550–62.

[136] Ibid., 559–60.

[137] See also *The IRA at War* (Oxford, 2003) and *Mick: The Real Michael Collins* (London, 2006).

[138] Peter Hart, "Class, Community and the IRA in Cork, 1917–23," in *Cork History and Society: Interdisciplinary Essays on an Irish County*, ed. Cornelius G. Buttimer and Patrick O'Flanigan (Dublin, 1993), 980; idem., "The Protestant Experience of Revolution in Southern Ireland," in *Unionism in Modern Ireland*, ed. Richard English and Graham Walker (Dublin, 1996), 92.

events elsewhere) were supposedly suppressed made Hart's discovery more unnerving. All of this endorsed O'Brien's primitivist interpretation, and for those advancing O'Brien's analysis in the academic literature, Hart's work was of strategic importance.[139] I argue, however, that Hart constructed his account of an unambiguous sectarian massacre from some very contradictory evidence.[140]

Hart argued the massacre's Protestant victims were murdered primarily because of their religion, not because they had informed against the IRA. In making this claim, Hart ignored evidence, some of which identified the exceptional intelligence work done by Protestant loyalists around Bandon.[141] Drawing on the same evidence in 1977, David Fitzpatrick wrote: "Army historians later lamented the inability of the secret service to penetrate the inner circles of Republicanism, and the increasing reluctance of loyal citizens to turn informer."[142] But Fitzpatrick added, "[A] number of Protestant farmers near Bandon who did were killed by the IRA."[143] Oddly, neither Hart nor his doctoral supervisor and internal examiner (Fitzpatrick) referenced or explained their differing interpretations of the same evidence. What is now noticeable is that neither did any other historian during years of controversy over Hart's work.[144] That this happened raises questions about academic rigor. It may also identify a consensus impervious to the evidence contradicting Hart's primitivist narrative.

Similarly, when in 1996 Tom Garvin erroneously denied the British government's repeated threats of renewed war should Sinn Fein reject the 1921 Anglo-Irish treaty, Garvin's negation of the facts went almost unnoticed.[145] Hitherto, recognition of British coercion was integral to all but the most partisan historical writing.[146] Elsewhere, ignoring or marginalizing British coercion in 1922 facilitated interpretations of Irish decision makers more-or-less freely entering the treaty settlement.[147] In turn, this downplaying or negation of British coercion aids a perverse reduction explaining the Irish civil war as a war fought by the Irish state in defense of democracy against

[139] For a discussion of primitivism in Hart's work, see John M. Regan, "The History of the Last Atrocity," *Dublin Review of Books* 22 (Summer 2012), http://www.drb.ie/more_details/12-06-22/The_History_of_the_Last_Atrocity.aspx (accessed 17 October 2012).

[140] See Regan, "Bandon."

[141] Hart, *Enemies*, 288; Brian P. Murphy, review of Hart's *The IRA and Its Enemies* in *The Month: A Review of Christian Thought and World Affairs* (September–October 1998): 381–83.

[142] David Fitzpatrick, *Politics and Irish Life, 1913–1921: Provincial Experiences of War and Revolution* (Dublin, 1977, 2nd ed., Cork, 1998), 27.

[143] Ibid.

[144] For an overview, see Regan, "Bandon," 70–78.

[145] Tom Garvin, *1922: The Birth of Irish Democracy* (Dublin, 1996), 48; cf. NAI S'1322, Winston Churchill to Michael Collins, 12 April 1922 (Churchill wrote, "[T]he threat of civil war, or a Republic followed by a state of war with the British Empire, hangs over [Ireland]"), reproduced in W. Churchill, *The Aftermath* (London, 1944, 1st ed., 1929), 324–26; for reviews of Garvin, see Arthur Mitchell, *American Historical Review* 103, no. 2 (April 1998): 523–24; Patrick Maume, *Studia Hibernica* 29 (1995–1997): 245–47; John Kirkaldy, *Books Ireland* 202 (March 1997): 52–53; Frank Barry, *Irish Review* 20 (Winter–Spring 1997): 157–61; Michael Hopkinson, *Irish Historical Studies* 20, no. 120 (November 1997): 628–29; John M. Regan, *History Ireland* 5, no. 2 (Summer 1997): 54–56.

