JAMES LARKIN AND THE BRITISH, AMERICAN AND IRISH FREE STATE INTELLIGENCE SERVICES: 1914-1924.

By

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(WITH ACCOMPANYING DIGITAL COMPONENT)

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CERTIFICATE OF AUTHORSHIP

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ABSTRACT

This thesis takes the form of a case study and is an investigation of the activities of James Larkin between October 1914 and June 1924. It is an analysis of how capitalist states dealt with Larkin in the context of his anti-capitalist views and activities. The thesis places Larkin in the context of his time and incorporates an analysis of the dynamics that were taking place between capitalism and labour in the first quarter of the twentieth century. In this period, elements of labour were not merely trying to gain concessions from capitalism but were threatening to overthrow it. The thesis also addresses the presence of reformists in the labour movement, and analyses the role of reformism in isolating Larkin at this time. Larkin was one of the more prominent public figures in the Anglophone world at that time, having gained his reputation during the 1913 Lockout in Dublin, Ireland. The thesis maps Larkin from when he left Ireland in 1914 and landed in America, with the aim of furthering Irish nationalism and world-wide revolution. Among the many sources used in the thesis, the records of Dublin Castle, seat of the British administration in Ireland, are analysed to find out what the British were doing in relation to Larkin's activities in America. The records of the US Department of Justice, in the form of the Federal Bureau of Investigation (FBI; known then as the Bureau of Investigation) are scrutinised to find out what they were planning to do to suppress Larkin while he was in America. During the course of examining British and American intelligence on Larkin, an assessment of the reliability of this intelligence information is made. Lastly, the Irish Free State Department of Justice records are analysed to find out what they were doing to marginalise Larkin when he returned to Ireland in 1923. During the course of the thesis, significant issues and resultant hypotheses that arose out of Larkin's departure for New York until his return in 1923 are examined. That is, issues such as Larkin's stated, implicit and suspected reasons for going to America; including the reason(s) why Larkin remained in America, and the claims he made upon his return. It will be seen that in the main the historiography to date places Larkin in an unfavourable light during this period, viewing his actions as self-serving, and ego-centric. The thesis will also introduce novel hypotheses, and existing hypotheses that have not been sufficiently explored, that shed new light on Larkin's activities in this period (a summary of these hypotheses are in the introduction below). The purpose of the thesis will be to assess how effective the suppression and marginalisation of Larkin was by the British, American and Irish states. Accordingly, the thesis will examine the strategy put in place by the British to keep him out of Ireland. It will assess the reaction of the American state towards Larkin and examine why it incarcerated him unduly. Finally, it will look at the reaction of the Free State to Larkin's return, and how it used its resources to prevent Larkin from regaining control of the Irish Transport and General Workers' Union.

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LIST OF ABBREVIATIONS

AIHS	American Irish Historical Society
AFL	American Federation of Labor
BMH	Bureau of Military History (Ireland)
CID	Central Intelligence Department
CPA	Communist Party of America
CLPA	Communist Labor Party of America
CUP	Cambridge University Press
DCR	Dublin Castle Records
DFA	Department of Foreign Affairs
DIB	Dictionary of Irish Biography
DMP	Dublin Metropolitan Police
DORA	Defence of the Realm Act
DT	Department of the Taoiseach
ECCI	Executive Committee of the Communist International
FBI	Federal Bureau of Investigation
FILUC	Free Ireland Labor Union Committee
ILPTUC	Irish Labour Party and Trade Union Congress
IRA	Irish Republican Army
IRB	Irish Republican Brotherhood
ITGWU	Irish Transport and General Workers' Union
IWW	Industrial Workers of the World
JLM/NYPL	James Larkin Matter, New York Public Library
JUS	Department of Justice (Ireland)

MUP	Manchester University Press
NAI	National Archive of Ireland
NLI	National Library of Ireland
NUDL	National Union of Dock Labourers
OBU	One Big Union
OBUDL	One Big Union Defence League
OUP	Oxford University Press
PGGWPC	Port, Gas and General Workers' Provisional Committee
RIC	Royal Irish Constabulary
SAC	Special Agent in Charge
ASAC	Assistant Special Agent in Charge
SIPTU	Services, Industrial and Professional Trade Union
SPA	Socialist Party of America
TD	Teachta Dála (member of the Irish Parliament)
UCDA	University College Dublin Archives
WUI	Workers' Union of Ireland

DIGITAL COMPONENT

Section 1: The James Larkin Dublin Castle Records

Section 2: The James Larkin FBI file

Section 3: A fully digitised, searchable copy of *The Attempt to Smash the Irish Transport and General Workers' Union* (Dublin; ITGWU: *1924*)

Section 4: *The Irish Worker* 1923-1925

Section 5: A selection from the Frank P. Walsh papers: 1 and 2.

1. Documents relating to the funds of the Larkin Defence Committee

2. Documents relating to deportation proceedings initiated against Larkin while he was in prison.

1. The Dublin Castle Records:

I have included the Dublin Castle Records on Larkin, for the period 1914-1919. These are sourced at: *Archives Unbound/Dublin Castle Records 1798-1926: Irish Government. Sinn Fein and Republican Suspects, 1899-1921 (CO 904, Boxes 193-216). Public Records Office, London, England. CO 904/206/232-234; Miscellaneous: Copies Of Correspondence Between The Foreign Office And The British Embassy In Washington: Larkin, Allen; Larkin, John Jr; Larkin, James; Larkin, Thomas Joseph.* This is an online version of the Dublin Castle Records that are in the National Archives, Kew, England, and are accessed online at www.cengage.com. These records are central to British state intelligence on Larkin for the first five chapters of this thesis. I have produced two copies. The first version is comprised of CO 904/206/233A and CO 904/206/233B, these have been culled from CO 904/206/232-234, and they have been left in their original sequence. The second copy is also comprised of CO 904/206/233A and CO 904/206/233B (culled from CO 904/206/232-234, as above) but this time the files have been repaginated. In the original version, the files begin in 1919 and run

backwards in time to 1914. When the user scrolls down to an item, the user continues to scroll down to the end of that item. Then, in order to proceed chronologically, the user has to scroll up to the beginning of the next item and scroll down to read it. This is quite a cumbersome process. Hence, the reason for the repagination in the second copy. I have reassembled the pages of the files so that the user can read chronologically through the files by simply scrolling down. The second copy begins in 1914 and runs to 1919. Throughout the body of the thesis dealing with this period, I have referenced the first copy, which presents the non-chronological sequence. This maintains connectivity with the original Dublin Castle Records sequence. The reader is directed to the pdf file by the pdf file page number (the one in square brackets), once that page of the pdf file is accessed, the original pagination number of the Dublin Castle file is visible (being printed on the original document). If it is deemed useful, the user can use the date of the document accessed to refer to the second copy (the reassembled chronological copy) which will give the user the opportunity to view documents that immediately precede and proceed the document referred to. The references to the Dublin Castle Record file contain two page numbers; the original page number first, followed in square brackets by the page number of the pdf file. Thus, a reference would read: DCR CO 904/206/233B (104 [391]). Here, the first number in the closed brackets '104' refers to the original pagination and the second number in square brackets '391' refers to the page in the pdf file. When the user selects page 391 of the pdf file, the user is brought directly to page 104 of the original document. This way, disparate parts of the file can be accessed immediately without the need to scroll forward and back through the four hundred and twenty-two pages that comprise the file. Both copies can be used in conjunction with the thesis for cross-referencing, and for general perusal. Due to its chronological sequence, the unique second copy is a much easier document to peruse than the original, somewhat unwieldly document.

2. The James Larkin FBI file.

The FBI file on Larkin is not freely available. It is a Freedom of Information generated product, accessed through the Federal Bureau of Investigation in America. It came without any pagination and little chronological consistency. It was scanned from hard copy (an A4 photocopied file), and converted to pdf format. I have assembled it into chronological order (although there are still a small number of *orphans*), and produced a paginated file. I have provided a contents page to indicate notable documents. In relation to the chronological consistency of the file, it is worth remembering that there are often three to four dates on any one document (on occasion there can even be as many as five). In an FBI agent's report, there will be the date the report was made, the date the

event(s) took place (which are not always the same) and the date of the period the report was covering. There will often be a stamped date for the date the report was received, read or forwarded to another agency, or individual. The content contained within the FBI file is central to chapters 3, 4, 5 and 8 of this thesis. I have referenced the FBI file throughout these chapters with page numbers that bring the reader directly to the document(s) in the FBI file. Previously, one was referred to the generally unavailable, non-paginated FBI file. Now, for the first time, a paginated James Larkin FBI file will be freely available for researchers, and readers generally.

3. *The Attempt to Smash the Irish Transport and General Workers' Union*

The *Attempt to Smash the Irish Transport and General Workers' Union* was produced by the ITGWU in 1924, and is a primary resource for interested parties in the period generally, but specifically to the 1923-1924 split within the trade union movement (readers should note that it was produced by the *winning* side). I have digitised the text using the *Kirtas APT Bookscan 1200*, with accompanying software *APT Manager* and *Bookscan Editor,* and the text is now fully searchable. This book is used throughout chapter 9 of this thesis. Now, for the first time, this important historical document will be freely available online.

4. *The Irish Worker* 1923-1925

When James Larkin returned to Ireland from America in 1923, he became embroiled in a struggle with leading members of the ITGWU executive. This struggle was about control of the union, a struggle which Larkin lost. Shortly after returning, he re-commenced publishing the *Irish Worker* (originally issued in 1911, it was one of the biggest selling newspapers of its day), both as a socialist paper but also for propaganda purposes against the ITGWU executive. Hence, it is a valuable historical document as a trade union/socialist newspaper, and as an historical narrative at this crucial time in Irish trade union history. I have digitised the *Irish Worker* using the *Scanpro 3000*, a microfilm viewer which allows one to convert into PDFs and scan to PC. The images were copied from 35mm microfilm. Now, the 1923-1925 *Irish Worker* run is over 98% readable and, being digitised, it is approximately 70% searchable. Due to the condition of the original images (which have been cleaned up as much as possible using the tools in the *Scanpro 3000*), and the notoriously dirty quality of newspaper ink, the quality of the reproduction on a couple of instances is not the desired quality. James Larkin was opposed by both the employers and the mainstream newspapers of the day, such as the *Irish Independent* and the *Irish Times,* at this critical period in trade union history. The

historical editions of these newspapers are available online for perusal and research. Now the *Irish Worker* can take its place alongside its former foes, and present its side of the story of the 1923-1925 struggle. The 1923-1925 *Irish Worker* is used in chapter 9 of my thesis, and referenced throughout. I only reference the *Irish Worker* up as far as June 1924; however I decided to complete the digitisation of the paper so that the 1920s run of the paper would be complete.

Section 5: A selection from the Frank P. Walsh papers: 1 and 2.

1. Documents relating to the funds of the Larkin Defence Committee. Thomas O'Flaherty (the brother of novelist Liam O'Flaherty) was a leading light on the Defence Committee. However, he was caught up in a controversy over missing money, and may have embezzled funds.

2. Documents relating to deportation proceedings initiated against Larkin while he was in prison. A lot of activity was carried out by the Justice Department in relation to the deportation of Larkin from America, both prior to his arrest in 1919 and after his release. Interestingly, aspects of the deportation proceedings were carried out while Larkin was in Sing Sing.

CONTENTS

INTRODUCTION

This thesis takes the form of a case study and is an investigation of the activities of James Larkin between October 1914 and June 1924. The period contains two segments: from October 1914 to April 1923; and from April 1923 to June 1924. The thesis will analyse in what way capitalist states dealt with Larkin in the context of his anti-capitalist views and his attempt to undermine capitalism. In the first part of the introduction, the review of the literature looks at the historical, critical and biographical commentaries on James Larkin to highlight the imbalance in the literature relevant to the 1914 to 1924 period of the thesis. It will be shown that the historiography greatly favours the period leading up to and including the 1913 Lockout, and by comparison neglects the later period up to June 1924. The literature review makes a case for the contents of this thesis as a useful contribution to offsetting that imbalance. There is also a review of related literature concerning the nature of the capitalist state, particularly in relation to the intelligence services used by the state in its efforts to undermine and contain Larkin. The review of this related literature will include a critique as to the reliability of the information gathered by the intelligence services. The literature review then looks at the literature on Larkin more generally, beyond the specific focus of the thesis. There is also a look ahead to the archives used by the thesis, particularly the Dublin Castle, FBI and Free State intelligence files on Larkin; but also the archives of significant figures and organisations that played a role in Larkin's life at this time. The introduction provides a summary of the significant issues and resultant hypotheses that arose out of Larkin's departure for New York, and his activities up until, and including, his return in 1923. That is, issues such as Larkin's stated, implicit and suspected reasons for going to America; including the reason(s) why Larkin remained in America, and the claims he made upon his return. It will be seen that in the main the historiography to date places Larkin in an unfavourable light during this period. The introduction will also introduce novel hypotheses that shed new light on Larkin's activities in this period. The second part of the introduction contains a commentary which outlines the context in which Larkin left Ireland in 1914, particularly in relation to syndicalism and the 1913 Lockout; it will also look ahead to his return in 1923. Finally, the introduction provides a synopsis of the chapter contents from when Larkin left Ireland for New York in 1914, up to the emergence of the WUI in 1924.

LITERATURE REVIEW

The historiography on Larkin contains two significant divisions. Generally speaking, it tends to be either positive or negative. The earlier accounts tend to be more sympathetic, while the later

accounts are more critical. Larkin is a difficult figure for historians to contend with, as he is a complicated character thrashing about in complicated times. He is celebrated in poem and in song, and his life from his days in Liverpool to his death in 1947 is a reasonably well told one. The time period covered by this thesis is from October 1914 to the emergence of the Port, Gas and General Workers' Provisional Committee at the end of May and beginning of June 1924, which immediately precedes the launch of the Workers' Union of Ireland (WUI) on 15 June 1924. In the period up to the emergence of the WUI, another division is seen where the historiography tends to centre around two episodes: the travails of the Irish Transport and General Workers' Union (ITGWU) in the Lockout; and the civil war that took place in the Irish labour movement when Larkin returned from America in 1923.[1] Virtually all historians agree that Larkin's accomplishments in the earlier episode are worthy of praise. Conversely, nearly all historians agree that Larkin was the culprit in the later episode.

Not surprisingly, the commentary tends to greatly favour the earlier period of 1907 to 1914, and, by comparison, somewhat neglects the later period of 1914 to 1924; with most of the commentary in the latter period focusing rather narrowly on the 1923-1924 segment. This is illustrated by the following breakdown. Larkin's first biographer R.M. Fox[2] allocated eighty-four pages to the earlier period (1907-1914) and twenty four pages to the longer, later period (1914-1924). Emmet Larkin[3] allocated one hundred and forty-five pages of his biography to the earlier period and eighty-eight pages to the longer, later period. Larkin's other biographer Emmet O'Connor[4] apportions forty-three pages of his 2002 biography to the earlier period and twenty-five pages to the longer, later period. In O'Connor's 2015 biography, one hundred and forty-two pages are apportioned to the earlier period, and forty-nine pages to the later, longer period. This, naturally enough, relates directly to historians' concerns with Larkin's activities whilst in Ireland. The compendium *James Larkin: Lion in the Fold*[5] at over five-hundred pages apportions some seventy pages to the later period (1914 -1924), a vastly greater differential than seen in the previous works (though this is offset by the fact that this book is not a chronological narrative of Larkin). In the volume of *Saothar* (1976) that commemorated the centenary of Larkin's birth only one of the six papers covers Larkin's time in America, representing four of the fifty-six pages.[6] O'Connor's article, 'Larkin in America' is an article that focuses solely on

[1] I have tended to use the designation *America* rather than USA or US because the individuals at the time, and in the documents I will be analysing, tended to use the former.
[2] Fox, R.M., *James Larkin: Study of the Underman* (London; Lawrence and Wishart: 1957).
[3] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965).
[4] O'Connor, E., *James Larkin* (Cork; CUP: 2002); and O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)*.
[5] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998).
[6] *Saothar*: *Journal of the Irish Labour History Society*, vol. 4 (1976); see O'Riordan, M., 'Larkin in America' *Saothar*: *Journal of the Irish Labour History Society*, vol. 4 (1976), 50-53.

Larkin's time in America,[7] although this is virtually a repeat of chapter six of O'Connor's 2002 biography. An article by Clair Culleton[8] in 1999, focuses solely on Larkin's time in America, particularly in relation to the 'nationalist plot' to have Larkin assassinated in 1919. A recent collection of essays edited by David Convery[9] devotes four essays to the period from 1913 to 1923. The year 1913 is apportioned three essays (two on the Lockout and one on the *Irish Worker*) and the period 1914 to 1923 is apportioned one essay (an account of Larkin in America).[10] A recent essay by James Curry looks at the relationship between Larkin and his sister Delia arising out of an incident that occurred in 1924, in Dublin, after Larkin had returned to Ireland from America.[11] It is also worth pointing out that the first substantial text of the history of the 1914-1924 period (and one often quoted from by historians), *The Attempt to Smash the Irish Transport and General Workers' Union*, is an account of the battle for control of the union that took place between Larkin and William O'Brien *et al* in 1923-1924.[12] Naturally, this text concerns itself with the 1923-1924 period. Nevertheless, it is yet another text that focuses on the 1923-1924 segment of the 1914-1924 period. None of the foregoing is in any way a criticism of the historiography (all of which has its own areas of pursuit), it is merely a way of preparing the ground to show that the entire period from 1914 to 1924 requires more attention. It is of some note that it was in this period that Larkin increased his international profile. The period 1914-1924 is precisely the area that this thesis will concern itself with. Central to the significance of this period is the use of three primary sources: the Dublin castle file, the FBI file and the Department of Justice file (discussed in detail below); all three of these intelligence files focus solely on Larkin. The objective of the thesis will be to analyse the events of the period, using the files, and thereby make a significant contribution to the gap in the literature which was identified above. We have reviewed the literature as it pertains to the specific period with which the thesis is concerned. We will now look at the literature on Larkin and the period more generally (during which, rather than refer the reader back to previous footnotes, for brevity, a small amount of repetition will be required). We will then return to the specific period under discussion in the thesis.

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[7] O'Connor, E., James Larkin in the United States, 1914-23; *Journal of Contemporary History*, Vol. 37, No. 2 (April, 2002).

[8] See Culleton, C., 'James Larkin and J. Edgar Hoover: Irish politics and an American conspiracy.' In *Eire-Ireland*, vol. 35, (3/4) (Fall/Winter 2000/1), 238-254.

[9] Convery, D., (ed.) *Locked Out: A Century of Irish Working-Class Life* (Dublin; IAP: 2013) pp.9-73.

[10] The three essays, on the year 1913, and A.P. Wilson and the *Irish Worker* do not focus on Larkin, but he is present in them. Alan Noonan's essay 1914 to 1923 looks at Larkin and Irish-America; so there is some balance achieved here.