[146] See Erich Strauss, *Irish Nationalism and British Democracy* (Oxford, 1951), 269; Mary Bromage, *Churchill and Ireland* (Notre Dame, 1964), 79; The Earl of Longford and T. P. O'Neill, *Eamon de Valera* (London, 1971), 186; Thomas Towey, "The British Reaction to the 1922 Collins–de Valera Pact," *Irish Historical Studies* 22, no. 85 (March 1980): 66.

[147] For an example of marginalization, see F. McGarry, *Eoin O'Duffy: Self-Made Hero* (Oxford, 2006), 96.

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republican tyranny. This again describes the Irish state's new foundation myth—Garvin's eponymous *Birth of Irish Democracy* thesis. Edited by Ronan Fanning, Michael Kennedy, Dermot Keogh, and Eunan O'Halpin, *Documents on Irish Foreign Policy (vol. 1), 1919–1922* features eighty-seven documents covering the period from the treaty's signing (6 December 1921) to the civil war's outbreak (28 June 1922).[148] Of these documents, only one cryptic note references British threats. At the Sinn Fein cabinet held on 8 December 1921, the words "It was war or not" acknowledge the British ultimatum Sinn Fein's signatories confronted at the conclusion of the treaty negotiations in London.[149] That this editorial selection does justice to the influence of British coercion on early Irish foreign and domestic policy may be doubted.

O'Brien awarded historians a special responsibility in the Irish crisis. Responses to this burden identified historians, to differing degrees, as consenting or dissenting liberals. Endorsement of a pro-state and antirepublican historiography, or any historiography understood to relate to the Troubles, became a litmus test identifying "where you stood." This greatly complicated what has been imprecisely termed "Irish revisionism." A common thread linking Irish revisionism to similar processes elsewhere, Stephen Howe observes (notably referencing Israel), is "the critique of a nationalist historical narrative." In part, revisionist controversies, in Ireland as elsewhere, resulted from unavoidable frictions generated between historical research and nationalist mythology.[150] It is increasingly clear in some Irish examples that critiques by professionals of separatist nationalist narratives were simplified or exaggerated and sometimes ahistorical. This begins to identify important distinctions between revisionism born of bona fide historical research and ahistorical revisionism identified by the abandonment of historical method and "professional neutrality." Speaking at Oxford University in February 2013, Fitzpatrick said of Hart's critique of the IRA attempting to "exterminate" Protestants in 1922, "I think he overstated the case." Fitzpatrick continued:

> I think in particular [Hart] overstated the degree to which there was panic movement caused by what might have been construed as sectarian attack. It did occur, but it is not to be described in the same terms as what occurred in India or Bosnia or any other place where dreadful conflicts occurred which have entailed immense shifts of population.[151]

Fitzpatrick concedes he has found no statistical basis whatsoever for Hart's claims for anything approaching ethnic cleansing in county Cork or elsewhere in Southern Ireland in 1922.[152]

[148] (Dublin, 1998).

[149] Ibid., 361–62. The aim of the documents project is stated to be "to make available . . . to people who may not be in a position to easily consult the National Archives, documents which are considered important or useful for an understanding of Irish foreign policy" (ibid., ix.). Funded by the Department of Foreign Affairs and the Higher Education Authority, between 1997 and 2011 the foreign documents project has spent 1.8 million euro. Information from the publishers, the Royal Irish Academy, 13 July 2012.

[150] Stephen Howe, "The Politics of Historical Revisionism: Comparing Ireland and Israel/Palestine," *Past & Present* 168 (August 2000): 168.

[151] David Fitzpatrick, "The Spectre of Ethnic Cleansing in Revolutionary Ireland," paper delivered to the Irish History Seminar, Hertford College Oxford, 6 February 2013.