[11] Curry J., 'Delia Larkin: "More harm to the Big Fellow than any of the Employers"?' in *Saothar: Journal of the Irish Labour History Society*, vol.36, (2011), 19-25

[12] *The Attempt to Smash the Irish Transport and General Workers' Union* (Dublin; ITGWU: 1924); hereafter, referred to as *Attempt to Smash.*

A number of books were written contemporaneously (or by contemporaries at a later date) with a number directly concerned with the 1913-14 period; and some of these authors knew Larkin personally. The *Scathing Indictment Of Dublin Sweaters,* was Larkin's summation at the Askwith inquiry in 1913 (which was set up to inquire into the causes of the 1913 labour unrest), and presents the dispute from the perspective of the workers.[13] Arnold Wright's *Disturbed Dublin,* is a view of the 1913 *Lockout* from the perspective of the employers (even if the preface does claim the book is an 'impartial history of the Larkinite movement in Dublin'). [14] Larkin's first biographer, R.M. Fox in *Rise of the Underman,* provides a labour history of the general period, which is centred on Larkin. [15] Fox, though younger than Larkin, was a contemporary of Larkin's, and an activist, and his biography is essentially uncritical of Larkin. Broader labour histories which look at the role of Larkin in Ireland are provided by W.P. Ryan's *The Irish Labour Movement*[16] and J.D. Clarkson's *Labour and Nationalism in Ireland.*[17]

There were a number of contemporary colleagues who wrote autobiographies and who include Larkin in their works. For example, there is Fred Bower's autobiography, *Rolling Stonemason;* Bower had known Larkin in Liverpool, and in Dublin.[18] Benjamin Gitlow's *The Whole of their Lives,* is an account of his time in communist politics in America; Gitlow and Larkin had worked together to form the Communist Labor Party of America.[19] Bertram Wolfe, another communist colleague in America, also refers to Larkin in his *Strange Communists I have known,* and provides the much used description of Larkin in the Larkin historiography.[20] In his autobiography *Bill Haywood's book,* Haywood refers to his time with Larkin in relation to the Fiery Cross campaign, to which he brought a one thousand Franc cheque when he arrived in London from France in 1913.[21] *Rebel Girl* was the first part of Elizabeth Gurley Flynn's autobiography.[22] Gurley Flynn was one of the first people Larkin

[13] Larkin, J., *Larkin's Scathing Indictment of Dublin Sweaters* (Dublin; Irish Worker Press: [1914; 2nd Ed.]).
[14] Wright, A., *Disturbed Dublin: the story of the Great Strike of 1913-14, With a Description of the Industries of the Irish Capital* (London: Longman, Green and Company: 1914).
[15] Fox, R.M., *James Larkin: Study of the Underman* (London; Lawrence and Wishart: 1957).
[16] Ryan, W.P., The Irish Labour Movement from the 'twenties to Our Own Day (Dublin; Talbot Press: 1919).
[17] Clarkson, J.D., *Labour and Nationalism in Ireland* (New York; AMS Press: 1970; 2nd ed.).
[18] Bower, Fred, *Rolling Stonemason: an autobiography* (London; Cape: 1936).
[19] Gitlow, B., *The Whole of their Lives: Communism in America-a personal history and intimate portrayal of its leaders* (New York; Charles Scribner's Sons: 1948).
[20] Wolfe, B.D., *Strange Communists I have known* (New York; Stein and Day: 1982). The description runs: 'a big-boned, large-framed man, broad shoulders held not too high nor too proudly, giving him an air of stooping over ordinary men when he was speaking to them. Bright blue eyes flashed from dark heavy brows … Long arms and legs, great hands like shovels, big, rounded shoes, shaped in front like the rear of a canal boat, completed the picture.'
[21] Haywood, W.D., *Bill Haywood's book: The Autobiography of William D. Haywood* (New York; International Publishers: 1929).
[22] Gurley Flynn, E., *The Rebel Girl, an Autobiography: My First Life (1906-1926)* (New York; International Publishers: 1986).

contacted when he arrived in New York in 1914. Bob Stewart's *Breaking the Fetters* refers to Larkin in relation to the attempts to start a communist party in Ireland after Larkin had returned to Ireland from America.[23] Although Bob Stewart would have had issues with Larkin over political strategy, there were more outright adversaries. James Sexton's *Sir James Sexton: Agitator,* acknowledges Larkin's natural abilities but is highly critical of his methods.[24] Frank Robbins, who had worked with Larkin in 1913 and in America, and who sided with William O'Brien in the 1923-24 schism, is quite critical of Larkin in his *Under the Starry Plough.*[25] William O'Brien's *Forth the Banners Go,* is unsympathetic to Larkin (not unexpectedly, considering their great rivalry), and takes every opportunity to laud Connolly over Larkin.[26]

William O'Brien was central to a number of ITGWU publications. The significant *Attempt to Smash* was a sympathetic spin on the ITGWU's executive committee's legal battles with Larkin in 1924.[27] O'Brien's *Nineteen Thirteen* is an audacious attempt to write Larkin out of the 1913 Lockout. O'Brien does not mention Larkin, but mentions Connolly several times and quotes Connolly twice (this attempt at the erasure of Larkin from ITGWU history by O'Brien tells its own story).[28] This was later included (still with no reference to Larkin) in *Fifty Years of Liberty Hall.* James Connolly features in the book, but Larkin is hardly mentioned. In the chapter on the 1923-1924 split, James Larkin is referred to as either the General Secretary, or Larkin. His full name is not used. In its concluding chapter, Fintan Kennedy, who took up the position of Acting General Secretary in 1959, is quoted as saying that it would be difficult to mention even a small proportion of the people who made the ITGWU 'the most militant working-class organisation in the country'; however, although he mentions William O'Brien, he fails to mention Larkin.[29] The WUI offset this erasure of Larkin from the annals of 1913 by producing their own version of the history, *1913: Jim Larkin and the Dublin Lock-Out.*[30] Francis Devine's *Organising History* is a general history of the union from 1909 to 2009 which presents a balanced view of Larkin's role in industrial relations in Ireland.[31]

There are two further biographies, and other books on Irish labour history which feature Larkin. Andrew Boyd's *The Rise of the Irish Trade Unions* plots the development of trade unionism up to

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[23] Stewart, B., *Breaking the Fetters: The memoirs of Bob Stewart* (London; Lawrence and Wishart: 1967).
[24] Sexton, J., *Sir James Sexton, Agitator, the Dockers' MP; an Autobiography* (London; Faber: 1936).
[25] Robbins, F., *Under the Starry Plough: Recollections of the Irish Citizen Army* (Dublin; Academy Press: 1977).
[26] O'Brien, W., *Forth the Banners Go: The Reminisces of William O'Brien as told to Edward MacLysaght* (Dublin; Three Candles Ltd: 1969).
[27] *The Attempt to Smash the Irish Transport and General Workers' Union* (Dublin; ITGWU: 1924).
[28] O'Brien, W., *Nineteen Thirteen—its Significance* (Dublin; ITGWU: 1934).
[29] *Fifty Years of Liberty Hall: The golden Jubilee of the Irish Transport and General Workers' Union, 1909-1959* (Dublin; ITGWU: 1959).
[30] *1913: Jim Larkin and the Dublin Lock-Out* (Dublin; WUI: 1964).
[31] Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009).

1970 and covers Larkin's role, both in Belfast and in Dublin.[32] A book which provides an analysis of Larkin's first major campaign in Ireland, in Belfast, is John Gray's *City in Revolt.*[33] Dermot Keogh's *Rise of the Irish Working Class* concentrates on the role of Larkin in the context of Irish industrial relations. Emmet O'Connor (Larkin's most recent biographer) views Keogh as an historian who doubted Larkin's revolutionary credentials. Indeed, this is evident in Keogh's preface where Larkin is defined as the *mercurial militant* and Connolly as the *revolutionary socialist*.[34] Arthur Mitchell's *Labour in Irish Politics* gives a history of labour prior to the arrival of Larkin, and Larkin's role in the ensuing revolutionary context.[35] Jim Larkin's *In the Footsteps of Big Jim* provides various vignettes of Larkin in the context of his times, and wider family.[36] Larkin is also discussed in various editions of the periodical *Saothar*, journal of the Irish Labour History Society; its 1974 edition (celebrating Larkin's birth) is devoted entirely to Larkin.[37] The 1998 compendium *Lion of the Fold*, edited by Donal Nevin, provides plenty of material on Larkin and his times. There are also accounts by individuals who knew, or who had come across Larkin in their lives, such as Sean O'Casey and John de Courcy Ireland. There is also a significant review by Fergus D'Arcy of the general historian and Larkin, which shows that it was not until 1970 that Larkin would be treated in some detail in general histories: F.S. Lyons is one example; and Roy Foster is seen as the only general historian to deal with Larkin in Belfast, in 1907.[38]

C. Desmond Greaves provides a history of the ITGWU up to 1923: *The Formative Years*. A useful history of the early years of the ITGWU, the book is very critical of Larkin.[39] The book has been criticised by John Newsinger (see below) as a systematic attempt to undermine Larkin. It can also be noted that Greaves' book is the first academic treatise to present Larkin as an egomaniac; this characterisation was picked up on and developed by subsequent writers; notably Emmet O'Connor. O'Connor has written extensively on Irish labour history, and his *Syndicalism in Ireland* and his *Labour History of Ireland* both give appropriate treatment of Larkin's role in Irish labour history.[40] *Big*

[32] Boyd: Boyd, A., *The Rise of the Irish Trade Unions: 1729-1970* (Tralee; Anvil: 1972).
[33] Gray, J., *City in Revolt: James Larkin and the Belfast Dock Strike of 1907* (Belfast; Blackstaff Press: 1985).
[34] Keogh, D., *The Rise of the Irish Working Class: the Dublin Trade Union Movement and Labour Leadership 1890-1914* (Belfast; Appletree Press: 1982); see pp.155-160 for an exposition of Larkin's nationalism. See Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) pp.888-889 for preface to union rules.
[35] Mitchell, A., *Labour in Irish Politics 1890-1930: the Irish Labour Movement in an Age of Revolution* (Dublin; IUP: 1974).
[36] Larkin, J., *In the Footsteps of Big Jim: A Family Portrait* (Dublin; Blackwater Press: [1995]).
[37] *Saothar*: *Journal of the Irish Labour History Society*, vol. 4 (1976).
[38] Nevin, D., (ed.) *Lion of the Fold* (Dublin; Gill & Macmillan: 1998).
[39] Greaves, C. D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982).
[40] O'Connor, E., *Syndicalism in Ireland: 1917-1923* (Cork; CUP: 1988); *A labour History of Ireland: 1824-2000* (Dublin; UCD Press: 2011).

Jim, the second biography (2015) on Larkin by O'Connor, is arguably a more rounded appraisal of Larkin than the earlier (2002) biography. However, whilst it acknowledges Larkin's achievements (as the 2002 biography did), it remains ultimately critical of Larkin overall. This later biography provides a useful summary of historical and cultural references to Larkin in its conclusion.[41]

Padraig Yeates' *Lockout* is an extensive account of the 1913 lockout, which is not only critical of William Martin Murphy but also of Larkin, particularly in relation to Larkin's overall objective.[42] John Newsinger has written extensively on Larkin's early period: 'A lamp to guide your feet', which is on the significance of the *Irish Worker*; *Rebel City* is on the Dublin labour movement; as is his latest book, *Jim Larkin and the Great Dublin Lockout of 1913*.[43] Newsinger provides excellent context, particularly in *Rebel City*, where socio-economic conditions are considered alongside gender relations and the church. Newsinger interrogates Larkin's political objectives, and views Larkin as being unable to see the need for a revolutionary political party to create change (which is akin to the orthodox Marxian perspective). Newsinger concludes that it was Larkin's reliance on trade unions that was his greatest failing. In the later period, after his return from America, Larkin features in books on communism in Ireland by Michael Millote,[44] and Matthew Treacy.[45] Emmet O'Connor's *Reds and the Green* is an analysis of the attempts to build communism in Ireland, and is useful for a sustained criticism of Larkin's role therein.[46] A recent publication on the year 1913, and the only substantial publication on the Lockout in 2013, *A Capital in Conflict*, is a social and cultural history of Dublin in 1913 rather than a purely political one.[47] It contains a series of essays looking at aspects of the city and its denizens such as workers' rights, housing, health, art, and political representation. The collection concludes with an interesting essay by John Cunningham on the 'history wars' of 1913: the battle over the interpretation, significance and ownership of the Lockout.[48] We have now looked at the literature as it bears on the specific time frame of the thesis, and we have looked at the

[41] O'Connor, E., *James Larkin* (Cork UP: Cork 2002); *Big Jim Larkin: Hero or Wrecker?* (Dublin; UCD Press: 2015); see pp.320-327 for the summary of historical and cultural references to Larkin.
[42] Yeates, P., *Lockout: Dublin 1913* (Dublin; Gill & Macmillan: 2000).
[43] Newsinger, J., 'A lamp to guide your feet: Jim Larkin; the Irish Worker, and the Dublin working class', European History Quarterly, 20, (1990); *Rebel City: Larkin, Connolly and the Dublin Labour Movement* (London; Merlin: 2004); *Jim Larkin and the Great Dublin Lockout of 1913* (London; Bookmarks: 2013). Emmet O'Connor acknowledges that Newsinger's work is good for context but maintains that he is far too lenient on Larkin, generally.
[44] Milotte, M., *Communism in Modern Ireland: the Pursuit of the Workers' Republic since 1916* (Dublin; Gill & Macmillan: 1984).
[45] Treacy, M., *The Communist Party of Ireland, 1921-2011: Vol.I, 1921-1969* (Dublin; Brocaire: 2012).
[46] O'Connor, E., *Reds and the Green: Ireland, Russia and the Communist Internationals 1919-43* (Dublin; UCD Press: 2004).
[47] Devine, F., (ed.) *A Capital in Conflict: Dublin City and the 1913 Lockout* (Dublin; Dublin City Council: 2013).
[48] Cunningham, J., 'From Disturbed Dublin to Strumpet City: the 1913 'history wars', 1914-1980' in Devine, F., (ed.) *A Capital in Conflict: Dublin City and the 1913 Lockout* (Dublin; Dublin City Council: 2013) pp.353-377.

literature on Larkin more widely; we will now return to the specific period at hand. We will now look at the three main intelligence files used by the thesis, and we will assess what use the literature has made of the three intelligence files.

The thesis will be looking at the activities of James Larkin from 22 October 1914, when he addressed a meeting in Cork just before departing for America, up until June 1924, when the WUI was emerging in the form of the Port, Gas and General Workers' Provisional Committee. The thematic concern of this thesis is the treatment of Larkin by the pro-capitalist states of Britain, America and the Irish Free State. It will look at Larkin's activities principally through the following sources. Firstly, the intelligence files of the British government in Ireland in the form of the Dublin Castle Records (DCR) file on Larkin.[49] This runs from October 1914 (when Larkin left for America) to November 1919 (when Larkin was arrested on a charge of criminal anarchy). Secondly, the Larkin Federal Bureau of Investigation file (FBI file),[50] from October 1917 when Larkin's name first occurs (in relation to the Preparedness Day Parade bomb in San Francisco, 22 July 1916), up to his deportation from America on 21 April 1923. Thirdly, the Irish Free State Department of Justice file on James Larkin (JUS 8/676).[51] This third file contains intelligence on Larkin gathered by the pre-1922 Dáil government's Consular Service in New York, beginning with a report on Larkin dated 28 August 1920, up to the formation of the WUI in 1924. These three files cover three roughly distinct sequential periods; there is some overlap in time, although this does not lead to any significant overlap in material. None of these files have been analysed in any systematic way to date, and this will be the first time each of the files have been scrutinised on an individual basis, and grouped together to cover the period 1914 to 1924. An examination of the contents of these files brings fresh material to light, and also provides a fresh perspective on more familiar events. Importantly, it places a new emphasis on

[49] Archives Unbound/Dublin Castle Records 1798-1926: Irish Government. Sinn Fein and Republican Suspects, 1899-1921 (CO 904, Boxes 193-216). Public Records Office, London, England. CO 904/206/232-234; Miscellaneous: Copies Of Correspondence Between The Foreign Office And The British Embassy In Washington: Larkin, Allen; Larkin, John Jr; Larkin, James; Larkin, Thomas Joseph; accessed online at www.cengage.com, accessed 31 August 2015; hereafter, referred to and cited as DCR. This is an online version of the Dublin Castle Records that are in the National Archives, Kew, England. My thanks to James Curry for directing me to this online version, and to Emmet O'Connor for directing me to the hardcopy version in Kew.

[50] Federal Bureau of Investigation (known then as the Bureau of Investigation): James Larkin File. Hereafter, referred to as the FBI file; referred to previously in the Larkin historiography as the FBI file by both Clare Culleton and Emmet O'Connor. O'Connor switches to Bureau of Investigation in his 2015 biography of Larkin; but as the FBI is the more common designation, the latter will be retained in relation to the file and the organisation. Moreover, due to the fact that the Bureau's file on Larkin is designated on the cover page as the 'Federal Bureau of Investigation' file on James Larkin, this would appear to be the pragmatic choice. The FBI file on Larkin is not freely available, it is a Freedom of Information generated product, accessed through the FBI. It came without any pagination and little chronological consistency. I have assembled it into chronological order (although there are still a small number of *orphans*), and converted it into a pdf file with pagination for general consumption. Many thanks to Clare Culleton for providing me with a copy of her FBI Larkin file.

[51] National Archives, Department of Justice, James Larkin File, JUS 8/676. Hereafter, referred to in the text as the Justice file and cited in the footnotes as JUS 8/676. This file continues beyond the period of this thesis.

Larkin's actions upon returning to Ireland in 1923 when the trade union movement was riven asunder. The main purpose in looking at the files will be to see how the state agencies across Britain, America and Ireland, such as the judiciary, the police, state intelligence and the army, set out to marginalise and suppress James Larkin in the interests of capitalism.

As well as the British, American and Free State intelligence files on Larkin, this thesis will also use the archives of significant figures like William O'Brien of the ITGWU (Larkin's arch-rival in the union); Patrick McGilligan (Minister for Industry and Commerce when Larkin returned from America); the John Devoy Papers, the Joseph McGarrity papers, and the papers of Frank P. Walsh (senior member of Larkin's legal team in America). It will also be using archives such as the SIPTU archive in Liberty Hall and the Dublin Alliance and Consumers Gas Company papers in the National Archives. Other primary material utilised includes the trade union papers the *Irish Worker* and the *Voice of Labour* as well as the newspapers of the day, such as the *Freeman's Journal*, the *Manchester Guardian* and the *Butte Daily Bulletin*. In the course of the investigation, the activities of individuals such as de Valera, Thomas Foran, Arthur Griffith and Delia Larkin will be looked at to see what preparations such individuals were putting in place for the return of James Larkin to Ireland. Digital images of many of the documents discussed will be found in the Digital Component of my PhD which accompanies this thesis, and will be indicated in the text at varying intervals.