[152] See Fitzpatrick, "Ethical."

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The consensus emerging around the state's constitutional/democratic foundation myth could only survive with the endorsement of those who earlier had witnessed Lyons's intervention against it. The corollary of an applied, teleological, history has been to introduce errors and confusions into historical understanding, as Lyons earlier warned it would be. The common denominator of both the constitutional and the sectarian narratives was the selection of evidence on the basis of a priori decisions, and this now accounts for some major distortions. What remains impressive (in some cases) is the sophistication with which some ahistorical narratives were constructed and others concealed. While some historians embraced both applied teleological histories and their skewed historiographies, it is doubtful the consensus scaffolding this was ever wholly voluntary. It is therefore necessary to be reminded that Irish historians still live with the threat of being denounced as "republican apologists" and worse by fellow academics.[153] In the next section, possible justifications for liberal intellectuals adopting such approaches are explored.

VI

In 1975, Robinson accused O'Brien (for reasons aforementioned) of a "refined form of McCarthyism as it was used in the United States."[154] A decade earlier, the influential journal *Encounter* called O'Brien, "a politico-cultural Joe McCarthy."[155] The contrasting origins of these accusations now throws light on O'Brien's journey from the liberal intellectual of the 1960s to the politician and propagandist of the 1970s.

In the 1960s, O'Brien was a strident critic of both the United States and its communist enemies. Reviewing an anthology of *Encounter* articles in 1963, O'Brien took issue with British academic Denis Brogan's introduction to the collection, which made claims for the journal's impartiality in the Cold War: "[F]rom its foundation," wrote Brogan, "*Encounter* . . . has been a *journal de combat*, an organ of protest against the *trahison de clercs*."[156] O'Brien replied that in *Encounter*, "[g]reat vigilance is shown about oppression in the communist world, apathy and inconsequence largely prevail where the oppression is non-communist or anti-communist."[157] In April 1966, the *New York Times* alleged the CIA funded *Encounter* through the Congress for Cultural Freedom.[158] This was rejected by *Encounter's* coeditors, Irving Kristol, Melvin Lasky, Stephen Spender, and Frank Kermode. Buoyed by the

[153] Responding to Regan's published critique of state formation historiography alongside Hart's research on the "Bandon Valley massacre," Professor Fitzpatrick writes that "[Regan's] suggestions and innuendoes have long been circulated by bloggers and republican apologists. . . . The enlistment in this unseemly chorus of Regan's voice . . . adds credibility to points hitherto dismissible, for the most part, as the fantasies of cranks." David Fitzpatrick, "Dr Regan and Mr Snide," *History Ireland* 20, no. 3 (May–June 2012): 12–13.

[154] Seanad Eireann printed debates, vol. 79, 18 March 1975, col. 930.

[155] Conor Cruise O'Brien, "Some Encounters with the Culturally Free," *New Left Review* 44 (July–August 1967): 62.

[156] Denis Brogan, introduction to *Encounters: An Anthology from the First Ten Years of Encounter Magazine*, ed. Stephen Spender, Irving Kristol, and Melvin J. Lasky (London, 1963), xxiv.

[157] Conor Cruise O'Brien, "Journal de Combat," in *Writers and Politics* (London, 1976; 1st ed., 1965), 216.

[158] O'Brien, "Encounters," 60–61.

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New York Times' revelation, in May 1966, O'Brien repeated his allegation of partisanship in a public lecture titled "The Writer and the Power Structure."[159] O'Brien's "power structure" described those who encouraged "a favourable presentation of . . . [the state's] own image" to the world outside as well to the domestic public.[160] This "encouragement," O'Brien warned, was provided "by the secret services, by defense forces, by business, and by the mass media." While the power structure's activity had "been mainly directed outward—toward combating communist influence in the third world," it had also helped "to mold teaching and research in the United States and, to a slightly lesser extent, in Britain."[161] Elsewhere, O'Brien argued, "[T]he writing specifically required by the power structure was done by people [in *Encounter*] who, as writers, were of the third or fourth rank but who could . . . take a hint."[162] Responding, *Encounter* (still denying any CIA connection) deployed the slur of McCarthyism against O'Brien, claiming he looked for CIA agents under its editors' beds.[163] O'Brien sued for libel. When later it was independently established that the CIA had funded *Encounter*, its editors settled out of court. It then emerged that Lasky, and journal trustee Arthur Schlesinger Jr., knew of the CIA connection, while at the same time denying it.[164]