Whilst the archives of individuals like William O'Brien and Desmond Fitzgerald and papers such as those of the Department of the Taoiseach have been used in the existing literature, the DCR, FBI and Justice files have been used less, and nowhere systematically. With over one thousand pages of documents across the three files, an analysis of the intelligence files ought to provide a substantial, and even necessary, complement to the Larkin *corpus*. Larkin's first two biographers, R.M. Fox[52] and Emmet Larkin, both cover Larkin's period in America but as these books were written before the files were released, the authors had no recourse to them. Emmet O'Connor's 2002 biography of Larkin does not use the Dublin Castle Records, nor the Larkin Justice File. However, the book does use intelligence material on Larkin from the Department of the Taoiseach;[53] and the book also uses the Larkin FBI file, as appropriate to its requirements (there are six references to the FBI file). O'Connor's 2015 biography, uses roughly the same intelligence sources, but also includes sections from the Dublin Castle and Department of Justice files. Indeed, a remark made by O'Connor in relation to the FBI and Larkin is instructive as to the need for an analytical assessment of the FBI file, and an evaluation as to its usefulness to Larkin studies. O'Connor says that the FBI are: '[o]ften alarmist, and

[52] Fox, R.M., *James Larkin: Study of the Underman* (London; Lawrence and Wishart: 1957).
[53] O'Connor, E., *James Larkin* (Cork UP: Cork 2002). O'Connor's 2015 biography uses roughly the same intelligence sources, but also includes sections from the Dublin Castle and Department of Justice file.

comically uninformed on Larkin's background[.][54] O'Connor's remark is pertinent, up to a point; especially when one considers that an FBI agent had *informed* the Bureau that an individual with a 'striking resemblance' to Larkin was going to Ireland in 1919 to impersonate James Larkin (a farcical notion) with the aim of getting labour fully behind Sinn Féin. However, the FBI file is much more than this. Certainly *uninformed* comments by FBI agents are present, but there are also *informed* comments and reports on Larkin's activities, his whereabouts, the content of his speeches, and the type of political associations he was making. The reports, documents, letters and clippings (totalling almost five hundred pages) cohere into a significant body of material. For example, there is a distinct series of letters and documents passed between the Department of Justice, in the person of Alexander I. Rorke (prosecuting attorney in the Larkin trial), and Special Assistant to the Attorney General, J. Edgar Hoover of the FBI (soon to be Head of the Bureau), which bears directly on his trial and conviction.[55]

In the wider literature, there is commentary on Larkin's time in America; but very little on any intelligence on him. In the *Lion of the Fold* compendium there is Manus O'Riordan's account of Larkin in America, including a brief expose of Rorke's tactics during the trial.[56] Donal Nevin also gives a brief account of Larkin in America, through the 'columns of the New York Times.' Nevin also uses the Department of the Taoiseach file S2009, in relation to the response of the Provisional Government to Larkin's predicament. Also, in *Lion of the Fold,* there is Larkin's 1934 affidavit; a personal account of his time in America in relation to the Germans. Apart from Larkin's own knowledge of the Germans, there is obviously no use made of any intelligence files.[57] A recent essay by Alan Noonan[58] uses Dublin Castle Special Branch files; and Home Office Directorate of Intelligence files for an account of Larkin's activities in America for the period 1914 -1923, which highlight the British authorities concerns with Larkin returning to Ireland. These files are found duplicated within the Dublin Castle Records file used by the present study. Making copious use of the recently released Soviet archives, Emmet O'Connor's book *Reds and the Green*[59] provides a thorough account of Larkin's involvement with the communist movement in Russia, and on its designs in Ireland. It also uses, amongst other

[54] O'Connor, E., *James Larkin* (Cork UP: Cork 2002) p.63.
[55] The material that passed between Hoover and Rorke is examined in Chapter 5.
[56] Nevin D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.64-73. This is a repeat of the article O'Riordan did in *Saothar*; see O'Riordan, M., 'Larkin in America', *Saothar*: *Journal of the Irish Labour History Society*, vol. 4 (1976), 50-53. Also, see Brundage, D., 'American Labour and the Irish Question 1916-23', *Saothar: Journal of the Irish Labour History Society*, Vol. 24 (1999), 59-66 for reference to Larkin in America.
[57] Nevin D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.64-73, 272-297, 298-312.
[58] Noonan, A., '"Real Irish patriots would scorn to recognise the likes of you." Larkin and Irish-America' in Convery, D., (ed.) *Locked Out: A Century of Irish Working-Class Life* (Dublin; IAP: 2013) pp.57-73.
[59] O'Connor, E., *Reds and the Green: Ireland, Russia and the Communist Internationals 1919-43* (Dublin; UCD Press: 2004).

sources, intelligence on Larkin from the Departments of the Taoiseach, Foreign Affairs and Justice. The book's use of these departmental files obviously accords with the requirements of that study. For the present study, a more thorough use of the Department of Justice file reveals many of the necessary details required for a better understanding of the events surrounding the arrest and incarceration of the 45 members of the No.1 Branch of the ITGWU in May 1924, a series of events that led directly to the formation of the Workers' Union of Ireland. O'Connor's *Reds and the Green* is a study which is just beyond the scope of this present thesis both chronologically and thematically, due to its focus being on events after the formation of the WUI; and whilst it is a state file on Larkin, it is a communist state which is trying to build communism, not protect capitalism. We have now looked at the literature in relation to the three principal primary sources used by the thesis and it has been demonstrated that the intelligence files have not been used systematically either individually or together.

NATURE OF THE STATE, AND ITS INTELLIGENCE SERVICES

It will be argued that the absolute hostility of the state towards Larkin was the principal factor in determining the failure of his ultimate aim: the overthrow of capitalism and the establishment of socialism. This is presented as an alternative to the argument that Larkin's failures resulted from his personality, which is the general judgement of the historiography to date. As this thesis is concerning itself with Larkin and the capitalist state, an inquiry into the nature of the state will be done at the beginning of chapter 1. This is necessary in order to contextualise Larkin within the type of society he lived and operated. Critics of the state such as Karl Marx will be looked at; his *Civil War in France* provides a classical Marxian critique.[60] Writers such as J.A. Hobson and Alex Callinicos[61] will be looked at specifically in relation to the imperialist form of the state. Aristotle's ideas on the proto-state, and the advanced theory of capitalism as viewed by Noam Chomsky will be amongst other writers used.[62] The purpose of this will be to frame the state's suppression of Larkin through its functionaries (civil servants, police, judges and so on) as a natural reaction which flowed from the structures and systems of personnel that constitute the apparatus of the state. This view is preferred to the view that sees the reaction of the state as the result of a group of conspirators who set out to

[60] Marx, K., *The Civil War in France* (Peking; Foreign Language Press: 1970, 2nd ed.).
[61] Hobson, J.A., *Imperialism: a Study* (London; Allen & Unwin: 1968); Callinicos, A., *Imperialism and Global Political Economy* (Cambridge; Polity: 2009).
[62] For example, Chomsky, N., *Hegemony or Survival: America's Quest for Global Dominance* (London; Penguin: 2004).

suppress Larkin of their own volition. This does not devalue their roles as independently thinking beings but places them in the context of their roles as functionaries.

The thesis will be looking at specific aspects of the state, particularly its intelligence services. In chapter 1, there is an outline of the British intelligence services using writers such as Philip Davies, and Andrew and Noakes,[63] who provide an analysis of British intelligence from its origins in the War Office to the Secret Intelligence Services in the form of MI5 and M16. Paul McMahon's study of the British spy-network and insurgency within Ireland is instructive on many aspects of Dublin Castle intelligence, and British connections with the American State Department, specifically in relation to Larkin.[64] A critical aspect of the analysis here will be a critique of the reliability of the intelligence information coming into the British, in Dublin Castle. It will be seen that intelligence information must be used cautiously by the historian. In chapter 3, the thesis will be looking specifically at American intelligence, particularly in the form of the FBI. A critical analysis of the FBI will be made, through the writings of authors such as Ivan Greenberg and Rhodri Jeffrey-Jones.[65] Also, David Khan gives an excellent outline of the early war-driven history of American intelligence services; and, significantly, the links between the British and American organisations.[66] Again, as with the Dublin Castle file on Larkin, there will be a critique of the reliability of the intelligence information, and the prudence of its use by the historian. All commentators treat the problematic reliability of the information on both the British and American intelligence services as a given. The thesis will also look at aspects of the Irish Free State, with writers like John M. Regan[67] who comments on the conservative nature of the new state, and Nicholas Mansergh[68] who made an early analysis of the governmental structures of the Free State.

SIGNIFICANT ISSUES AND RESULTANT HYPOTHESES

During the course of the thesis a number of noteworthy hypotheses in the Larkin historiography will be re-examined, and significant new hypotheses will be investigated. Although the thesis will be

[63] Davies, P.H.J., *M16 and the Machinery of Spying* (Oxford; Frank Cass: 2004); Andrew, C., & Noakes, J., (eds.) *Intelligence and International Relations: 1900-1945* (Exeter; University of Exeter: 1987).
[64] McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011).
[65] Greenberg, I., *Surveillance in America: Critical Analysis of the FBI, 1920 to the Present* (Lanham; Lexington Books: 2012); Jeffrey-Jones, R., *Cloak and Dollar: A History of American Secret Intelligence* (New Haven; Yale Press: 2003, 2nd ed.).
[66] Khan, D., *The Reader of Gentlemen's Mail: Herbert O. Yardley and the Birth of American Codebreaking* (New Haven; Yale Press: 2004).
[67] Regan, J.A., *The Irish Counter-Revolution 1921-1936* (Dublin; Gill & Macmillan: 1999).
[68] Mansergh. Nicholas. *The Irish Free State: Its Government and Politics* (London; George Allen & Unwin: 1934).

examining Dublin Castle's intelligence on Larkin's departure for America, alternative hypotheses will be considered. For example: did Larkin go to America for altruistic reasons (that is, for the benefit of the union, as he claimed at one point), or were his reasons for going more ego-centric? Larkin's exact purpose in going to America can be seen to be shrouded in mystery. Emmet O'Connor's hypothesis that he 'went on spec' will be assessed. A related issue is William O'Brien's charge that Larkin lied when he claimed he went to America at the behest of Tom Clarke *et al.* Larkin made this claim when he returned in 1923. This charge of O'Brien's has been generally accepted in the historiography, but new evidence in the Dublin Castle file means this issue requires further scrutiny. Interrelated with these issues is Larkin's nationalism; it will be necessary assess to what extent the nationalist tropes which Larkin professed reflected his ultimate ambitions.

The Larkin FBI file discloses a plot in which an attempt was to be made on Larkin's life; discovered in 1999 by Clare Culleton. The subsequent historiography that has dealt with this Irish-American 'nationalist plot' to assassinate Larkin in 1919 has dismissed the plot as a chimera. However, this hypothesis will be investigated further. In the course of the investigation the related hypothesis that it was Irish-Americans (in the shape of significant figures within the Justice Department and the judiciary) who ensured Larkin's incarceration in Sing Sing prison, will be looked at. It will be proffered that the Irish-Americans (principally Clan na Gael members within the Justice Department and the judiciary) were ensuring that Larkin did not return to Ireland and disrupt the ambitions of Sinn Fein. We will be looking to see what role the British played in consort with the American state in relation to Larkin being contained in America. It will be seen that no less an individual than Churchill requested that Larkin be kept in America. This thesis operates, in principle, on the basis that Larkin's revolutionary ambitions and the capitalist state are antagonistic; however, there will be reason to look at the precise nature of Larkin's relationship with the British state, and consider the hypothesis that Larkin was a British agent; a hypothesis that has been proffered in the historiography as being 'corroborated' to some extent.

After Larkin returned to Ireland in 1923 and attempted to wrest control of the union from William O'Brien *et al*, a campaign to discredit Larkin in relation to the 1916 Rising was initiated. The central charge was that he had run away from Ireland because he knew a rising was coming. Leaflets were printed by the ITGWU executive: 'Where was Larkin when the barricades went up in 1916? Three thousand miles away.' Although few would take the charge seriously, a significant issue in the historiography is: why did Larkin not return to Ireland? This is a question which might be asked not only in relation to 1916, but in the years immediately after the Rising. During the course of the thesis, issues around this question will be evaluated. An assessment will be made as to Larkin's possible motives at this time, and the issue will be related to the hypothesis that the British played a

significant role in ensuring Larkin did not return to Ireland. The final chapter of the thesis deals with Larkin's loss of control of the ITGWU in the year subsequent to his return to Ireland. The thesis will evaluate if the generally accepted hypothesis that Larkin was the one who was to blame for the split in the trade union movement in Ireland at that time has been sufficiently scrutinised. Significantly, the thesis will pose the alternative hypothesis that the state was complicit in what happened to the union (although this does not absolve Larkin entirely from blame).

HISTORICAL CONTEXT

That the agencies of the state, such as the judiciary and the police, were concerned with Larkin's activities was, of course, nothing new. Just prior to the period under discussion, the imperialist British capitalist state was also very concerned about the union's republican associations. The union under Larkin had provided a focus for pro-republican elements that existed within the labour movement prior to Larkin's arrival in Ireland.[69] The aggressive, revolutionary aims of the union would also be cause for concern. The state, of course, is nothing without its citizens, and capitalists like William Martin Murphy were an integral part of the state. The state, therefore, is an expression of its citizens, and tends to reflect the interests of the more powerful citizens of society. Thus, generally speaking, laws were not enacted to curtail the capitalistic pursuit of profit, but they were enacted to curtail the ambitions of labour organisations such as trade unions.

The Dublin Lockout of 1913 took place against the backdrop of syndicalism. It will be useful to try and make an assessment of Larkin's syndicalism. Unfortunately, there is no concise definition of syndicalism that fits all. Syndicalism can be seen to have its origins in France,[70] but the notion of one big union, one of the defining developments within syndicalism, can be seen to have its origins in England with the establishment of Robert Owen's Grand National Consolidated Trades Union in 1834, and in America with the Knights of Labour in 1869. The principle offensive feature of syndicalism is the sympathetic strike. The sympathetic strike had been in existence since the early 1870s, and the term was first used in the Southwestern Railroad strike in America (1886).[71] Thus, the features that distinguish syndicalism were already present prior to its emergence in France (although, it may be useful to view France as the place where syndicalism manifested itself as a coherent movement). It is also difficult to come up with a concise definition of the syndicalist. Both

[69] Grant, A., *Irish Socialist Republicanism, 1909-36* (Dublin; Four Courts Press: 2012) pp.13-47.
[70] O'Connor, E., 'War and Syndicalism' in Nevin, D., (ed.) *Trade Union Century* (Dublin; Mercier Press: 1994). [71] Hall, F.S., 'Sympathetic Strikes and Sympathetic Lockouts' in *Studies in History Economics and Public Law,* vol. 10, (New York: Columbia University: 1898-1899) pp.11-12; see Internet Archive at www.archive.org; accessed 31 August 2015.

Larkin and O'Brien believed in the One Big Union, but they were poles apart politically. One of the early figures of syndicalism in practice was Daniel De Leon of the Socialist Labour Party of America (SLPA) and he believed in the political process. De Leon was also a member of the Industrial Workers of the World (IWW), along with other notables such as Eugene Debs, member of the Socialist Party of America (SPA), and William 'Big Bill' Haywood. The IWW had been formed in 1905, mostly as a reaction against the established union bureaucracy (headed by people such as Samuel Gompers) and was an attempt to unite all workers in One Big Union. Their motto was: an injury to one is an injury to all. The conditions were also propitious to the growth of the IWW because organisations like the American Federation of Labor were not organising unskilled and casual labourers. Typically, these workers were subsisting under the worst conditions created by capitalism and were ripe for recruitment (although the tenuous nature of their work meant the membership was somewhat unstable). In 1908 there was an ideological split between De Leon (in New York) and Haywood (in Chicago) over the way forward. Haywood's direct-action approach won over and De Leon left the IWW. The IWW went on to unite disparate and seasonal workers, and led large strikes such as the Lawrence textile strike in 1912, and the Paterson silk strike in 1913. Unfortunately for the IWW, in the year that its membership reached approximately one hundred and fifty thousand, it was devastated by the offensive onslaught of the US State Department and the employers in 1917.

James Connolly arrived into America in 1903, and shortly after became embroiled in a debate over practical issues, such as marriage and religion, with De Leon. He became one of the founding members of the IWW, and he worked in New York and New Jersey as an IWW organiser. After the IWW had been created, De Leon moved to have the IWW become a satellite of the SLPA. In December 1907, Connolly requested an emergency executive meeting to discuss New York workers. When De Leon heard about Connolly's request he called a secret conference and delivered a diatribe against Connolly, pointing out his hostility to the SLP. However, Connolly, who at this time was writing on the need for economic emancipation before the conquest of political power (contra De Leon), remained in the IWW and De Leon was ousted in September 1908. Around this time, the French theorist Georges Sorel provided a theoretical framework for syndicalism. In it he predicted that once the workers sought political representation, bourgeois politics would absorb and dissipate the revolutionary content of syndicalism. For Sorel, democracy was the capitalist's utopia: 'democracy is the paradise of which unscrupulous financiers dream.'[72] Whilst in America, Connolly had also formed the Irish Socialist Federation, in 1907. One of the significant friendships Connolly made in New York was with the Gurley Flynn family, a family rooted in socialist values, whose

[72] Sorel. G., *Reflections on Violence*; ed. Jennings, J., (Cambridge; CUP: 1999) p.222.

daughter Elizabeth would become one of the prominent figures in the American labour movement. When Connolly returned to Ireland in 1910, he brought his first-hand experience of working with the ideas of OBU-ism with him. He also gave Larkin the contact details of the Gurley Flynn family when Larkin departed for America in October 1914.[73]

Prior to coming to Ireland, Larkin also had the experience of working with one of the foremost syndicalists in the British trade union movement, Thomas Mann (Mann was to become one of the foremost champions of syndicalist ideas). In 1898, Larkin helped establish a Liverpool Branch of Mann's Workers' Union of Britain and Ireland. There are a number of similarities between Larkin and Mann. Mann was a Christian, and a member of the Temperance Movement. Disillusioned with exhortations from above to the working class as a way of change and in 1884 he joined the Social Democratic Federation. He had at one time thought that fundamental change could come about through parliament, but came to view this as unrealisable. He favoured the use of trade unions to change society, with socialism as their aim, and in 1896 he resigned from the Independent Labour Party because of their reliance on parliamentarianism. Along with Ben Tillet and others he organised the virtually unorganisable: the '*docks rats',* the casual labourers who fought with one another to be one of the chosen few for the day. After the dockers' victory in 1889, Thomas Mann and Ben Tillet produced their pamphlet 'New Unionism' which was very critical of the leadership of the established unions. Significantly, Mann refused an offer by the government to become secretary to the new labour Department, saying he would rather organise with the workers outside government as the way to effect change. This shows that he could not be bought. With ideas akin to the IWW, he formed the International Transport Workers Federation, and travelled the European continent in disguise. Like Larkin, he travelled in an attempt to energise the world's labour movement. In 1901, he moved to Australia and New Zealand for 8 years and preached socialism. He considered the Australian Labour Party to be blind, as it did not see the need for workers to take control of industry and society. As was the case with Larkin, police broke up his meetings and he spent terms in prison. Mann championed the Russian Revolution and, unlike Larkin in Ireland, played a constructive role in the formation of the British Communist Party. Like Larkin, his work was hindered by reformists (such as Ramsey MacDonald). In the great unrest of the 1930s, Mann was arrested and imprisoned for three months at the age of 76 without any charges being proffered against him. He was later deported from Canada for agitating for socialism. He died in 1941, celebrated by all. It was remarked at the time of his death that he was no richer when he died than when he had been when he earned

[73] Nevin, D., James Connolly 'A Full Life' (Dublin; Gill & Macmillan: 2005); Dubofsky, M., *We Shall Be All: A History of the Industrial Workers of the World* (Quadrangle; New York: 1973).

his first wage.[74] Similarly, when Larkin died in 1947, he died leaving the princely sum of £4.10 shillings—the equivalent of his own weekly wage. Like Mann, Larkin exhibited classical syndicalist traits. He was a reaction against the conservative officialdom of the National Union of Dock Labourers (NUDL);[75] he was tempestuous and direct; and he came with the fanaticism of the evangelist. Larkin would at various times in his life, and for various purposes, make use of parliamentary democracy, but he had an innate mistrust of the process. In Ireland, Larkin and syndicalism ushered in the decolonisation and modernisation of the Irish trade union movement 'through nationalism and industrial unionism.'[76]

If not quite Macbeth's imperial theme, the ITGWU, by virtue of its revolutionary methods and demands, had certainly aspired to a place at the banquet of Irish affairs in 1913. Earlier, Larkin had so successfully organised the dockers that as potentate-in-waiting of the port, the 'masters and suffering owners surrendered to him.'[77] Not so with William Martin Murphy, media and business magnate, and leader of the Employers' Federation. Murphy saw Larkinism as a threat not only to his own business affairs but to Irish society generally; socialism was a shibboleth systematically decried in the pages of the *Irish Independent*. Larkin had championed the *sympathetic strike;* a practise which potentially gave the working class unlimited power. As has been pointed out, almost singlehandedly Larkin had lain the 'foundations for syndicalism in Ireland.'[78] Not unexpectedly, this development horrified the employing class. Murphy realised that Larkin needed to be stopped in his tracks before his movement turned into an express that would carry all before it, and vowed he 'would drive "Larkinism" headlong into the sea'[79]; and in one respect, Murphy achieved his objective. Murphy's victory over Larkin, (the man, as opposed to the union) may have contributed to the latter's decision to leave for America (it was suggested he needed a holiday). The employers boasted of victory, and claimed to have routed Larkin. The *Irish Times* had a more sombre view of the situation: 'The very necessary business of "smashing Larkin" is successfully accomplished; but that is very far from being the same thing as "smashing Larkinism."'[80] The employers would have to wait another ten years before the final phase of *smashing Larkinism* was played out, when the One Big Union-movement

[74] White, J., *Tom Mann* (Manchester; MUP: 1991); Evans, J.N., *Great Figures in the Labour Movement* (Oxford; Pergamon Press: 1966). See Keogh, D., *Twentieth Century Ireland: Nation and State* (Dublin; Gill & Macmillan: 1994) p.104 for Larkin working with Mann in Liverpool in 1898.
[75] Joll, J., *The Anarchists* (London; Methuen: 1979, 2nd ed.) pp.201-202
[76] O'Connor, E., and Devine F., 'Editorial: *The Course of Labour History*' *Saothar: Journal of the Irish Labour History Society*, 12 (1987) 2-4.
[77] Timothy Healy at Askwith Enquiry, quoted in Larkin, Emmet *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.103 n.5.
[78] O'Connor, E., *Syndicalism in Ireland 1917–1923* (CUP 1988; Cork) p.8.
[79] Larkin, J., *Larkin's Scathing Indictment Of Dublin Sweaters* (Dublin; Irish Worker Press: [1914]) p.6.
[80] *Irish Times,* 3 February 1914 quoted in Larkin, Emmet *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.142

Larkin had headed, was split in two with the formation of the WUI in 1924.[81] By the time the Dublin Lockout came to a halt in 1914, both union and employers were chastened; for the strikers, although not vanquished, the return to work was a bitter draught. Connolly's (albeit propagandistic) assessment of the battle as a draw is actually quite reasonable—but this should only be viewed as so in the short term. In the long term the type of unionism, embryonic as it then was in Ireland, which Larkin was trying to establish (its *ad hoc* character notwithstanding), would face a greater test, and ultimately defeat, upon his return in 1923. Although Murphy had succeeded in stopping Larkin's forward movement, the employers and the *Irish Times* were wrong to think they had seen the last of Larkin, the man. Through his inspiring leadership and rhetorical skills he had captured the imagination of the working class in Dublin, and quite literally lifted them up off their knees, empowering them with a sense of their own destiny. This was a significant legacy, and it would not be forgotten when he was to return to *Saorstát Éireann* in 1923.

There should be no doubt that Larkin felt the results of the lockout in terms of a major personal setback, and this setback had two aspects to it. Firstly, some form of unionism was always going to survive; there had been unions before the ITGWU, and if the ITGWU had been completely obliterated, another union would have developed in its place. However, Larkin did not want a union that merely survived and cohabited with capitalism. Such unions were already in existence; and Larkin's emergence as a leader was itself a reaction against that type of unionism. Whether it was realistic or not, what Larkin wanted was a union that would fundamentally change the world, quite literally invert the social order and establish socialism. Larkin wanted his union to be the driving spirit, or at least a major player, in a new world movement of unions, and this vision suffered a serious setback. Secondly, Larkin also suffered a defeat at the hands of the British trade union leaders, whom he failed to outmanoeuvre, cajole or bully into following his demands. Larkin had already come up against trade union officialdom in his relationship with James Sexton as an organiser for the NUDL. Sexton initially tried to block Larkin's appointment, and was to suspend him in December 1908. Trade unions were part of society, and as such union leaders became a part of the political establishment: in 1931 Sexton was given a knighthood for his services to the British state.[82] Larkin should have expected little else from the trade union officialdom in relation to the Lockout.

[81]Emmet O'Connor says that the farmworkers' strike in Waterford in 1923 was the last of Larkin-style trade unionism in Ireland; see O'Connor, E., 'Agrarian Unrest and the Labour Movement in County Waterford 1917-1923' in *Saothar: Journal of the Irish Labour History Society*, vol. 6 (1980), 40-58.
[82] See Sexton, J., *Sir James Sexton, Agitator, the Dockers' MP; an Autobiography* (London; Faber: 1936).

The decision by the British union leaders, typified by J. Havelock Wilson, moderate trade unionist and vehement opponent of syndicalism[83] not to support the Irish workers by sympathetic strike action was, in fact, the decisive blow. The British unions held the key to the Dublin Lockout, if they had refused to handle goods to and from Dublin the Employers Federation in Dublin may have retracted the document and come to an accommodation with the ITGWU.[84] Arguably, despite rank and file sympathy for the Dublin workers in Britain, the British trade union leaders, moderate in policy and conservative by nature, were never going to assist Larkin (a prodigal from their own ranks, as far as they were concerned) and hand him a victory for militancy. They spent considerable time controlling and dissipating militancy, which they saw as an expensive luxury. They were happy enough to keep the Dublin workers alive with supplies and financial support (although this diminished the longer the lockout continued), but they were hardly going to allow a potentially pre-revolutionary situation to develop by effectively rowing in behind the ITGWU and challenging the rule of capitalism in Ireland, which was an integral part of the United Kingdom, and thereby invite the masses to question the rule of capitalism on their side of the Irish Sea. Larkin should have learnt a very instructive lesson from this experience at the hands of the British union leaders; namely, that it was the control of labour organisations and the building of allies across the movement that was the key to success.

April 1923 saw the return of James Larkin to Ireland. Significantly, Larkin was still General Secretary of the Irish Transport and General Workers' Union, and, on his return, he was still very much a labour agitator. In fact, he was at least as militant an individual as he had been in the period leading up to the Dublin Lockout of 1913.[85] Dramatic changes had taken place within Irish society with the partition of Ulster and the formation of the Irish Free State. A very interesting dynamic was forming at this time as to how labour (essentially, the working class and its wage demands) would be accommodated by the nascent Irish government. At the heart of this accommodation are the new civil relationships that were forming at governmental level. In its pithy way, a minute of a meeting of

[83] See Greaves, C. D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) p.111; and McCabe, C., '"Your only God is profit.": Irish class relations and the 1913 Lockout.' in Convery, D., (ed.) *Locked Out: A Century of Irish Working-Class Life* (Dublin; IAP: 2013), p.19.
[84] See, for example, Moran, B., '1913, Jim Larkin and the British Labour Movement' in *Saothar: Journal of the Irish Labour History Society*, 4 (1987), 35-49; '[T]he progress of the dispute was inextricably bound up with the level of support from the English trade union movement.' And McCabe, C., '"Your only God is profit.": Irish class relations and the 1913 Lockout.' in Convery, D., (ed.) *Locked Out: A Century of Irish Working-Class Life* (IAP 2013; Dublin) pp.19-20.
[85] Arguably, Larkin had reached the apogee of his militancy in his associations with communism in America in 1917-1920; upon his return, even considering his association with communism in Ireland, his militancy was in decline.

the Provisional Government indicates a calculated strategy on its part towards the opposition: 'It was decided that a friendly attitude should be adopted towards the Labour Party.'[86]

The labour movement had been moving significantly towards the Left in the years following the 1916 Rising. James Connolly had not been given any sanction to use the ITGWU's resources in tandem with the advanced nationalists; however, figures like William O'Brien would use Connolly's name as the inspirer of the Irish labour movement, and even the Russian revolution.[87] The Great War had driven production and put the unionised producers in a strong position. Industrial Unionism was seen as the way forward: 'It is upon the power of this industrial organisation that the working masses must in the main rely to win their emancipation[.]'[88] A number of significant strikes were championed by the labour leadership, particularly the strikes against conscription in 1918; and for the release of political prisoners in April 1920. Another important strike that took place was the strike against the transportation of British armaments in May. However, by November 1920, even though a special labour conference had voted to continue with the strike, the leadership decided it was time to pull back.[89] As the negotiations for the Treaty approached, the labour leadership also pulled back from their revolutionary rhetoric.[90] In time, the labour leadership would support the Treaty and espouse the political route. Accordingly, parliament and not *the masses* or *unionisation* was seen as an alternative weapon for the *moderate* Labour and trade union leaders.[91] Although the Labour Party constituted the opposition to the government in the Dáil, its size rendered it impotent in terms of any realistic challenge. As it was not the Labour Party that had to come up with the resources to finance progressive educational and social programmes, its leader, Thomas Johnson, could make as many speeches in the Dáil as he wished. As has been pointed out, the government could simply claim that it shared the social goals of the Labour Party, but it could also claim that there simply was not sufficient money to fund the projects.[92] It was into this environment of an established Free State and an increasingly compliant labour leadership, that the militant, anti-Treatyite, and unfulfilled, James Larkin returned in 1923.

The task of this thesis is to work its way systematically through the 1914-1924 period in terms of Larkin's activities and his relationship with the state. The thesis will visit anew significant issues

[86] Department of the Taoiseach (DT), TAOIS/1/1/3/1, NA.
[87] Greaves, C. D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) p.214.
[88] ITUC&LP 1918 report; quoted in Mitchell, A., *Labour in Irish Politics: 1890-1930* (Dublin; IUP: 1974) p.81.
[89] Mitchell, A., *Labour in Irish Politics: 1890-1930* (Dublin; IUP: 1974) p.120.
[90] Mitchell, A., *Labour in Irish Politics: 1890-1930* (Dublin; IUP: 1974) pp.142-143.
[91] For example, see Clarkson J. D., *Labour and Nationalism in Ireland* (New York; AMS Press: 1970, 2nd Ed.) pp.459-60; Clarkson says, despite the ripeness for social revolution, Thomas Johnson preferred the Dáil to any direct action.
[92] Mitchell, A., *Labour in Irish Politics: 1890-1930* (Dublin; IUP: 1974) pp.192-216.

within the Larkin historiography, exploring the varying hypotheses (as set out above). The thesis consists of an introduction and ten chapters. The first three chapters (1, 2, 3) cover the period from October 1914 up to November 1917. Here we see senior members of the British government in Dublin Castle deliberating on how best to keep Larkin from returning to Ireland. We see Larkin's early successes with John Devoy and Clan na Gael; we also see the cooling of relations between them as Larkin gravitated closer to socialism, and away from Devoy and the Germans. The third chapter ends with the FBI watching Larkin closely in San Francisco, having been tipped off by British intelligence. The next three chapters (4, 5, 6), cover the period from June 1917 up to August 1920. Here we see Larkin working within the socialist and communist movements, opposing the war, and capitalism. As a result, he is arrested and confined to jail. His confinement leads to the formation of Larkin Defence Committees, including Larkinite rumblings on the streets of Dublin in the form of Delia Larkin's Larkin Release Committee. The next two chapters (7, 8) cover the appeals process arising out of Larkin's conviction in 1919, and his subsequent deportation upon being pardoned, from January 1920 to April 1923. Chapter (9) covers the period from April 1923, when Larkin landed back in Ireland, up to the emergence of the Port, Gas and General Workers' Provisional Committee in late May and early June 1924. The final chapter (10), looks back over the thesis as a whole and outlines the conclusions it has drawn from its findings.

SECTION ONE

CHAPTER 1 DUBLIN CASTLE CASTS ITS SHADOW OVER LARKIN

The first half of this chapter will survey the link between capitalism, imperialism and nationalism. It will argue that this confluence was the context in which Larkin was active as a socialist republican. The thesis will look at the nature of the state and set out to show that the capitalist state protects elite interests and reacts antagonistically towards individuals like Larkin. Next, we will look at the secret intelligence services (SIS) employed by the state to protect its interests, and to monitor individuals like Larkin. Whilst reviewing the British SIS, we will make an assessment of the quality of intelligence information and its usefulness to the historian. The thesis will look at Larkin's anti-imperial, anti-capitalist activities before he departed for America. It will look closely at the reaction of Dublin Castle towards Larkin at this time, and the lengths to which it went to put in place a monitoring system to 'shadow' Larkin. In the second half of the chapter, the thesis will look at one of the substantial issues in the Larkin historiography; that is, the reason why Larkin went to America in the first place. The thesis will review the established arguments, but it will also examine new evidence. This new evidence indicates that Larkin went to America under the auspices of Clan na Gael, and Germany, for the purposes of Irish nationalism. During the course of this review, we will look ahead to the reasons why Larkin's relationship with the Irish nationalists, notably John Devoy's Clan na Gael, was a failure. Finally, the chapter will look at evidence that Larkin was not only going to America for the purposes of Irish nationalism, but for what he saw as the cause of world socialism.

Imperialism, capitalism and nationalism are interconnected on a fundamental level. In an age of imperialism, nationalism was a natural reaction towards the imperial power. In an age of capitalism, imperialism was the means by which to plunder resources and develop new markets. In an age of nationalism, imperialism was the object of discontent; but there was another movement: socialism, and the object of its subversion was capitalism. Socialism found a natural ally in nationalism, as sometimes nationalism found a natural ally in socialism. Larkin was an individual who was a socialist in a nationalist context; and someone who professed nationalism in a socialist context. Larkin operated as a socialist republican in a country which was resisting British Imperialism. Dublin Castle was the centre of the British Imperial administration in Ireland. From here, British Imperialism suppressed discontent in Ireland through the use of brute force, and enforced its imperialistic laws on the Irish victims of its colonial enterprise. In his book on world capitalism, written shortly after the 1916 Rising, Lenin provided a succinct definition of imperialism, linking it indissolubly to capitalism:

'imperialism is the monopoly stage of capitalism.'[93] Imperialism was not the preserve of the British, of course. In 1614, Governor General of the Dutch East India Company had said to his directors:

> You gentlemen ought to know from experience ... that trade in Asia should be conducted and maintained under the protection and with the aid of your own weapons, and that those weapons must be wielded with the profits gained by the trade. So trade cannot be maintained without war, nor war without trade.[94]

This quotation immediately discloses the *bare bones* of the colonial-imperialist endeavour: *war* for the sake of *trade*, and *trade* for the sake of *profit*. The Earl of Birkenhead, stout opponent of Irish nationalism, prosecutor of Roger Casement, and Lord Chancellor while Larkin was in jail in America, told the students of Glasgow University: 'The world continues to offer glittering prizes to those who have stout hearts and sharp swords.'[95] Imperialism was good for capitalism, and therefore good for capitalists.[96] Relatively speaking, the general populace did not enjoy the benefits, only the capitalist investors.[97] This thesis views capitalism as structurally indispensable to imperialism; but does not view imperialism as indispensable to capitalism. This qualification is made simply to point out that there were Irish capitalists in Ireland who were neither British, nor imperialists. Larkin was anti-capitalist but he was also pro-nationalist. This meant that Larkin was against British imperial capitalism in Ireland (which accounts for his pro-nationalism) but he was also against Irish native capitalism. This inveterate bent of Larkin's against capitalism would naturally bring him in to conflict with the pro-capitalist Free State in 1923. Whilst the imperialist British state would tolerate the limited nationalism and foster the pro-capitalist sympathies of the Treatyites, Larkin's position as a

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[93] Lenin, V.I., *Imperialism, the Highest Stage of Capitalism* (Moscow; Progress Publishers: 1978, 17th ed.) p.84. Lenin finished writing the book on 2 July 1916 (Gregorian calendar). Of course, Lenin defined imperialism at much greater length in the book.

[94] Quoted in Colás, A., *Empire* (Cambridge; Polity: 2007) p.80. Colas places a lot of emphasis on the benevolent aspects of imperialism; such as the propagation of the arts, and the fostering of multiculturalism.

[95] See National Archives (Ireland) at http://treaty.nationalarchives.ie/Birkenhead; accessed 31 August 2015. Statement made 7 November 1923.

[96] For an analysis of capitalism and imperialism, with a discussion on Ireland, see Wood, E., M., *The Origins of Capitalism: a longer view* (London; Verso: 2002, 2nd ed.).

[97] Davis, L. E., *et al Mammon and the Pursuit of Empire* (Cambridge; CUP: 1987, 2nd ed.) pp.107, 301-303. Davis seems to want to emphasise that the dominions would cost the British more than they are worth in the end; I would emphasise that is does not matter how blind the designs of imperialism ultimately were, individual capitalists made huge fortunes. Also, see Hobson, J.A., *Imperialism: a Study* (London; Allen & Unwin: 1968) pp.85-88; Hobson argues that imperialism is a failure of capitalism to drive consumption at home due to unequal distribution. For a different interpretation, and a critique of imperialism as naked capitalism, see Callinicos, A., *Imperialism and Global Political Economy* (Cambridge; Polity: 2009). For a critique of European capitalism which sees the workers believing themselves to be 'part of the prodigious adventure of the European spirit.'; see Fanon, Frantz *The Wretched of the Earth* (Grove Press; New York: 2004) p.237. Of course, both Marx and Lenin acknowledged the bourgeoisification of elements of the proletariat.

socialist in the confluence of imperialism, nationalism and socialism meant that the imperialist state would not tolerate him. One could be a pro-capitalist nationalist, but to compound one's sin of nationalism with the sin of socialism, particularly Larkin's brand of revolutionary socialism, was an altogether different matter. Capitalism is a sophisticated system of production, and for it to function it needs a centralised system of administration; that is, the state. And the system through which capitalism was administered in Ireland was Dublin Castle, the seat of British imperialism in Ireland.[98]

THE NATURE OF THE STATE

Imperialism, the 'monopoly stage of capitalism', was the framework within which advanced capitalism was functioning at this time; and this was, therefore, the context in which Larkin was operating. The state as a system of control has always been deemed essential to the maintenance of society, the perpetuation of the status quo, and a privileged elite. This function of the state predates capitalism. Aristotle, mentor to the aggressive proto-imperialist Alexander the Great, viewed the state, the *polis*, as an association or partnership that 'exists for the sake of the [moral] good life.' It is the highest and most complete expression of the relationship between the 'governors and the governed.'[99] As regards the type of rulers, or administrators, the best forms available are: absolutism (complete power by a monarch) or an aristocracy. This is moderated with the qualification that *only the wise should rule* (otherwise the state and its governance would be used for self-interest).[100] This was an idealistic and impractical prescription; in reality, elitism and self-interest were inseparable. It was also a prescription which took no sympathetic cognisance of the social strata below the elite, particularly the slave class.[101] It does show, however, that the state was being viewed as a form of social contract in antiquity. Thomas Hobbes developed this notion of the *social contract* in his works *Leviathan* and *De Cive.* Hobbes viewed human nature as aggressive and self-seeking, and therefore a social contract was required between the governor (for Hobbes, monarchy was the best form of governance available) and the governed, so that society could function peacefully and reproduce itself.[102] Hobbes was writing at the time when England was developing as a capitalist state, and developing its imperial interests. This championing of the social contract was a central plank of the

[98] The conception of the state used by this thesis is a Marxian one; for variations and more recent conceptions of the state see Adshead, M., *et al* (eds.) *Contesting the State: Lessons from the Irish Case* (Manchester; MUP: 2008), particularly pp.1-24 and 50-72.
[99] Johnson, C.N., *Aristotle's Theory of the State* (London; Macmillan: 1990) pp.47-49.
[100] Mulgan, R.G., *Aristotle's Political Theory: An Introduction for Students of Political Theory* (Oxford; Clarendon Press: 1977, reprinted in 2011) pp.78-83.
[101] For a study of ancient political theory, see Wood, E., M., and Wood, N., *Class Ideology and Ancient Political Theory: Socrates, Plato, and Aristotle in Social Context* (Oxford; Basil Blackwell: 1978).
[102] Warrender, H., *Thomas Hobbes, De Cive: The English Version* (Oxford; Clarendon Press: 1983, reprinted 2002) pp.89-181.

Enlightenment, fuelled by writers such as John Locke[103] and Immanuel Kant[104] (those who critiqued the social contract, like Jean Jacques Rousseau,[105] became outcasts). Immanent within the *social contract* is the idea that people contracted into the systems of rule, law and administration of their own volition. The social contract is the mainstay of modern states, and is therefore central to the capitalist state. The classical Marxian critique views the state as the instrument of class power; the power of one class (the ruling class) over another (that is, the bourgeoisie over the proletariat).[106] It should be said in passing, however, that the state does not just react against elements that are anti-capitalist: the *other* is generally excluded from meaningful access to power; and there are challenges to the idea of the social contract, which underpins the modern state, along gender and racial lines. [107] Thus, in Hobbes and other purveyors of the social contract, as in Aristotle, it is seen that the state is defined in relation to the maintenance of a privileged elite. This fissure between the elite and the non-elite was carried on throughout the evolution of the state, and has never been overcome.[108] Individuals, like Larkin, who critique this gap between the privileged and the underprivileged represent a subversive challenge that is inimical to the core function of the state—to preserve elite interests.