During the Cold War, the *Encounter* episode became a test case for liberal intellectuals and their commitment to "truth." But O'Brien's role in the controversy contrasted with his subtle transformation during the 1970s into a liberal consenting to the Irish state's power structure. O'Brien argued his criticism of *Encounter* was borne of antipathy toward neither the United States nor any pro-communist partisanship. Simply, he objected to the hypocrisy of *Encounter*'s claim of editorial "neutrality." Introducing an edited volume in 1969, *Power and Consciousness*, O'Brien struggled to define an adequate relationship between intellectuals committed to the pursuit of truth and those power structures that in the United States, as elsewhere, were preoccupied with a global counterrevolution against communism. The Cold War, O'Brien reflected in 1969, confronted intellectuals with a choice between revolutionary change and the status quo, adding the rueful conjecture that the Cold War truly began in 1790, with the publication of Edmund Burke's *Reflections on the Revolution in France*.[165] Since then, O'Brien noted, the idea of revolution inspired, "fear or hope of it, produced contrasting mental anthologies from reality . . . dreams and nightmares."[166] He also observed the intellectual's support or rejection of revolution depended "on whether he really hates the existing society enough to fight it . . . without scruple about deceit or cruelty."[167]

"[S]acrifices made for the revolution or for the counterrevolution," O'Brien argued in 1969, "constitute, of course, the abdication of the intellectual."[168] After

[159] Reproduced as "The Homer Watt Lecture," in D. H. Akenson, *Conor: A Biography*, 2:112–19.
[160] Conor Cruise O'Brien, introduction to *Power and Consciousness*, ed. Conor Cruise O'Brien and William Dean Venech (New York, 1969), 2.
[161] Ibid.
[162] O'Brien, "Journal," 216.
[163] "O'Brien Encounters"; "'R,' Column," *Encounter* 27, no. 2 (August 1966): 43.
[164] Ibid.
[165] O'Brien, *Power*, 4.
[166] Ibid.
[167] Ibid., 6.
[168] Ibid.

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1970, O'Brien the politician abandoned his commitment to O'Brien the liberal intellectual, alongside his obligation to tell the truth. From then onward, in support of the Irish power structure O'Brien began to apply strategies he had witnessed in America. Inevitably, any analogy between the O'Brien ethic and McCarthyism invites imprecision. Nevertheless, there were similarities between the "Red Scare" in America and the "Green Scare" in Ireland. Typically, O'Brien exploited anxieties about threats from inside society and fears about what the future held. His dichotomies were used to press liberal intellectuals to declare for the state or for terrorism. All of this was vaguely reminiscent of the loyalty pledges that became a grievance in some American institutions.[169] What distinguished the "Green Scare" from the "Red Scare" was that unlike in the United States, in Ireland there was no formal pledge around which to mobilize. Instead, Irish declarations of loyalty or dissent manifested in the public positions liberal professionals (and others) took. Much as "pinko" or "red" had been assigned to America dissenters (and some bystanders), so in the Irish vernacular "Provo" or even "republican" could be deployed with similarly damaging intent.

After *Encounter*'s CIA funding became public knowledge, Berlin wrote to Lasky: "The proper role of *Encounter* is simply to say. . . [the editors] acted . . . in ignorance. . . . Men of sense and goodwill will understand; those who lack it will snipe any way."[170] Berlin's outright refusal to condemn the CIA connection could be reconciled with his own liberal philosophy, as he explained in 1994: "I did not in the slightest object to American sources supplying the money—I was (and am) pro-American and anti-Soviet, and if the source had been declared I would not have minded in the least."[171]

Berlin is sometimes cited as a major influence on O'Brien,[172] and another of Berlin's essays on liberty, "Political Ideas in the Twentieth Century," is instructive when explaining liberal responses during the Irish crisis.[173] In the totalitarian regimes of Soviet Russia and Nazi Germany, Berlin observed, social engineers believed human evils—poverty, ignorance, disease—could be rationally displaced by sometimes brutal politicians, psychotherapists, and technocratic social engineers attempting managerial solutions. Berlin argued against social engineering in the pursuit of unobtainable utopias. Instead, he argued that because knowledge is relative to the society in which it exists, there could be no absolute truth, no immovable position, no final solution. Berlin concluded that people are obliged to proceed with a healthy suspicion of certainties, as well as those who profess them. He also warned similar dangers confronted liberal democratic societies, wherein individual choice was ceded to decision-making "experts." For every gain in social justice the technocrats delivered, there might be a corresponding loss of freedom, and these needed to be weighed carefully one against another. Berlin's essay was another of his arguments against dogmatic monism, and it was a warning against the barbarous contempt for freedom that utopianism sometimes entails. What human reason called for, Berlin

[169] See Bob Blauner, *Resisting McCarthyism: To Sign or Not To Sign California's Loyalty Oath* (Stanford, 2009), 3–12.

[170] Quoted in Paul Roazen, *The Cultural Foundations of Political Psychology* (New Jersey, 2003), 84.

[171] Michael Ignatieff, *Isaiah Berlin: A Life* (London, 1998), 199–200.

[172] Richard English and Joseph Skelly, "Ideas Matter," in English and Skelly, *Ideas Matter*, 13–14.

[173] Isaiah Berlin, *Four Essays on Liberty* (Oxford, 1969), 1–40.

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insisted, "was not . . . more faith, or stronger leadership, or more scientific organisation. Rather it is the opposite—less Messianic ardour, more enlightened scepticism, more toleration of idiosyncrasies."[174] Fighting injustice was essential, but men "do not live only by fighting evils." They live, Berlin argued, "by choosing their own goals—a vast variety of them, seldom predictable, at times incompatible."[175] Berlin's reasoning afforded liberals license where they identified an objective like the defeat (or support) of the Soviet Union, the creation of the Israeli state, or, indeed, the defeat of Messianic Irish republicanism.[176] In Berlin's estimation, there are no rules and no loyalties, only choices for those who are described here as "mercurial liberals."

In support of a liberal philosophy straining against extremism, Berlin liked to quote an epigram attributed to the eighteenth-century French statesman Talleyrand: "Surtout, Messieurs, point de zéle."[177] The technocratic "zealots" and the "zealous" are the enemies of Berlin's liberalism. (And here it is impossible not to notice how promiscuously the "z" noun and the "z" adjective are applied by some Irish historians.)[178] For Berlin, the enemies of pluralism were sometimes found among self-believing technocrats who organized societies. For fifty years, during which they stamped the Irish historical profession with an unbending scientific method, historians like Moody, Edwards, and Lyons could be fairly counted by their detractors (and, perhaps, among several acolytes) as falling among Berlin's technocratic zealots.[179] Maintaining a safe distance between the historical profession and the Northern Ireland conflict, *IHS* protected one form of freedom—the pursuit of abstract truths. Against this had to be weighed the freedom to write present-centered and applied histories, directed against what some understood to be the conflict's root causes: separatist nationalisms driven by their mythologies, cults, and historiographies. Resolution of the very real dilemma of what type of freedom to pursue rested on perceptions of the threat confronting Irish society and the influence liberal intellectuals might have in either supporting or challenging that threat. For those convinced the "wrong" history might cost lives, the choice can only have been obvious.