Unlike, Hobbes and Aristotle, Marx does not see the state as working for the common good; the state is made up of antagonistic classes and it operates in favour of the dominant class, to the detriment of the exploited class.[109] Marx viewed the basis of society as the struggle between classes to control wealth and resources through the means of production. The economic base is determined by the prevailing relations of production, and 'the sum total of these relations of production constitutes the economic structure of society, the real foundation, on which rises a legal and political

[103] Locke, J., *Two Treatises of Government* (Cambridge; CUP: 1988). Rousseau, J-J., *On the Social Contract* (New York; Dover Publications: 2003).
[104] Kant, I., *Groundwork of the Metaphysics of Morals* [trans. Abbot, T.K.] (Lanham, MD; Start Publications: 2012).
[105] Rousseau, J.J., *On the Social Contract* (New York; Dover Publications: 2003).
[106] See Hay, C., 'Marxism and the State' in Gamble, A., *et al* (eds.) *Marxism and Social Science* (Chicago; Illinois Press: 1999) pp.152-174.
[107] For a feminist critique, see Pateman, C., *The Sexual Contract* (Stanford; SUP: 1988); Pateman argues that what is underlying the social contract theory is control over Women. For a critique along racial lines, see Mills, C., *The Racial Contract* (New York; Cornell Press: 1997); Mills argues that what underlies the social contract is the white, privileged narrative of the elites. It should be added that the notion of the social contract is not exclusively European. Other non-Western, non-Anglophone areas of the world are similar; for example, India with its caste-system.
[108] See Morris, C.W., *An Essay on the Modern State* (Cambridge; CUP: 2002) for an analysis of the alienation and estrangement of people from the state.
[109] Oizerman, T.I., *The Making of the Marxist Philosophy* (Moscow; Progress Publishers: 1981) pp.394-8. See Vincent, A., *Theories of the State* (Oxford; Basil Blackwell: 1987) for diverse theoretical conceptions of the state.

superstructure[.]'[110] But this should not be viewed in a fixed, mechanistic way. As has been pointed out, both Marx and Engels expanded (none too profusely, it must be said) on the way the state becomes independent of both classes at times, as the power of the ruling class wanes and the power of the exploited class waxes.[111] Significantly, therefore, the form of the state is not a static, fixed entity. In his introduction to Marx's *The Civil War in France*, Engels envisions a time when humanity will be able to 'throw the entire lumber of the state on the scrap heap.'[112] In Chapter three of *The Civil War in France*, Marx enumerated the changes the Commune made in dismantling the old government, which was envisioned as a national blue print. Once this blueprint was established nationwide, the old state, being a *parasitic excrescence*, would give way to a classless society.[113] But even a Commune-based, or Soviet-based society, is still a state (even if it were to achieve full equality), and such a state would be just as resistant to change as its previous form had been. This is because the *material nature* of the state continues to exist throughout any changes that take place,[114] and the mechanism by which it subsists is the dialectical relationship between base and superstructure. The resistance to change (which is only ever resistance, it is not imperviousness) is derived from this material substrate. All historical forms such as the judiciary and the police that militate against an individual like Larkin, derive their impetus from this dimension.

What cements the state together is the *corpus juris civilis*; the body of law pertaining to civil society, and this is enforced through the courts, the police and the army. The state decides on *what* is legal, and *who* is legal. Richard Lachmann puts it cogently:

> States don't just use violence and make rules … States seek to create a social reality in which each subject's property claims and their civil rights and liberties, including their very right to life, exist only in the context of their legal status … Successful states have the force, the

[110] Excerpt from 'Preface to: A Contribution to the Critique of Political Economy.' in *Karl Marx and Frederick Engels, Selected Works in One Volume* (London; Lawrence and Wishart: 1968 [Fourth Reprint, 1977]) pp.180-184.

[111] Marcuse, H., *Soviet Marxism: A Critical Analysis* (London; Routledge & Kegan Paul: 1969, 3rd Ed.) pp.120-135; Also, see *Origin of the Family, Private Property and the State* in *Karl Marx and Frederick Engels, Selected Works in One Volume* (London; Lawrence and Wishart: 1968 [Fourth Reprint, 1977])) pp.576-582, where Engels discusses this dialectical relationship; and Letter to Bloch, in which the emphasis on the economic base is moderated, pp.682-683. Also, see Held, D., *Political Theory and the Modern State* (Cambridge; Polity Press: 1995) for an analysis of the more subtle distinctions drawn by Marx on the state and its relation to the people; particularly pp.33-44.

[112] Marx, K., *The Civil War in France* (Peking; Foreign Language Press: 1970, 2nd ed.) p.17.

[113] Marx, K., *The Civil War in France* (Peking; Foreign Language Press: 1970, 2nd ed.) pp.68-71.

[114] There is no mystical aspect to this material nature, which is essentially finite; it is simply that people, buildings, armaments, resources, codes of behaviour continue to exist as a material which takes on new form.

> organisational reach, and the ideological hegemony to enforce those claims upon all who live within its territory.[115]

Here, Lachmann stresses the legal system as central to the operation of a state. The centrality of the law within the state is the reason why *justice* and its enforcement through the police, courts and army, is so crucial to suppressing and marginalising leaders of the working class who sought radical change. Larkin, of course, is a case in point. His life of radical challenge to the capitalist state attests to this. It will be seen that the *corpus juris civilis* was extremely prejudicial when it came to dealing with him.

BRITISH INTELLIGENCE

We will now look at the British intelligence service (which in Ireland was a reaction to nationalist insurgency), and we will be relating the nature of the state (see above), and its police and intelligence services, to its concerns in relation to Larkin and radical labour. Intelligence means information, and information relates to individuals, groups, movements of armies (in war times, particularly), enemy tactics and *plots*. At times, misinformation was fed into the intelligence services (often by those people being spied upon) to cause confusion and create a smokescreen; consequently, intelligence gathering would never be an exact science.

The modern British Secret Intelligence Service (SIS), and its related police network, has its origins in the wars fought out by the British as a result of their imperialist designs. In fact, the first official intelligence department of the modern era was the British War Office 'Special Section' (it will be seen later that Larkin was very much the concern of the War Office, in 1914 and 1919). As early as 1905, the War Office 'Special Section' was gathering intelligence on its commercial rival Germany. In 1909 the Secret Service Bureau (SSB), the forerunner of the SIS, was set up to act as a screen between the departments of Whitehall and Downing Street, and the operational procedures that were carried out in the field; that is, the 'dirty work' of spying. SIS (in tandem with MI5, or M16) has carried on in this role to the present day. According to Philip Davies, the 'crucial event in the initial creation of a permanent secret service department was the Boer War in South Africa.'[116]

[115] Lachmann, R., *States and Power* (Cambridge; Polity Press: 2010) p.1.
[116] Davies, P.H.J., *M16 and the Machinery of Spying* (Oxford; Frank Cass: 2004), pp.26-27. See Andrew, C., & Noakes, J., (eds.) *Intelligence and International Relations: 1900-1945* (Exeter; University of Exeter: 1987) p.12 for a refinement of SIS, M16 and MI5.

In relation to Ireland, the British had more success against Irish rebels prior to the Boer War through their earlier, more primitive intelligence services, than they had in the run up to the revolt in 1916 with the supposedly more sophisticated SIS. According to Paul McMahon, this was epitomised by their success against the United Irishmen in 1798. This rebellion had features that were similar to subsequent insurgency: an oath-bound society, a republican ideal, a commitment to the use of physical force, and the enlistment of assistance from Britain's enemies; in this case, France. As well as recruiting agents in France, the British government recruited agents and spies in Ireland and at home. In its success against the United Irishmen, British intelligence also used the functionaries of the state such as members of the judiciary, diplomats, and postal officers. After the Act of Union in 1801, the Irish parliament was abolished and Ireland was put under the direct control of the Chief Secretary for Ireland, who was a member of the British Cabinet. Under this new system of administration the first police force of the British Isles (which had been started in the 1780s in Dublin) was reconstituted as the Dublin Metropolitan Police (DMP) in 1836. It was centrally controlled, and had a Detective Division (G Division), which played a significant part in dealing with political crime. The Royal Irish Constabulary (RIC) was also set up at this time to police outside Dublin, with central control and a section known as 'Crime Special Branch that dealt with subversive political movements…Throughout the nineteenth century Ireland [that is, the British government in Ireland] was at the forefront of modern developments in state counter-subversion and domestic intelligence collection.'[117] The efficiency of the RIC and DMP at this time was seen in its success in the 1860s against the Fenians, an organisation which developed in Britain and America as well as Ireland. One of the best tools used at this time, was the informer, or spy; and these were used in abundance. With so many informers on the ground, incoming information had to be scrutinised for its worth (the usefulness of intelligence is looked at below). At other times, the informer could be at the very heart of the decision-making within the insurgent organisation. For example, Thomas Beach (alias Henri Le Caron) infiltrated the Fenian organisation in America, took control of a senior position and passed on significant intelligence to the British for twenty years.

With a resurgence of Fenian activity in the form of Clan na Gael in America, and the Irish Republican Brotherhood (IRB) in Britain, Sir William Vernon Harcourt, Home Secretary, created a 'Special Irish Branch' within Scotland Yard. Police officers were posted at British ports, in Europe and in America; with a commensurate increase in the number of informers on both sides of the Atlantic. In 1887 the

[117] McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011), pp.4-5.

RIC officers posted at ports and other sensitive centres were merged with the 'Special Irish Branch' forming the permanent Special Branch of the Metropolitan Police in London.[118]

It is generally understood that under Chief Secretary Augustine Birrell and Under-Secretary Mathew Nathan, the gathering of intelligence and its structures were in decline; and this is seen mostly in relation to the 1916 Rising. Prior to the Rising, there were only twelve plain-clothes detectives in the G Division (Detective Branch) of the DMP; and they did not attempt to maintain long-term informers within the various revolutionary groups. There are only two notable informers in the Dublin Castle Records in the run up to the Rising, with the codenames 'Granite' and 'Chalk'; and their intelligence was inferior. Similarly the office of the Crime Special Branch of the RIC consisted of only three officers, with a sergeant in each county, and one constable per district. This decline had been flagged by the intelligence division of the British Army. Military intelligence, generally, had been given a major boost by the outbreak of the First World War; however, the administration in Dublin Castle took little action to develop its intelligence structures. Major Ivor H. Price (formerly an RIC county inspector) was recruited as Intelligence Officer to the Irish Military Command. He took control of war-time censorship, and intelligence gathering through the postal system. However, there was less than one percent of the total British postal surveillance personnel in Ireland (only ten individuals); consequently, a significant figure like P.H. Pearse was not on the postal surveillance list.[119]

The British had more success against Irish nationalist insurgency outside of Ireland, from Europe (particularly Germany) and from the United States. According to McMahon, the 'best intelligence' came from America. This came by the telegraph cables from America to Germany. Messages from Ireland went by secret courier to John Devoy, head of the Clan na Gael in America. Devoy then brought them to the German Embassy in Washington DC. The messages were then relayed to Berlin by 'enciphered telegram.' British codebreakers were able to get copies of the telegrams because the transatlantic cables ran through British territory (intelligence on the *Aud,* and Casement's arrival in a submarine, were deciphered from this source). The British did not use this information to its optimum effect, and Dublin Castle was the last section of the British government to receive it.[120]

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[118] Future chief of Scotland Yard, Leonard Burt, was to say: 'Without the Irish there would possibly have been no Special Branch.' See McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011), p.7.

[119] McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011), p.16.

[120] McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011) pp.18-20. Basil Thomson of the Special Branch admitted this fact. Thomson, along with Captain Reginald 'Blinker Hall' of the Naval Intelligence Department, and Major Frank Hall of MI5, were the intelligence chiefs over Irish affairs. See See Andrew, C., and Noakes, J., (eds.) *Intelligence and International Relations: 1900-1945* (Exeter; University of Exeter: 1987) for the deliberate suppression of intelligence on the Aud and Casement by Reginald 'Blinker' Hall. Also, see O'Halpin, E., 'British Intelligence in Ireland, 1915-1921', in

In the two years after the Rising intelligence was increased; however it was poorly focused. The RIC and the DMP continued to provide intelligence generally within the country, and regional military intelligence officers were put in place under martial law to increase the efficiency of intelligence gathering. However, as McMahon points out, intelligence chiefs in London were more interested in exposing German intrigues behind the Sinn Féin movement, than on focusing on what Sinn Féin were actually doing. In 1917 and in the years following the end of the war, another significant concern of British intelligence was the Russian revolution, and the spread of communism and its ideas. The spread of communism took a concrete form through Russian evangelising, and the practical aid of monetary assistance to labour organisations through the Communist International. Between 1919 and 1921 the Special Branch reached its 'maximum strength and influence' as the Directorate of Intelligence. A major concern at this time was the Irish War of Independence, and the ensuing intelligence war with Michael Collins and the IRA. During this time, Lord French brought in the services of Basil Thomson (Directorate of Intelligence in London), and Colonel Ormonde Winter as Deputy Police Chief and Director of Intelligence in Ireland.[121] The concern of the British with communism in this period was complicated by Larkin's involvement with the communist movement in America. This was particularly so upon his release, in the light of his developing connections with the anti-Treatyites (see chapter 8). For now, we will look at Larkin and British intelligence in 1914. Particularly in relation to the reasons why Larkin left Ireland, and his activities once in America. We will see that the British set up a spying network between Dublin, London, New York and Canada in order to spy on Larkin.

Importantly, an assessment of the usefulness or veracity of intelligence information has to be made. Not just by the intelligence services, but by the historian. Fortunately, analysts and historians agree that a lot of the intelligence was not particularly useful, and was often not true. Intelligence came in many forms, from the clandestine 'cloak and dagger' variety, to mundane newspaper reports. The ever-present concern was on the reliability of the information; information was often not only inaccurate, it was often maliciously prejudicial. There was also the issue of the type of personnel used; a common complaint was that the agents reported on what they saw but seldom on what they knew. Specific intelligence required specific training. There was also an issue with individuals setting themselves up with an office and a budget and having little or no operatives in the field, a situation

Andrew, C., and Dilks, D., (eds.) *The Missing Dimension: Government and Intelligence Communities in the Twentieth Century* (London; Macmillan: 1984).

[121] McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011), pp.25-46.

which called for significant creativity on their part.[122] Due to the general unreliability of intelligence, and because of some spectacular intelligence failures in the years following the Russian Revolution in 1917, Foreign Secretary Lord Curzon brought in a grading system in 1921, whereby intelligence would be classified as A1, A2 or B.[123] Not that this would be considered to be in any way foolproof; but it demonstrates the difficulties on the ground of the nature of the intelligence coming in. For this reason the historian must use only that material which can be validated in some way. For example, information within a Dublin Castle intelligence report of a meeting which has also been reported in the national press will derive credence from this. Intelligence which can be verified by other means such as sworn depositions is also potentially useful. This thesis only uses material which has been signed, and or dated; and which often comes from, or is linked to, significant individuals such as Augustine Birrell, and other high-ranking individuals within the Dublin Castle administration.

LARKIN SAYS FAREWELL IN CORK

According to the Dublin Castle Records (DCR), a close watch was kept on Larkin during his last few days in Ireland by the Special Branch of the RIC. RIC operatives Michael O'Sullivan and Thomas Kenny (Crime Special Staff) were present when Larkin and William P. Partridge[124] addressed a hastily arranged meeting in Cork City Hall on the 21 October 1914. The General Officer in-Command of the South of Ireland Coast Defence was advised immediately through his intelligence that the meeting was to take place but decided that no military action would be taken to prevent it going ahead.[125] In respect of the hastily arranged aspect of the meeting, this intelligence fore-knowledge on the part of the military authorities attests to both the importance that the state bestows on intelligence, and to the pervasive and mostly effective structures that had been put in place to acquire the information and process it.

RIC Sergeant Young of Cork reported that the meeting was called for the purposes of letting Partridge address the workers of Cork on the 'present crisis' that prevailed in the country. Posters for the meeting went up around the city that morning. These were followed later that afternoon by

[122] McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011), pp.2, 51-53, 119-121. Also, for the unreliability of intelligence, see Porter, B., *The Origins of the Vigilant State: The London Metropolitan Police Special Branch Before the First World War* (Woodbridge; Boydell Press: 1987), pp.75-79; and Davies, P.H.J., *M16 and the Machinery of Spying* (Oxford; Frank Cass: 2004) p.66.
[123] Andrew, C., & Noakes, J., (eds.) Intelligence and International Relations 1900-1945 (Exeter; University of Exeter: 1987), pp. 18-19.
[124] One of Larkin's most loyal allies; he died in 1917 shortly after being released from a British prison. See Geraghty, H., *William Patrick Partridge and His Times: 1874-1917* (Dublin; Curlew Books: 2003).
[125] For these details and the following account of Larkin in Cork, see DCR CO/904/206/233B (110-119 [397-406]). Please note that the references in the square brackets indicate the pages of the PDF document to be found in the Digital Component accompanying this thesis: Dublin Castle Records-James Larkin 1.

further posters announcing that Larkin would also address the meeting, 'to say farewell to his friends in Cork before setting out on his American tour.' Whereas Partridge arrived the day before, Larkin was late; he arrived on the 8.35 evening train and went directly to the meeting which had already started. According to the RIC report, the meeting was 'poorly attended': 'There were about 300 persons present, about 100 of whom appeared to be sympathisers of Larkin, the others were there through curiosity. There was very little enthusiasm amongst the crowd, all of whom belonged to the labouring class.' The poor attendance may have been due to the lateness of the postering.

Larkin may very well have been saying 'farewell to his friends in Cork', however, his main purposes in addressing the meeting were twofold: one, to urge the Irish workers not to enlist in the British Army; and two, to publicly announce that his reason for going to America was to expose Redmond as a fraud to the Irish in America. It will be instructive to have a close look at Larkin's speech at this meeting in view of the fact that we will be looking at his speeches in America which were made in the service of Irish nationalism. The contents of this speech are a good foil for what follows in America. Not surprisingly, considering the militarisation across Europe, Larkin begins with a military image. The last time he had been in Cork, he told the meeting, he had been refused the use of the City Hall (Larkin had had his troubles in Cork, having faced a trumped up charge of fraud committed there, for which he was convicted and jailed in Dublin).[126] He was now happy, he said, to see that 'the "citadel" of Cork had been captured.'[127] Larkin's first object of attack was John Redmond (whom he had a particular dislike for), and whom he used to focus his attack on the English:

> you have Redmond, and his like … going through the country as recruiting Sergeants for England's *rotten* Government but I tell you any man who takes the *Saxon* shilling is a *traitor* to his country and I ask you in God's name to keep out of the army … as any man who joins England's army is a hired *assassin*[my italics].[128]

Larkin doled out generalisations: England's government was *rotten*, all English soldiers were *assassins*, and an Irish person automatically became a 'traitor to his country' once he joined the English army. To be Saxon is to be prototypically English, as it was the Germanic Saxons and the Angles who created England as a geographical entity. Larkin uses the word again, when it becomes the 'dirty Saxon' shilling. That is, not the King's shilling (the commonplace object of republican

[126] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) 61-61; O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.19, pp.27-8. Larkin was also opposed at the 1913 ITUC.
[127] *Cork Free Press,* 22 October 1914; interestingly, this organ gives a less than sanguine report of Larkin's speech. What follows is from the Dublin Castle Records; see DCR CO/904/206/233B (110-119 [397-406]).
[128] DCR CO/904/206/233B (110-119 [397-406]).

detestation) but the *English* shilling. Almost as if, squeezing the invective to its utmost, to be English is worse than the state, or notion, of monarchy.

Another individual that Larkin singled out was Kitchener 'the murderer', but the real object of his wrath was the Union flag, described as the English flag:

> Kitchener the murderer has asked you to fight for *England's flag* but remember *England's flag is not your flag* therefore I ask you now not to fight for *England's dirty flag*, fight for your own flag if you fight at all. England wants you now to join and fight the Germans and be shot down *like dogs* and *your wives and children treated like dogs by England* [my italics].[129]

England's flag, the symbol of its nationhood, was a 'dirty flag' and to be shunned. Apparently, it was okay to fight for one's own flag but not for England's flag. However, if it were the case that it was acceptable to fight for one's own flag, then the English workers were perfectly entitled to fight for their own flag. In this nationalistic diatribe, Larkin failed to critique the very idea and practice of workers fighting for any national flag, preferring the following type of simplistic sentiment: the English will treat the Irish soldiers and their families like dogs. If Larkin was already in the pay of the Germans for anti-English campaigning, he had certainly warmed to the task.

The treacherous English, Larkin continued: 'promise you a pension if you return but take it from me if you go you will not return for the Irish soldiers are put in the very firing line, while the English are skipping about in safe quarters.' This is a reference to Irish casualties in the early part of the war, whom Larkin then went on to invoke: '[T]hink of the boys [you] went to school with[,] the Munster Fusiliers. All shot down in the battlefield with their faces towards God's sun.' The national, the military and the religious imagery are fused into a dramatic collage. Here; the battle-shy English had not only sinned in conspiring to have their own soldiers slaughtered (due to their Irish nationality) while they *skip about in safe quarters*, they have also sinned against the light of God. A little later, Larkin underpinned English anti-Catholic practices with a blatant untruth: 'They have Priests and Sisters out there but remember there is one thing they dare not do, and that is to make any attempt to console a dying Catholic.'