In 1960s America, O'Brien criticized anti communist scholars, who bent their research and teaching toward "counterrevolutionary subordination," and blamed them for contributing to "a society maimed by the systematic corruption of its intelligence."[180] While O'Brien noted such corruption was limited in America, he predicted its long-term influence in the academy where "young scholars are particularly sensitive to the kind of pressure involved. . . . [They] are likely to believe that if they write with excessive candour . . . doors will close to them: certain grants will be out of their reach . . . influential people alienated. The view

[174] Ibid., 39.

[175] Ibid., 40.

[176] Working for the British Foreign Office in Washington, DC in 1943, Berlin chose his Jewish allegiance over his British allegiance when leaking information to the Zionist lobby. Ignatieff, *Berlin*, 117–18.

[177] Berlin, *Four*, 40.

[178] See Regan's review of English's *Irish Freedom*.

[179] See Brendan Bradshaw and Tommy Graham, "A Man with a Mission," *History Ireland* 1, no. 1 (Spring 1993): 53; David Fitzpatrick, "Une Histoire Très Catholique? Révisionnisme et Orthodoxie dans l'Historiographie Irlandaise," *Vingtième Siècle* 2, no. 94 (April–June 2007): 121–33.

[180] O'Brien, "Politics and the Morality of Scholarship," in O'Brien and Vanech, *Power*, 41.

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propagated the young man [*sic*] is unbalanced and unsound."[181] Precisely, O'Brien understood that scholars could be coaxed, intellectual trajectories adjusted, and the academy honed for a purpose. In this light, Howe's comment in 2000 now appears significant: "Among [Irish] professional historians, there is little 'revisionist anti-revisionist' dispute: almost all are in the former camp."[182] "'Anti-revisionist' attacks in recent years," Howe adds, "have come overwhelmingly from literary and cultural critics, not from historians." While alone the O'Brien ethic cannot fully explain any consensus existing among Irish historians, fear of denunciation remains a disincentive for those raising a critical voice against Irish "revisionism"—even when in its ahistorical mode. That for forty years none of this went noticed by the now senior academics in the historical profession is untenable.

VII

It is difficult to estimate the long-term influence of multiple editorial decisions and evidence selections by writers, journalists, lawyers, and broadcasters in an intellectual economy straining against Irish republicanism.[183] Evidence now emerging from within Irish historiography indicates important problems of analysis, which challenge the reliability of some contemporary Irish history. In an atmosphere of moral panic, the Irish academy demonstrated how a counterinsurgency could become an organizing principle of a body of knowledge like history. Historians should, of course, be free to write the history they wish (and more besides), just as all should be free to dissent without fear of defamation or sanction. Nevertheless, recent experiences in the republic argue that in time of perceived crisis dissenting liberals are made to feel inhibited and sometimes become repressed. Confronted by terror—as likely we always will be—liberal intellectuals will be called upon to consent to the moral arguments of all-seeing counterterrorists.

If we are to accept the invitation of Ignatieff, Berlin's former student and biographer, to discuss and make decisions on issues like torture, internment, and lethal violence, it is best to see things for what they are.[184] This is the aspiration for professional neutrality distancing the manufacture of knowledge from the influence of direct political engagement and the force of gravity that power structures radiate. Where these forces are denied, the results may present difficulties for Ignatieff's call for antiterrorist policy to be kept under "the bright public light of 'adversarial justification.'" By this, he means "defending a democratic system both against those who use false necessity arguments to justify secret government proceedings and those who use perfectionist arguments to claim that we need make no sacrifice of liberty" though public debate.[185] Ignatieff places his faith in the ability of societies to rise above terrorist crises to have an "open contest of opinions. . . . Ultimately, if open

[181] O'Brien, "Scholarship," 40–41.

[182] Howe, "Revisionism," 231.

[183] Columnist John Waters writes: "Many of us [journalists] were convinced by the need to pull the historical rug from under the Provos and were therefore acquiescent in the rewriting of the past." *Irish Times*, 10 April 2006.

[184] For Berlin's influence on Ignatieff's lesser evil thesis, see Ignatieff, *Lesser*, 15–16.

[185] Ignatieff, *Lesser*, xiv–xv.

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proceedings fail to produce answers . . . it is up to citizens themselves to force the institutions—through public criticism and the electoral process—to come up with better answers."[186] This again is the argument of elections being the conscience of government. But how truly open these contests are is queried by Irish experiences. In the United States, an immediate objection to the "open contest" is raised by the McCarthy era, to which Ignatieff responds: "If McCarthy persecuted innocent people in open proceedings, he was also brought down by open proceedings."[187] This surely is too simple a formulation. Long after the spectacle of McCarthyism disappeared, O'Brien identified anticommunism had profoundly informed the manufacture of knowledge. Something similar may influence Ignatieff where he tells us the "IRA bears as much relation to the Mafia as it does to an insurrectionary cell" and adds the qualification "it is a mistake to . . . appease a group like the IRA with political concessions [because their] goals may be a subsidiary to their criminal interests."[188] Without arguing that the IRA was free of gangsters, it is worth considering whether the republican prisoners who for years protested, living amid walls they covered with their feces or by dying on hunger strike, did so for something so contradictory as criminal gain. Historian of the IRA Richard English argues the IRA's representation by British governments in the 1970s and the 1980s "as merely criminal" was counterproductive and inaccurate because "the IRA's motivation and character were in fact profoundly political."[189] Irish experiences suggest it is too easy to be outfoxed.

For O'Brien the liberal academic of the 1960s, the intellectual's responsibility to defend "scholarly integrity" was a "vital function" in society.[190] For O'Brien the politician-publicist of the 1970s confronted with the Troubles, these principles were sacrificed. Berlin might have applauded O'Brien as an example of the "freedom of choice to act according to one's, perhaps deeply mistaken, convictions."[191] "Liberty," Berlin wrote to O'Brien in 1991, "is surely what we normally mean by the word: freedom . . . to be wrong as well as right, wicked as well as virtuous except that in the case of too much wrong or wickedness it is right to restrain such conduct. . . . But restraint is not freedom."[192] Restraint justified by too much wrong or alternatively Mill's harm principle can be defended as a liberal measure, but arbitrary restraint may not. Nonetheless, for over forty years, in the name of the greater good, the O'Brien ethic encouraged restraint by employing the menace of denunciation. Ultimately, justification for this rested on the catch phrase "the state in danger," but the Irish state's response to any such threat was so anomalous as to suggest the threat was by any standards marginal.[193] Justification for the O'Brien ethic needs, therefore, to be weighed carefully. Was any loss of freedom encouraged by the O'Brien ethic compensated by vital gains to the state's security

[186] Ibid., 11.
[187] Ibid.
[188] Ibid., 122.
[189] Richard English, *Terrorism: How to Respond* (Oxford, 2009), 140.
[190] O'Brien, "Scholarship," 41.
[191] Berlin to O'Brien, 10 April 1991, reproduced in Conor Cruise O'Brien, *The Great Melody: A Thematic Biography of Edmund Burke* (London, 1992), 612.
[192] Ibid., 613.
[193] Cf. Eunan O'Halpin, *The Irish State and Its Enemies Since 1922* (Oxford, 1999), 329–39.

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elsewhere? Was the preservation of the state dependent upon illiberal attitudes or the abandonment of neutrality in the liberal professions? Where the threat to the state is understood to be negligible, the answer to these questions is likely no.

Whatever way the balance tilts, it has to be recalled that recent perceptions of Irish society, past and present, were conceived within a polemical climate. In its turn, unsurprisingly, this has informed and arguably distorted the manufacture of knowledge. For the moment, the effects of these influences can only be sketched by historians. Studying the Irish historical profession after 1970, and pointedly its state formation historiography, we can say with some certainty that the distortions in our historical understanding are sometimes significant. All of this is only to question how bright the public light of "adversarial justification" truly is in times of terrorist threat, real and imagined. It also queries whether or not we may safely entrust the defense of liberal values to liberal intellectuals, mercurial or otherwise.

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