Larkin declared: 'I would rather be under German rule than British.' From a rational nationalistic, or republican, viewpoint it would be clearly absurd to replace one colonial master with another. Germany was a predatory capitalist country as much as England (a theme Larkin would go on to

[129] DCR CO/904/206/233B (110-119 [397-406]).

develop); thus, this sentiment is an anti-English one. Of course, in theory, being 'under' Germany was seen as the lesser of two evils.[130] As well as whipping up irrational anti-English sentiment, Larkin came very close to racial chauvinism when he implied that the displaced Belgian people were land-consuming aliens:

> England is now sending over the Belgians … why didn't they keep *them* in England? You have enough poor in Cork without *them* and the next thing they will do is to settle *them* down in a farm of land from which *your ancestors were driven by English tyranny* [my italics].[131]

The Belgian refugees become the *Other*; a nameless 'them' that will colonise the farming lands of his audience's ancestors. Larkin was playing on the fears of the dispossessed, the 'poor' in Cork, and workers generally. This is an undignified, anti-English rant without any redeeming qualities (this was a particularly low point in Larkin's oratory, from which he recovered considerably).

Larkin reminded his audience of the mantra: 'Remember that England's difficulty is Ireland's opportunity'; and he urged them to join 'the Real Irish Volunteers' (that is, not the Redmondite Volunteers). Finishing, Larkin divulged his mission:

> I am proceeding to America to do Ireland's work and tell the Irish people in America the true position of affairs here in Ireland. I am carrying with me despatches from Ireland as well as the Government of Ireland Bill. I hope to be able to show our friends in America the bad use that has been made of the money sent by them to this country and how it has been used in betraying Ireland.[132]

I have quoted Larkin's final sentences as we will be looking to see how Larkin dealt with this mission as he met and worked with people in America. The next day, Larkin returned to Dublin from Cork and left from Kingstown for Liverpool on the 23 October. He embarked on the S.S. St. Louis the following day from England, and then travelled 2nd class for America.

[130] For an up to date discussion on this, which includes Connolly's ideas about it, see the Cedar Lounge Revolution at www.cedarlounge.wordpress.com.
[131] DCR CO/904/206/233B (110-119 [397-406]).
[132] DCR CO/904/206/233B (110-119 [397-406]).

DUBLIN CASTLE INTELLIGENCE ON LARKIN

At the time of Larkin's departure, Dublin Castle intelligence on Larkin was very much the concern of the senior members of the administration, including Chief Secretary Augustine Birrell, Neville Chamberlain, Inspector General of the Royal Irish Constabulary,[133] Under-Secretary Matthew Nathan,[134] and Chief Commissioner of the DMP W.M. Davies. High ranking officers within the DMP, from the Detective Branch, and the Special Branch of the Criminal Department were also involved. Once a report was made it would normally go in the first instance to the Chief Commissioner (or his assistant), it would then go to various offices, usually the Under-Secretary, and then the Chief Secretary. Undercover operatives, in this case a Mr Wilkins, based in London, would also see any relevant reports. Each of these individuals would sign and date the report(s), and make notes and suggestions where appropriate.

On 24 October 1914, the day Larkin actually set sail for America, Augustine Birrell made the following minute on Larkin's 'secret' RIC file: 'If Larkin really does go to America he must be watched & shadowed & his speeches taken down whilst in the states, & if he traffics with the enemy he can be arrested on his return.'[135] Interestingly, Birrell's harsh treatment of Larkin and the 1913 Lockout, in terms of the use of imperial law and the DMP, was in sharp contrast to his usual placatory style of governance.[136] On 27 October, Deputy Inspector General of the RIC W.R. O'Connell wrote to Commissioner Davies and suggested that as Larkin had now left for America, Chief Secretary Birrell's minute (of the 24 October) should be put into effect. The next day, Commissioner Davies sent a telegram to Sinuosity (code-name for Wilkins) instructing him that Larkin was to be 'shadowed' and his 'speeches taken down.' The day before, on 26 October, Superintendent Lowe (Detective Department, DMP) sent a report on Larkin to Chief Commissioner Davies (which included a description of Larkin). Davies sent on the report to Wilkins in London. Wilkins would be the

[133] Chamberlain was the son of Field Marshall Chamberlain, and was very much born into the Imperial army; Chamberlain served in India prior to arriving in Ireland (see Dictionary of Irish Biography; hereafter, DIB). Not to be confused with Neville Chamberlain who was Prime Minister, 1937-1940.

[134] Nathan had served in Africa and India (1884–95) and was appointed secretary of the Colonial Defence Committee, prior to his service in Ireland. After the Rising, he was appointed Governor of Queensland, Australia. Returning to England, he retired to Somerset and became a local historian (see DIB).

[135] For this and the following discussion on Larkin in Dublin Castle, see my Digital Component: DCR CO/904/206/233B (97-109 [384-396]). Note Birrell's initials at bottom right of DCR CO/904/206/233B (109 [396]).

[136] Birrell was elected to the Liberal government 1906 and became Chief Secretary for Ireland in 1907; he was in place during the Home Rule Crisis, and the build-up of arms in Ulster, and among radical nationalists (see DIB). Birrell was replaced after the 1916 Rising; it was widely felt he was not up to scratch when it came to intelligence. There was no evidence to suggest Larkin had intended to do anything other than sail for America. For biography, see O Broin, L., *The Chief Secretary: Augustine Birrell in Ireland* (London; Chatto & Windus: 1969). British spies watched Larkin board the S.S. ST Louis on 24 November; see Alan Noonan in Convery, D., (ed.) *Locked Out: A Century of Irish Working-Class Life* (Dublin; IAP: 2013) p.57.

intelligence pivot between Dublin Castle and America. On 31 October Wilkins signed and dated the report of the 26 October, saying he had communicated the information on Larkin to his operatives in America. Thus, by the end of October, an intelligence structure had now been established between Dublin Castle, the Home Office in London and the office of the Consul General in New York (including Wilkins and his undercover agents). This would later expand to include the Secretary of State for the Colonies, Louis Harcourt, His Excellency Sir Edward Grey, Ambassador in Washington D.C., and the Dominion Police in Canada.

In another report, Superintendent Lowe wrote to Commissioner Davies (28 October) and expressed doubts that Wilkins had the resources to follow these instructions. Davies suggested 'an arrangement with the Pinkerton's establishment through H.M. Consul General at New York.' Making an entry, the Assistant Under-Secretary rejected the use of the Pinkerton's agency, preferring to rely on Wilkins. Finally, on 31 October, with Larkin less than a week away from disembarking in New York, a senior official in Dublin Castle [name unclear] made the point that Larkin had already made speeches in Ireland which were sufficiently seditious and that they could be used against him upon his return. Further, due to the possible legal difficulties of using Wilkins' agents in America as witnesses in a British jurisdiction (Ireland), the official suggested to Secretary Birrell that it might be preferable if an RIC operative were sent to 'shadow' Larkin in America. Birrell rejected this idea completely, stating that the operative 'would almost certainly be recognised.' Birrell also pointed out that that any seditious speeches by Larkin in America would compound those he had made prior to his departure. This entry made by Birrell on 3 November put an end to the discussion. The British would use their extensive intelligence network to spy on Larkin, noting his activities, his contacts and the content of his speeches. In this dossier compiled by Dublin Castle, the description of Larkin sent to Wilkins, read as follows: 'Larkin is about 40 years old, 6 feet 1 inch high, clean shaven [with a] sallow complexion, long nose, [with] black hair turning grey, [he] usually wears [a] black serge suit and soft black hat. His luggage consists of two portmanteaux, and a black trunk.'[137]

Almost nine years later there was considerable interest in Larkin's appearance upon his return to Ireland by the newspaper journalists, who seemed to be disappointed that they were not able to report the arrival of an *aged and bent* Larkin. Larkin arrived without any luggage, and reports of a rapidly fading Larkin from 'cruel Dannemora' may have been more propaganda than reality, generated by Agnes Smedley of the *New York Call* (an organ of the Socialist Party of America) who visited Larkin in Clinton prison, Dannemora in July 1920. All were agreed, however, including William O'Brien, that Larkin's 'black hair, turning grey' was decidedly white upon his return.

[137] DCR CO/904/206/233B (97-109 [384-396]).

'OSTENSIBLE OBJECT'

A significant issue in the Larkin historiography is the issue of why Larkin left Ireland and went to America in the first place. This was shortly after the union suffered significant financial losses due to the drain on the union's resources as a result of the Lockout. Thus, Larkin was going to America when resources were extremely scarce. At the annual general meeting of the union in January 1916, Acting Secretary James Connolly addressed the meeting and discussed the extraordinary debts the union had incurred in 1913 and 1914; debts which the members were still having to pay off.[138] Previously, at a Special Committee Meeting of the ITGWU on 13 October 1914, Larkin's trip to America was discussed, and it was agreed to grant £10 towards costs. On the 27 October, after Larkin had left, it was agreed by the No.1 Branch that handbills would be issued to members in relation to a levy that was needed to 'defray the expenses of the General Secretary's tour to America.'[139] Another general expense was the paying of Larkin's salary to his wife, Elizabeth, for the entire period Larkin was out of Ireland. There were also expenses incurred when Elizabeth Larkin went out to visit Larkin in America in 1915 (at his request). On 28 April, at a meeting of the No.1 Branch it was agreed that '£40 be advanced for same … Unanimously agreed to.'[140] There were other expenses, too, related to medical expenses when Larkin became asphyxiated accidentally by a gas fire; and on the occasion of the visit of Thomas Foran and Young Jim Larkin to America to visit Larkin in 1920. One of the proffered reasons, publicly stated, for Larkin going to America was that he would raise monies for the union. However, very little money made its way back from America to the ITGWU. In a letter to Elizabeth Larkin (November 1916), and for the benefit of the No.1 Branch, Larkin had written that various amounts of money had been forwarded to the union. Foran responded on the 11 December itemising what money had arrived, and the various amounts that had not, as had been detailed in the letter to Elizabeth Larkin.[141] The publicly stated aim of going to America to raise funds for the union was either a smokescreen or a complete failure.

A large element of opportunism had been imputed to Larkin (principally by William O'Brien) upon his return when he claimed he had been given instructions (and papers of introduction) in relation to his activities in America from Connolly, Pearse and Clarke. At a meeting of the ITGWU Delegate Conference in May 1923, two weeks after he had arrived back in Ireland, Larkin addressed the conference:

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[138] *Attempt to Smash*, p.130-31. ITGWU AGM, January 1915.
[139] *Attempt to Smash*, p.126-127. Minute Book of No.1 Branch, Liberty Hall. One particular debt of one thousand pounds was being paid off at forty pounds a month.
[140] *Attempt to Smash*, p.128. Minute of meeting of the No.1 Branch, Liberty Hall.
[141] *Attempt to Smash*, p.134.

> It was not true to state that he had left Ireland to get money to rebuild Liberty Hall. He was asked to go to get money to carry on the Union. He had left this country on the appeal of James Connolly, and at the suggestion of Clarke and Pearse, in order to get arms and ammunition … he had gone out to rebuild a nation. No other person in the world knew the full facts in connection with this except the three men he named.[142]

O'Brien set out to discredit Larkin, claiming that Larkin had had no such instructions, and had only wanted to associate himself with the heroes of 1916 upon his return, and to share in their glory and the glory of 1916. In consort with Lillie Connolly and Kathleen Clarke, a series of letters criticising Larkin were published in the national press. Writing in the *Irish Independent*, Lillie Connolly challenged Larkin to address the charges made by Tom Clarke's widow, Kathleen, that Larkin was trading 'on the memory of Ireland's martyred dead, to justify his going to America in 1914.' She charged that Larkin 'believed that all those who could contradict his mendacious statements were sleeping in Arbour Hill prison yard'; however, she warned:

> there are many still alive who will not allow to go unchallenged his attempts to cover his going and staying away at the most critical period of Ireland's history by stating that he was sent to America by Tom Clarke, P.H. Pearse and my husband (James Connolly).[143]

She wrote that when she had visited her husband in Dublin Castle Hospital (a few hours before his execution) Connolly had told her that he 'had given instructions to his trusted friend, and comrade, Wm. O'Brien…that if necessary he (Wm. O'Brien) would be in a position to state the facts.' Lillie Connolly then wrote: 'I now call upon Ald. Wm. O'Brien to come forward and state what he knows…and whether or not Mr. Larkin's statement is true.' O'Brien duly obliged (this had obviously been done in consort). He wrote that he and James Connolly had discussed the situation facing Ireland at the outbreak of the War, and at Connolly's request he arranged a meeting for himself and Connolly with Tom Clarke, P.H. Pearse and others. After this meeting, O'Brien writes, 'I was warned by Tom Clark, following the meeting [about their plans for the Asquith meeting at the Mansion House] to be careful about letting Mr. Larkin know what was going on.' In other words, as far as

[142] *Attempt to Smash*, p.147. Larkin's affidavit of 1934 says he went both for union evangelism and to garner support for the revolutionary movement at home, for 'political and economic freedom'; which, for Larkin, meant the emancipation of the working class. It also states that he had been given credentials of introduction to the leaders of the Irish nationalist movement, there. See Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Gill & Macmillan 1998: Dublin) p.298.
[143] *Irish Independent*, 6 June 1923.

Clarke was concerned (as alleged by O'Brien), Larkin was to be kept in the dark (this is contradicted by Frank Robbins' Bureau of Military History statement which shows Larkin was organising the takeover of the Mansion House).[144] O'Brien wrote that he had challenged Larkin to provide proof of his claim that he had gone to America at the behest of Tom Clark *et al*; and that he had told Larkin himself that he knew Larkin's claim 'to be false[.]'[145] This unsightly spat in the national press, instigated by O'Brien, took place when the struggle between Larkin and O'Brien was out in the open in June 1923. Interestingly, the letters were republished by Larkin in the *Irish Worker,* 16 June 1923. The intemperate nature of the spat was not helped by Larkin publishing alongside the letters an article by Roddy Connolly, son of Lillie and James Connolly, eulogising Larkin as the '…incarnation of the great revolutionary up-swelling of the Irish masses.'[146]

Notable historian of the ITGWU, C. Desmond Greaves (who blames Larkin for the split in the union in 1924) accepts uncritically William O'Brien's account: Larkin 'had quarrelled with O'Brien almost as soon as he had arrived … over an absurd triviality.' Greaves goes on: 'Larkin made the preposterous claim that he had been sent to the USA on the instructions of Pearse, Clarke and Connolly. *O'Brien knew he had not*. Larkin … was trying to assume the mantle of the martyrs [my italics].' Greaves continued: O'Brien claimed that Larkin told Foran he wanted O'Brien out of the union because O'Brien had called him 'a liar.'[147] Certainly, O'Brien set out to construct a case in order to present Larkin as a liar (using his own allies, and Larkin's critics, such as Lillie Connolly's daughter Nora Connolly, whom Larkin described in America as a Sinn Féiner); but how Greaves can go from what was in fact O'Brien's *attempt* to present Larkin as a 'liar' (for claiming he went with the blessing of Clarke *et al*) to deduce that *O'Brien knew he had not*, is rather puzzling, and is a misconstruction of the available historical facts. William O'Brien is known for his notorious selective use of material, and particularly for the suppression of material by James Connolly which was favourable towards Larkin.[148] For this reason O'Brien is an unreliable witness (which is not to say Larkin was being truthful, of course). O'Brien was correct to point out in his letter, however, that Larkin had been making plans to go to America (with people like IWW leader Bill Haywood) in the months leading up to his departure in 1914.

[144] BMH, Frank Robbins statement, W.S. 0585; bureauofmilitaryhistory.ie, accessed 30 April 2016.
[145] *Irish Independent*, 12 June 1923.
[146] *Irish Worker*, 16 June 1923.
[147] Greaves, C. D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) p.319.
[148] See O'Cathasaigh, A., (ed.) *The Lost Writings of James Connolly* (London; Pluto Press: 1997); and Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.405-406, for an example of a positive article by Connolly on Larkin written in 1914, which O'Brien would not allow to be published.

In fact, Larkin had been considering a world tour of Australia, New Zealand, South Africa, America and Canada at that time. He had made contact with Patrick Hickey, General Secretary of the United Labour Federation of New Zealand; and Joe Pick, an IWW leader in South Africa.[149] As well as pointing out that Larkin had contacted Bill Haywood, William O'Brien was to later publish a selection of documents in an attempt to discredit Larkin in 1924, in which he names Con Lehane and Pat Quinlan as contacts Larkin had established for the purposes of going to America. These names indicate that Larkin had in mind a tour of America. Emmet O'Connor has pointed to the evidence which shows that Larkin was also going to America because he wanted a change of scenery. That is, Larkin complained of being 'out of humour', and 'dead tired'.[150] In his letter to Pat Quinlan, Larkin wrote: 'I have not had a holiday for years, and I am not in love at present with the work here, and maybe the change would do good all round.'[151] Emmet O'Connor has also pointed out that Larkin was resisting being associated with any particular section and was going out as 'freelance'.[152] In his new biography of Larkin, O'Connor writes that Larkin essentially went to America 'on spec.'[153] None of the above, then, is consistent with Larkin's claim that he went at the behest of Clarke *et al* (although it does not preclude his claim). It is certainly the case that Larkin associated himself with the 1916 trope upon arriving home (he suspected his enemies would make something of his absence); and he was certainly using the names of the martyrs for political reasons; however, this does not preclude Larkin's claim that he went at the behest of Clarke *et al*.

Yet, one significant aspect of the above evidence is not very satisfactory. The time frame of the evidence provided to indicate Larkin's reasons for going to America is April 28 to August 21 1914; with the letters to contacts in New Zealand and South Africa in April, and to America in June and August. However, the period following the outbreak of war on August 4 was to change the landscape significantly, and it was to push Larkin to the fore again, only not this time as a revolutionary strike leader, but as an anti-enlistment champion for the nationalist cause. We will now look at the period following the outbreak of the war more closely, to see if the conditions were more propitious to Larkin's claim. The *Irish Worker* took a very strong anti-war, anti-British stance immediately in August, and if anything, increasingly so in September and October. Already in June, Larkin and Tom Clarke had commemorated Wolfe Tone at Bodenstown, where the Citizen Army and the Irish Volunteers marched together, and where Larkin was 'warmly welcomed by Tom Clarke.'[154] Another

[149] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.158.
[150] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.158-9.
[151] *Attempt to Smash*, p.166.
[152] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)*p.159. See *Attempt to Smash*, p.166 were it is written 'Free Lance' in O'Brien's letter; and '"free lance"' in Larkin's letter to Patrick Quinlan.
[153] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.161.
[154] Nevin, D., (ed.) *Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.260.

episode, related to the outbreak of the war, which was to have a significant effect on Larkin, and his connections with the advanced nationalists, was John Redmond's support of the British war effort.

Following his statement in the House of Commons in support of the war effort, Redmond issued a manifesto (published in the national press on 17 September) setting out Ireland's 'duty' to form an Irish Brigade for the war effort. Redmond was hoping this would unite the two militias in Ireland, the Irish Volunteers and the Ulster Volunteers; and thereby strengthen the Home Rule programme, which was now British government policy (though it was shelved at the outbreak of the war). Shortly after, at Woodenbridge in County Wicklow on 20 September, Redmond made a speech declaring that it would be 'a disgrace' if Ireland only defended her own shores, and he pledged to support the war effort *wherever* the Irish Volunteers were needed. This incensed the advanced nationalists, and precipitated the split, with the smaller more militant section remaining as the Irish Volunteers, and the majority renamed as the National Volunteers.[155]

The well-known socialist James Connolly, who would soon make a radical shift towards nationalism,[156] was shocked at Redmond's Woodenbridge speech, and thought the situation 'desperate.'[157] Thomas Clarke, an advanced nationalist who was at the very centre of the plans for the 1916 Rising, was both incensed and expectant after the Woodenbridge speech; he believed that as a result of the speech the initiative was now with the anti-Redmondite Volunteers. Significantly, shortly after the Woodenbridge speech, Clarke was also to have a visit by John Kenny. Kenny had been sent over to top-ranking German officials in Italy and Germany, conveying messages in relation to the nascent Irish nationalist-German pact, by John Devoy and Roger Casement. On his return journey, he stopped off in Dublin to see Clarke, and fill him in on developments.[158] Events, therefore had changed the landscape and precipitated a situation where advanced nationalism was gaining the ascendancy (the Irish Volunteers would displace Redmond's National Volunteers). Consequently, advanced nationalism would need all the allies it could garner; particularly the Germans, but also individuals like Larkin. Shortly after the outbreak of war, Larkin was addressing anti-war meetings; and at a rally of the Citizen Army in Dublin's O'Connell Street on 30 August, he reiterated the mantra: England's difficulty was Ireland's opportunity. This was repeated at a rally in Cork the following

[155] Foster, R., *Modern Ireland: 1600-1972* (London; Penguin: 1988) pp.462-476; Dooley, C., *Redmond: A Life Undone* (Dublin; Gill&Macmillan: 2015) pp.233-250.
[156] See Foster, R., *Modern Ireland: 1600-1972* (London; Penguin: 1988) pp.477-479 for a concise overview of this shift (although, due to its brevity, it elides nuances).
[157] Nevin, D., *James Connolly 'A Full Life'* (Dublin; Gill & Macmillan: 2005) pp.601-604.
[158] Foy, M., *Tom Clarke: the true leader of the Easter Rising* (Dublin; The History Press: 2014). See chap.5 for an overview of the context of this meeting.

week.[159] Larkin was also working with Connolly and Clarke on the night of the Asquith meeting at the Mansion House. Significantly, on 11 October, Larkin led a counter-parade of the Citizens' Army against the National Volunteers in Dublin, at which bayonets were drawn and shots were fired.[160]

The outbreak of the war, and Larkin's work in the anti-enlistment campaign, which continued up to two days prior to his departure at an anti-Redmond meeting in Cork on 22 October, created a new context in which Larkin was to be seen as a valuable asset for the nationalist cause. His claim when he returned to Ireland was that Clarke, Pearse and Connolly had approached him late in the day. His non-literal, somewhat romantic phrase was: 'they went down the quays' with him as he was leaving. It is this later period, therefore, in which any links or alliances between Clarke *et al* and Larkin need to be grounded, or disproved. Rather than a reliance on Larkin's plans in the period following the disappointment of the Lockout (April to August 1914); which is the time period the historiography to date has focused upon (essentially taking its cue from William O'Brien). We know that documents were given to Larkin (known as 'credentials'). There was a credential from the Irish Trade Union Congress and Labour party dated 16 October 1914.[161] There was also a credential from Clarke, which Devoy never denied but which he referred to as a *note*. Interestingly, Devoy never produced this *note* to prove his claim that the credential amounted to nothing. Devoy was meticulous when it came to retaining and filing papers, but when challenged by Larkin to produce the *note*, Devoy failed to do so.[162]

Recently unearthed evidence and documentary evidence analysed below suggest that Larkin's claim may very well have been true.[163] Dublin Castle records reveal that police intelligence understood that Larkin went to America with the intention of working with the Germans to undermine the British. On 26 October 1914, in a report to the Chief Commissioner (marked 'Secret'), Superintendent Lowe (Detective Department) wrote:

> [S]ince the outbreak of the war [Larkin] has been prominent in pursuing an anti-enlistment campaign … There is some reason to suspect that *he is receiving money from German sources*, probably

[159] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.157. Larkin had already used the refrain in the *Irish Worker* in the lead up to the war; see Nevin, D., (ed.) *Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.260.
[160] Dooley, C., *Redmond: A Life Undone* (Dublin; Gill & Macmillan: 2015) p.243.
[161] A copy of which was printed in the *Irish Worker*, 15 September 1923.
[162] See Irish Worker, 15 September 1923 for this challenge. Also see 8 and 15 September 1923 for long exchange between Larkin and Devoy; Devoy appears to be writing as Jack Dempsey. It must be said that Devoy was consistent in his characterisation of the Tom Clarke credential as a *note*.
[163] In his recent biography, Emmet O'Connor characterises this as a 'caricature' but concedes that 'it should not be dismissed entirely.' See O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.165.

> through the Clan na Gael, and although the *ostensible object* of his visit to America is to collect money for the benefit of his Union, it is believed that his expenses are being defrayed [by the Germans], and that *his real object is to advance German interests* [my italics].[164]

The Germans, according to the report, were thought to be paying his expenses for the trip to America; and doing so through Clan na Gael, which was the American counterpart of the Irish Republican Brotherhood in Ireland. According to British intelligence then, this provides a direct link between Larkin and Tom Clarke through the two revolutionary organisations.[165] Therefore, Larkin's claim that he went at the behest of Tom Clarke, James Connolly and Patrick Pearse (and therefore for anti-English nationalist purposes) appears to be corroborated here, when the *actual object* of his trip was to 'advance German interests[,]'; that is, for the purposes of Irish nationalism. Whereas the 'ostensible object' of his trip was to collect monies for the ITGWU[166] (it will be seen that Larkin had his own agenda and had no intention of being captive to the ends of others). This, therefore, undermines William O'Brien's claim that Larkin was 'a liar' when he made the claim that he went to America at the behest of Tom Clarke *et al* and was only attempting to cover himself in the 'glory of 1916' upon his return.

There is another piece of significant evidence which indicates Larkin was going to America to work as part of the alliance between the Irish nationalists and the Germans. At a meeting of the New York Municipal Council of the United Irish League and Irish Volunteers (the Redmondite Irish Americans, and opponents of Clan na Gael) on 4 November 1914, Larkin was discussed: Larkin, the 'revolutionary Socialist…had arrived in America.' Interestingly, it was recorded by the council that Larkin had no 'means of his own for a tour of America.' A statement was sent out to branches of League and Volunteer, and Affiliated Societies saying, 'It is evident that Larkin is here in the interests of the plans of the political alliance between the Clan-na-Gael and the German societies[.]'[167] It is from these types of people and organisations, including Dublin Castle above, which had a better understanding of the issues, and of what was happening on the ground, from which the evidence as to why Larkin went to America should be derived, rather than from the unreliable William O'Brien, or

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[164] DCR CO/904/206/233B (104 [391]). My thanks to James Curry and Emmet O'Connor for directing me to this information, confirming that Dublin Castle understood that Larkin was being financed by the Germans.
[165] For the origins and links between these twin organisations, see McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011) pp.13-20; and Carroll, F. M., *American Opinion and the Irish Question* (Dublin; Gill & Macmillan: 1978) pp.9; 64-69 and Bell, J.B., *The Secret Army: History of the IRA 1926-1970* (London; Anthony Blond: 1970) pp.4-15.
[166] Emmet Larkin understood this to be the reason why Larkin went to America; see Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.166.
[167] John Devoy Papers, 18,113 (2), NLI.

the period immediately following the disappointment of the Lockout. It could also be added that in a report written five years later by an FBI agent on Larkin's radical activities in America (evidence was being compiled for his deportation at this time), it is recorded that Larkin sailed for America in 1914 as a paid agent of the Germans.[168] Moreover, the fact that Larkin went immediately from denouncing Redmond at anti-enlistment meetings in Ireland to speaking at meetings of the Clan na Gael denouncing Redmond and appealing for financial aid for arms (see below) when he arrived in America would also support Larkin's claim in his 1934 affidavit that he went to America to get aid and arms 'for the revolutionary movement in Ireland.'[169] An analysis of the hypothesis that Larkin was being mendacious when he claimed he went to America with the blessing of Tom Clarke *et al*, does not stand up to scrutiny; if anything, documentary evidence and Larkin's activities suggest that he did. At the very least, to suggest that he simply 'went on spec' does not do justice to the complexities involved. O'Connor recognises this, however, and concedes that because Larkin repeated the claim about Tom Clarke *et al* on numerous occasions, it 'suggests there was an element of truth in it, even if his version embellished some facts and ignored others.'[170] However, embellishment is not the issue, here. Either Larkin is telling the truth or he is not. One cannot embellish the truth.

A related issue which may throw light on the issue of Larkin's reasons for going to America is the nature of the 'credentials' he had received. If the credentials could be shown to be of no consequence, this would lend credence to the claim that Larkin went without the authority, or the approval, of Clarke *et al*. The established hypothesis is that Larkin's 'credentials' were effectively meaningless. Historians (for example, Emmet Larkin) have claimed that the papers of introduction did not entitle him to any significant access to Clan na Gael. However, this is not correct; and this is revealed in a series of letters by John Devoy. What has not been considered sufficiently is that the reason Larkin did not gain any lasting significant access to the Clan was not due to the paucity of the papers. It was due to the fact that Larkin was ambivalent when it came to the purely nationalist goals of the Clan. In the initial period when Larkin was in America, certainly the first few months, Larkin, John Devoy and Judge Cohalan were quite close. Contrary to the information from people such as William O'Brien, who maintained that Larkin was kept in the dark about preparations for 1916, Devoy wrote to Joseph McGarrity and said that he and Cohalan had told Larkin 'a great deal.'[171] In

[168] See the James Larkin FBI file in the Digital Component which accompanies this thesis: FBI file, p.126. However, this report is not substantiated beyond the report itself and must be viewed with caution. However, it does dovetail tidily into the other evidence that indicates he went under the aegis of the nationalist-German pact.
[169] Larkin affidavit, in Nevin, D., (ed.) *James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998)* pp.298-312.
[170] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.220.
[171] Joseph McGarrity Papers, NLI, 17,609/4/20; Devoy to McGarrity, 24November 1916.

letters to Frank Robbins in 1923, Devoy wrote that Cohalan 'had personally treated [Larkin] very well. Had him at his house very often … [and that Larkin] was there the night that Kuno Meyer arrived from Germany, with the message from Casement.' This was Casement's first letter back from Germany; and significantly, Larkin 'heard that letter read.' Devoy also told Robbins, '[Larkin] undoubtedly did a good deal of service to the movement here in the beginning[.]' Clearly, then, in the initial period, Larkin was in the confidence of the Clan. However, it all went wrong, and Devoy reveals why. Larkin, he wrote, 'was like the cow who gave a big bucket of milk, and then kicked it over.' After the Manchester Martyrs' meetings (November 1914), nobody would invite him to speak because 'he attacked the clan at one of his first socialist meetings.'[172]

In typical fashion, then, Larkin shares a platform with the nationalist Clan and then lambasts them from a socialist platform. If nothing, Larkin was consistent in this regard. Larkin's modus operandi: *my way or no way*, left a trail of scuppered alliances behind him. Was Larkin only working with the Clan against the British because he saw it as a blow against world capitalism? Larkin would have derived great personal satisfaction in achieving the liberation of the Irish people at the expense of British capitalism through the advancement of the world revolution. Of course, coming up with a plan to achieve this, and the required strategy to put that plan in place, was not Larkin's forte. Although, in view of the fact that nobody else in America or Europe achieved a successful and lasting revolution (including the exceptionally organised duo of Lenin and Trotsky), perhaps one should not be too critical of Larkin in this regard, and instead simply place him in the pantheon of failed world-wide revolutionary leaders. As regards Larkin's engagement with the revolutionary movement outside of Ireland, it is most unlikely that Larkin and Connolly had not discussed this aspect of his trip prior to Larkin's departure. They discussed it at least to the extent that Connolly gave Larkin contact details for Elizabeth Gurley-Flynn, whom Larkin would contact when he got to America.[173] Connolly had already been in America, and had been involved with the Industrial Workers of the World (IWW). In addition, Bill Haywood (leader of the Chicago wing of the IWW) had helped Larkin in his Fiery Cross campaign in Britain, and they would come into contact again.[174] For this thesis, that British intelligence understood Larkin was going to America for nationalist purposes and was being financed by the Germans is the substantive issue; and not whether he had been sent by Clarke *et al*.

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[172] John Devoy Papers, 22,644, NLI. Devoy letters to Frank Robbins, 14 June and 21 September 1923.
[173] Gurley-Flynn was an Irish American radical, IWW organiser, feminist and a founding member of the American Civil Liberties Union. She was the inspiration for Joe Hill's *Rebel Girl*. She was to go on to head the American Communist Party. She died in Russia while visiting and was afforded a state funeral.
[174] Haywood had suggested a tour of America to Larkin in 1913. 'Big Bill' Haywood, described by the capitalist press as 'the most feared man in America' was leader of the militant Western Federation of Miners, and a member of the Socialist Party of America; he fled to Russia in 1921 whilst out on bail, and died there in 1928. See Conlin, J.R., *Big Bill Haywood and the Radical Union Movement* (New York; Syracuse University Press: 1969), and Dubofsky, M., *'Big Bill' Haywood* (New York; St. Martin's Press: 1987).

This thesis is analysing how the capitalist state devises to deal with an individual like Larkin. And here, according to the Dublin Castle file, the British undeniably believed Larkin was going to America to work with their enemy—Germany. Accordingly, they set up a spy network to monitor him. In the next chapter we will look to see what other structures the British would put in place to deal with Larkin. For now, we will look at Larkin's *other* reason for going to America. This is well illustrated by a perusal of the 'Butte letter'.

THE 'BUTTE LETTER'

Although Larkin was clearly going to America (which was still neutral in the war) with a nationalist mission to expose Redmond and, as stated by the RIC to link up with British imperialism's enemy Germany, and the Irish-American movement, it is equally clear from the early period of his time in America, that he was going on a mission to 'energise the world's unions' and to further the cause of the ITGWU; as he said in his valedictory *Irish Worker*.[175] Also, Larkin certainly envisaged that his time in America would be spent on activity which, whilst being connected with unions, was not only about organising and recruiting in order to drive membership. He wrote to Pat Quinlan[176] that he wanted to 'free-lance'; and that he did not want to be tied to the strictures of O'Brien and Connolly in relation to labour activity.[177] This is seen in a letter from Butte, Montana. On 1 September 1914, an official (name unknown; the letter breaks off at page 4) of the Butte Workingmen's Union wrote to Larkin in response to a letter Larkin had sent him on the 18 August in which Larkin had obviously tested the waters, so to speak. Larkin is told that Butte is suffering from 'three-quarters idle' unemployment and would not, therefore, be the most propitious place for Larkin to start: 'The Eastern states … would be easier and the crowds large but money would [still] be very scarce.' He then advises Larkin on the sorts of things he should do and expect:

> Whatever you do I'd suggest as I told [Con Lehane] that you get up some sort of a pamphlet with your name on the front page with [a] photo. Have 100,000 of them printed and shipped here with you … [they] would sell here at 10 cents or five pence old style. They would sell like hot cakes and would more than cover the [car fare] & hotel

[175] *Irish Worker,* 24 October 1914. Larkin sent little money home; in fact, the union experienced a net deficit overall. Neither did Larkin manage to energise the world's unions.
[176] Pat Quinlan was an activist in the Socialist Labor Party, the SPA and the IWW; he was also a journalist. He was one of the leaders of the Paterson Silk strike, for which he served two years in prison on trumped up charges. He had worked with James Connolly when Connolly was in America. Connolly had given Larkin contact details for Quinlan (a Patrick Quinlan has been identified as plotting to assassinate Larkin, see below).
[177] *Attempt to Smash*, p.166.

> bills and [leave] the monies you would receive clear & safe. You might also take five or ten thousand subscription cards for your paper & sell them at one dollar a year or have 20 thousand half yearly at 50 cents each.[178]

Clearly, the trip, or tour, was envisaged as a campaign-lecture style series. Here, it is clear that Larkin had left Ireland with the intention of selling the Dublin-based *Irish Worker* in America, although he may also have had plans to publish an American version of the *Irish Worker* prior to leaving Ireland. It also shows that Larkin was not going solely at the behest of Tom Clarke *et al* for the purposes of Irish nationalism, but that he intended to take his labour activity in America quite seriously. Interestingly, there was obviously some prior discussion about Delia Larkin accompanying him: [G]et your sister [Delia] … to talk from the platform for fifteen minutes [then] marshal girls to assist her in going [through] the hall or street crowd selling books or taking up collection. In other words, he added, take care of the most important part of the work.[179]

The Butte letter stresses the importance of collecting money, remuneration for lectures and selling labour-associated paraphernalia 'the most important part of the work.' Accruing money was central to the maintenance of such lecture-type promotional tours, and Larkin was often without it, living in poverty at times. How much money was made is probably not significant, although his enemies back in Dublin were to make much of the fact that he had sent very little home to the ITGWU whilst in America. However, this criticism was only valid if it was possible to establish definitively that this was the sole or even stated, implicit or actual, principal purpose of Larkin's visit to America, and this was never established. Although Delia Larkin had a flair for the dramatic, to what extent she was envisioned by the author as wearing a low-cut blouse and silk stockings is, admittedly, not stated explicitly; but Delia and the other 'girls' were certainly envisaged as parading their femininity in the near all-male enclave of a mining town for the purposes of soliciting money. As it turned out, Delia never went to America, going instead to work as a nurse in England. Returning to Dublin in 1918, Delia sided with the P.T. Daly opposition *corps* to the ITGWU leadership, publishing the *Red Hand*, and became the main organiser of the Dublin-based Larkin Release Committee; a woman of far more substance than envisaged by the letter from Butte (we will be looking at Delia's activities in relation to the Release Committee later). In terms of labour activity, the Butte letter shows that Larkin was

[178] William O'Brien Papers, 15679/1, NLI; letter from Butte acknowledging Larkin's letter of 18 August 1914.
[179] William O'Brien Papers, 15679/1, NLI; letter from Butte acknowledging Larkin's letter of 18 August 1914. In 1916, Larkin was to publish the *Irish Worker* out of Chicago with Jack Carney.

not going to America to become a union organiser. Rather than the work of recruitment, Larkin saw his trip as a mission to 'energise' (as he claimed) the world's trade unions through lecturing.

In this chapter, we looked at the confluence of the four currents of imperialism, capitalism, nationalism and socialism, and the case was made that due to the nature of the state, Larkin would be treated as inimical to the interests of the state. The state, in the form of Dublin Castle, made preparations to spy on him, and decided to arrest him should he return. In a survey of British intelligence services, it was seen that the historian must proceed with caution when using intelligence reports. In the second half of the chapter, the thesis looked at one of the substantial issues in Larkin historiography; that is, the reason why Larkin went to America in the first place. The chapter reviewed the various hypotheses, and made the judgement that the best period to look for reasons why Larkin went to America was in the anti-war, anti-Redmond period from August up to late October, when Larkin was functioning as an anti-enlistment champion of the physical force nationalists; rather than the period following the disappointment of the Lockout. The chapter also considered new evidence which indicated that Larkin went to America under the auspices of Clan na Gael, for the purposes of Irish nationalism, and to develop links with the Germans. It was also established that Larkin was not going to America solely for the purposes of Irish nationalism, but for what he saw as the cause of world socialism, with the aim of working with the world's unions. In fact, it was seen that Larkin did not hold the confidence of the Clan for very long, as he was critical of the Clan from a socialist position. In the next chapter, the thesis will look at Larkin's relationship with Clan na Gael, and its inherent difficulties; and the efforts of Dublin Castle in continuing to monitor and Larkin.

CHAPTER 2 LARKIN DANCES WITH THE CLAN

In this chapter, we will look at Larkin's initial period in America. As one of Larkin's stated aims in going to America was to energise the unions in America, we will look the nature of the American state in relation to American labour activity, and its militant representatives. We will also look briefly at the history of the Irish in America. It will be seen that Larkin's initial activity in America was with the labour movement, followed shortly thereafter with a successful opening period with Clan na Gael. During this early period with the Clan, the thesis makes an assessment of Larkin's assumed nationalism. An understanding of Larkin in relation to nationalism will help to understand his purposes in America. In the second part of the chapter, we will look at the strategies Dublin Castle were putting in place in order to marginalise and contain Larkin should he return to Ireland. We will then return to Larkin's relationship with the Clan and analyse the inherent difficulties within the relationship. It will be seen that Larkin's socialist ambitions get in the way of a lasting and meaningful relationship with the nationalism of Clan na Gael. Interestingly, Sean MacDiarmada had predicted that Larkin would only use nationalism for his socialist objectives (see below).

America was not yet at war when Larkin arrived there, but its interests lay with the British, whom it was supporting logistically. Larkin's labour sympathies would later come into direct conflict with the American state. A society in which the mores and ways of capitalism were deeply embedded, America had a history of anti-union activity that would rival any. Strike breakers, the Pinkerton agency, hired guns and assassins were all employed by the capitalist class against the workers and their unions. At times, assistance was also supplied in the form of law enforcement, from local Sheriffs to the National Guard, with the government consistently on the side of the employers (with some minor exceptions). The state, in the form of the Justice Department, through state and federal courts, was very apt to provide the employers with injunctions to force striking workers back to work.[180] In the struggle of the working class to better the appalling conditions under which they subsisted, it was the workers who suffered most when violence broke out. Workers and their children were burned to death; strikers were intimidated and beaten up; organisers were often shot, some were mutilated; some were hanged; some were mutilated and then hanged, such as Frank Little.[181] A particularly dystopian event occurred which illustrates grimly the treatment of radical

[180] Zeiger, R.H, *American Workers, American Unions: The Twentieth and Early Twenty-First Centuries* (Baltimore; JHUP: 2014) p.29 for injunction happy courts. Greene, J.R., *The World of the Worker: Labour in Twentieth Century America* (Illinois; Illinois Press: 1998) pp.120-4 for examples of injunctions.
[181] See Conlin, J.R., *Big Bill Haywood and the Radical Union Movement* (New York; Syracuse University Press: 1969) generally for the suppression and marginalisation of a prominent radical; and Zeiger, R.H., *American*

labour by the American forces of *law and order*. It occurred in Bisbee, Arizona in 1917. Copper miners had gone on strike against wage cuts:

> 2,000 vigilantes rounded up 1,286 IWW organisers, strikers and sympathisers at gun-point, tried them in a' kangaroo court' and deported them to the desert of New Mexico herded into a cattle train under armed guard. The protesters were then beaten up and left without food or water for 36 hours … [they were then] sent to a federal stockade and held without charge for three months before being released.[182]

Larkin's 'holiday' was not one for the faint-hearted; he was to be treated more harshly by the American judicial and penal systems than he had been by the British. When America joined the war, and the Russian revolution erupted, America shifted into 'red scare' mode. Life became very difficult if one were a 'red'. When one was a 'red' and also opposed to the war effort, particularly if one were vocal in this respect, as Larkin was, ordinary life became virtually impossible, and jail became the order of the day.

Larkin was going into a country in which there was already a long-established Irish community. Irish people had been arriving into America since the early days of commercial trading, with numbers increasing rapidly during the seventeenth century. The arrival into America of the Irish was boosted significantly in the 1840s as a result of the Famine, and in 1840 the Friends of Ireland Society was founded to deal with the effects of the Famine. Following the 1848 Insurrection, the Fenian Brotherhood was established at the end of the decade by the Irish Republican Brotherhood, with John O'Mahony playing a notable role. Over the next two decades, anti-British Fenian activity was largely ineffective, and the Fenian organisation became reorganised in 1867 into Clan na Gael. Later, John Devoy was instrumental in aligning the Clan with the Irish Republican movement in Ireland and England; but internal feuding and scandals saw a split in its ranks. Other Irish organisations that emerged in this period were: the Ancient Order of Hibernians, the American Land League (which was to become the American National League), the Irish National Federation of America (child of the American wing of the Irish Parliamentary Party), and the Gaelic League. In 1900, John Devoy, Joseph McGarrity, Daniel F. Cohalan and John T. Keating reunified the Clan under their leadership. The Clan and its newspaper, the *Gaelic American,* set itself up in opposition to Home Rule and John

Workers, American Unions: The Twentieth and Early Twenty-First Centuries (Baltimore; JHUP: 2014) pp.21-23 for examples of oppression.

[182] Darlington, R., *Syndicalism and the Transition to Communism: an International Comparative Analysis* (Aldershot; Ashgate: 2008) p.162.

Redmond.[183] The Irish in America played a prominent role in American politics, and John Devoy and Daniel F. Cohalan were to oppose Woodrow Wilson's presidency, particularly over his supportive relationship with Britain. When Larkin arrived into America, he carried a *note* of introduction from Tom Clarke to John Devoy.

One of the first things Larkin did shortly after arriving in New York on 5 November was to address a rally of 15,000 people in Madison Square Garden on 8 November 1914, which was held to celebrate the election of Socialist Party candidate Meyer London to Congress. At this rally, Larkin put a substantial marker down when he declared: 'We Socialists want more than a dollar increase for the workers. We want the earth.' Not that this was unusual rhetoric for Larkin but as has been noted above, and as Larkin claimed himself when he returned in 1923, Larkin was supposed to be in America on the business of Clarke, Pearse and Connolly. People, particularly members of Clan na Gael, understood this to mean the business of nationalism. Not that a call to succour the *ordinary people* is antithetical to nationalism, but it is indicative of where Larkin's ultimate sympathies lay. A few weeks later, he addressed a meeting of the Industrial Workers of the World. At that meeting, he condemned the tactics of 'bomb throwing' on the basis that even if the capitalist governments launch bombs on an industrial scale in the war, the socialists have a much bigger weapon—the masses. This speech was 'criminally misquoted'[184] in the press to make it appear as if Larkin was advocating acts of individual terrorism, such as the burning of New York City to the ground. It was also claimed that he referred to the American flag as a 'rag'. This type of image would not help his relationship with the Irish-Americans; and make them unsure of their developing relationship with Larkin. Ten years later, Kathleen Sheridan was to write a letter from America to the *Irish Worker* (when Larkin was back in Dublin and engaged in a war of propaganda with William O'Brien) that Clan na Gael always resented the fact that Larkin could not resist the petitions of the IWW.[185] Not that the Irish-American movement were completely naïve when it came to Larkin's politics. According to the RIC Special Branch, a few days after Larkin's arrival in America, the United Irish League and the Irish Volunteers based in New York issued a circular in which Larkin was referred to as a 'revolutionary socialist'; and this characterisation of Larkin would not be news to the Clan:

> [Larkin's] purpose in coming to America is to create mischief for the Irish cause … no greater impostor ever crossed the Atlantic than Larkin, when he dares to masquerade either as an Irish nationalist, or

[183] Carroll, F. M., *American Opinion and the Irish Question* (Dublin; Gill & Macmillan: 1978) pp.3-9.
[184] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.64-73; Larkin, Emmet *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.177.
[185] *Irish Worker,* 27 September 1924.

> as a labour leader. For many years he has betrayed both … with equal fervour. His mission is treachery to labour and nationalism … there is not a man in the labour unions … who would speak on a labour platform with him[.][186]

This circular was written by Richard McGhee, trade unionist (a founding member of the NUDL) and MP for Mid-Tyrone.[187] McGhee was a staunch supporter of Redmond, and of Irish support for England in the war. In the circular, he was attempting to discredit Larkin upon his arrival in America on behalf of the pro-Redmond section of the nationalist movement, with the hope of disrupting his relationship with the anti-Redmondite Clan na Gael.

LARKIN'S EARLY SUCCESS WITH THE CLAN

The *New York Tribune* reported on one of Larkin's first engagements for the Clan at Turn Hall, New York, when he made an address in commemoration of the Manchester Martyrs, which was a fund-raising event for the Irish Volunteers. During the course of this address, Larkin appealed for arms for the coming 'Irish Uprising' and urged people to 'Grasp [the] Opportunity.' At the meeting, Larkin was 'watched and shadowed' by Wilkins' operatives in New York, who almost invariably included newspaper cuttings with their reports on Larkin's activities. *The Gaelic American* (the journal of Clan na Gael) reported Larkin's speech verbatim. A portrait photograph of Larkin dominated the front page, and a large photograph of Larkin outside Liberty Hall with the Citizen Army was on page two, where Larkin was described as: 'Labour Leader and the Head of the Citizen Army.'[188] Larkin was to deliver a speech in the service of nationalism for the Clan. The motto of the *Gaelic American* states: for the cause of Irish independence, Irish literature and the interests of the Irish race. However, Larkin rarely failed to keep the working class to the fore, even when on a promotional tour of nationalism. Larkin opened by describing the Manchester Martyrs as *men of the working class:*

> They came from a class of men who have always been true to Ireland and who have never failed her yet—the men of the working class. There is one grand, glorious page in Irish history that has never yet been turned down or besmirched, and that is the page that records in

[186] DCR CO/904/206/233B (85-87 [352-354]).
[187] See DIB.
[188] *New York Tribune*, 16 November 1914, and *Gaelic American,* 21 November 1914; for relevant section of *Gaelic American*, see DCR CO/904/206/233B (77-84 [320-351]).

> undying words the fact that the Irish working class never deserted her or betrayed her.[189]

Larkin blends the working class and nationalist motifs: we are proud of Allen, Larkin and O'Brien who 'from an English Dock and facing an English scaffold proudly prayed "God Save Ireland."' Although Ireland has her 'few' delinquents, Larkin continued, 'Thank God the heart of Ireland is true and strong. She still breeds men determined some day to break the shackles and stand erect as free-born men.' When Larkin mentioned Carson there were 'hisses', but Larkin told them not to hiss Carson because there was 'more Irish spirit in a portion of that man's little finger than there is in the whole carcass of the man who pretends to be the leader of the Irish people [Redmond].' Redmond was 'a politician … not fit to be touched with a forty-foot pole' who 'deserves to be taken out and hanged from the nearest lamp post.'

In relation to Redmond and Asquith's 'open meeting' in the Mansion House, Dublin, Larkin stated that Irish workers had 'signed a pledge' to fight for Ireland:

> We have issued a manifesto declaring that in the opinion of 75,000 Irish Trade Unionists this is a war for the aggrandisement of the British Capitalist Class, and that the labourers of Ireland will die at home fighting for liberty rather than provide the victims of such an unjust war.[190]

Again Larkin blends the nationalist and labour motifs, but the nationalist motif can be viewed as being the poorer cousin in this extract. The central message, here, is that the workers of Ireland will not fight with the British because it is a war of capitalist aggrandisement. Not many within Clan na Gael would appreciate these anti-capitalist, pro-worker sentiments. Particularly in the upper echelons, where people like Daniel F. Cohalan (close ally of Devoy)[191] is a judge, and Rorke is the New York Assistant District Attorney. Eventually, these sentiments where to distance the Clan from Larkin, and even, as we shall see below, may have led senior Clan members to consider assassinating Larkin. At the meeting, however, Larkin was soon hitting the right notes again:

> I assure you that the workers of Ireland are on the side of the dear, dark-haired mother, whose call they never failed to answer yet … again will the call ring out over hill and dale to the men who have

[189] *Gaelic American*, 21 November 1914.
[190] *Gaelic American*, 21 November 1914.
[191] Cohalan was a founding member of Friends of Irish Freedom (which was an organisation within the Clan), and was to clash with de Valera over policy and funds.

> always answered the call of Caithlin-ni-Houlihan. For seven hundred long, weary years we have waited for this hour. The flowing tide is with us … [and we must be] ready for the 'Rising of the Moon.'[192]

He continued, stating his belief in the 'high destiny' of the Irish race. Ireland should never be an underling to Britain: 'Look at the Irishman as he walks the street. He is a different type of animal from the English one.' The Irish have been the 'friends of liberty in every land.' The time is now at hand:

> The *time is ripe* for an active movement. We have waited years for this opportunity, and it could not come at a better time. We have the *men and the plans*, but only have 5000 rifles and no ammunition. Give us more guns and ammunition and *we will not fail you*. We have got something better than England ever had—*destiny*.[193] [my italics]

Two things stand out here. One, Larkin seems to either have some knowledge of a coming rising, or he is anticipating one.[194] Certainly, he is campaigning for funds to finance a rising, and would seem to be enthusiastic about it from a nationalist standpoint. When he says: 'we will not fail you,' he is including himself very much in the equation of a nationalist uprising. Another interesting aspect is his use of the word *destiny*. Behind the rhetoric, the word destiny had a special significance for Larkin, and is at the root of his religious mystical vision. It denotes the Christian eschatological vision when God will be *all in all,* as envisioned by St. Paul. It is part of the Judaic-Christian-Marxian vision of alienation and recovery.[195] This was a vision that would sustain him throughout the failures of syndicalism, socialism and nationalism to achieve the type of revolution he deemed necessary, and it was a vision he never lost faith in. A very significant appraisal of Larkin is that by Emmet O'Connor, who views Larkin essentially as a *moralist*; who imbued the ITGWU with moral values.[196] This epithet should not in any way call into question Larkin's legacy, or his methods. There is a *moralistic* undercurrent to all socialistic enterprises, and a moralistic bent to the advocates of such enterprises.

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[192] *Gaelic American*, 21 November 1914.
[193] *Gaelic American*, 21 November 1914.
[194] Although his biographer Emmet Larkin did not think Larkin had meaningful access to the deliberations of the Clan, Larkin probably did sit in on high level meetings of the Clan; see Golway, T., *Irish Rebel: John Devoy and America's Fight for Ireland's Freedom* (Kildare; Merrion Press: 2015) p175-176.
[195] The German philosopher Georg Wilhelm Friedrich Hegel is the link between Christianity and Marxism; see Hyppolite, J., *Studies on Marx and Hegel* (London; Heinemann: 1969). Daley, B., *The Hope Of The Early Church* (Cambridge; CUP: 1991); see p.2 for the eschatological vision as the logical conclusion of biblical creation, and an attempt to know and understand the fulfilment of the purpose of creation. Sachs, J. R., 'Apocatastasis in Patristic Theology', *Theological Studies*, 54 (1993), 617-640. Sachs shows that apocatastasis (the final restoration of all things) takes various guises throughout Christianity.
[196] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.116.

The *Tribune* correspondent went on to say that during the course of the speech, the audience applauded frequently but that Larkin told them that 'he did not care for the demonstration.' What he wanted was 'for them to put up or shut up.' This is interesting because it negates the clichéd notion of the demagogue, who typically would encourage applause. It would seem at first sight that Larkin is playing to the gallery and using the appropriate rhetoric. But to remonstrate with your audience because they have responded to the tropes they want to hear indicates a certain impatience on Larkin's part, and this remonstration against enthusiastic applause was not uncommon with Larkin, who was critical of an audience's failure to absorb the content of a speech, and he often told them so. Finishing, Larkin told them that enlisting was going very poorly in Ireland, and references to the victory of the Kaiser 'were loudly applauded.' Finally, a 'resolution proclaiming allegiance to the cause of Irish national independence and their determination to carry the cause to final victory was passed.'[197]

Larkin, 'watched and shadowed', rarely managed to evade British intelligence; which, as well as having links with American police and intelligence, also operated through Canada, independently of America. When Larkin spoke publicly, there were nearly always agents at his meetings. The British, being at war with Germany, were naturally interested in Larkin's activities, which at this time are nationalist, and pro-German (although, no doubt, in the back of his mind there was some notion that nationalism was predicated on the rise to power of the working class). A report of the Manchester Martyrs meeting at Turn Hall, New York (above) was compiled by agent 33B, noting Larkin's support for Germany and his appeal for funds for the movement in Ireland, for the Commissioner of Dominion Police (which was a branch of the Canadian police). This report was then sent by the Governor-General of Canada on to Louis Harcourt, Secretary of State for the Colonies in London, and finally to Dublin Castle.[198]

Clan na Gael and John Devoy were happy with both the measure of Larkin's speech (it was restrained in terms of any socialist propaganda), and the effect of his inspiring oratory at the Manchester Martyrs speech of 15 November. He was soon speaking on behalf of the Clan again at another commemoration of the Martyrs, at the Academy of Music, Philadelphia on 24 November. This was portrayed as 'Three thousand Irish Americans at Clan na Gael meeting Cheer Germany Austria and Ireland.' Again, Larkin lent his considerable oratory to the meeting, 'Larkin was the firebrand ... He held the crowd with invective, ridicule, satire and irony[.]'[199] Denouncing Redmond, he exhibited two

[197] *New York Tribune,* 16 November 1914.
[198] DCR CO/904/206/233B (58-60 [277-279]).
[199] DCR CO/904/206/233B (63-68 [282-293]), *Philadelphia Press*, 25 November (there is an assortment of newspaper clippings from the Philadelphia press in the file).

rifles that 'the traitor' Redmond 'when he was forced' brought into Ireland. Rifles for which there were no bayonets, Larkin claimed, or ammunition because of their age, and which were more likely to hinder an assailant than help one.

A spectacle was organised for the entertainment of the crowd:

> When Larkin, bitter, acrid, quivering with emotion, finished his plea for money and arms … the curtains behind him rolled back and the audience leaped to its feet with cheers at the spectacle. A company of Irish Volunteers, with guns at present arms, faced a company of German Uhlans with drawn swords. Major B J Jamison crossed the uplifted sword of Major Phillip Rapp under a canopy of entwined colors of Ireland and Germany. Then the audience sang a verse from 'Die Wacht am Rhein' and 'God Save Ireland.'[200]

Stirring stuff indeed, and it is obvious from the description of Larkin that he is fully committed to his work, here. Resolutions were passed repudiating Redmond and Home Rule. Larkin would not, however, have approved of the resolution which claimed that the war was a 'vile conspiracy … to rob [Germany] of the commercial position which she has so rightly attained.' And here we see the dichotomy at the heart of the campaigns Larkin was involved in: there was a void between the (admittedly temperate) pro-capitalist sympathies of the Irish-America movement, and the socialist narrative underpinning not only his labour and union activity, but his dreams of world revolution. The question at this stage was: how would this play out?

Meanwhile, in the world of British intelligence, Larkin was of 'considerable importance' to the Lord Lieutenant of Ireland, Lord French: 'The matter [of Larkin] being of considerable importance to the Irish Government, His Excellency [French] hopes Mr Secretary Harcourt will see fit to ask His Royal Highness to obtain a report … of an address [by Larkin] delivered in Philadelphia on the 24th ultimo.'[201] Of course, King George was not expected to be personally involved in the fetching of reports, such measures were enacted through the office of the king rather than through his person. Under-Secretary Matthew Nathan (who wrote the above letter to the Under-Secretary at the Colonial Office) added that French required verification of the report. The usual mode of verification was by deposition. The procedure was for two agents to attend a meeting and for both to record an account, and swear on same before a notary, who would certify (date and stamp) the account. This

[200] DCR CO/904/206/233B (63-68 [282-293]); there is an assortment of newspaper clippings from the Philadelphia press in the file.
[201] DCR CO/904/206/233B (54 [273]).

would then become part of the intelligence file. Also, in being certified by a notary, it could, normally speaking, be used as evidence in a legal context.[202] The mode of gathering information which is verified by deposition was a strategy to try and improve the quality of intelligence. It is certainly the type of intelligence that can be relied upon to a much greater extent by the historian than the uncertified, non-verifiable reports which have survived.

At another meeting for the Clan on 17 December 1914, in New York, Larkin cranked up the hyperbole. The meeting included the usual denunciations of Redmond, but they were becoming, if possible, more virulent. Whereas at the earlier meeting, Redmond, was 'to be taken out and hanged from the nearest lamp post'; now he was to be 'burned at the stake.'[203] Burning at the stake was a punishment usually reserved for heretics (which Larkin considered Redmond to be), and was a much slower death than hanging, which was nearly always instantaneous in its effect. The *Freeman's Journal* reported back in Ireland on another gruesome image:

> [Larkin] referred to Redmond as a supporter of 'the blood stained flag of England.' He said he had four little boys in Ireland, and that if he thought that they would go through life under the British flag he would take them on his knees and 'break their necks.'[204]

In the context of Larkin's religious beliefs, this is quite an impious remark; and quite unforgivable in any other context. Larkin is here (as at Cork) exhibiting an over-zealous engagement with the issues at hand; whereas a more measured approach may have served him better.[205] Whether or not this was something in Larkin's nature that was brought out by circumstances may be worth considering. Certainly, due to the campaigns he championed, there were various constraints and pressures attending him; but, overall, he seemed to rise to the challenge. Certainly, his language, like his actions, could at times be impulsive.

In another episode during the meeting of the 17 December, in what appeared to be a staged incident, a man in the audience apparently heckled Larkin, creating an uproar. After the uproar had subsided, the man was then allowed to clarify his interruption. He said he had only wanted to ask Larkin if it was true that he had ever said 'the American flag is a rag.' At which point: 'Larkin stepped forward, crossed his arms, looked silently into the throng for a moment and then said, "That is a deliberate [and] calculated lie! The flag I called a rag was the Union Jack."' Immediately, a 'wild

[202] See DCR CO904/206/233A (169-172 [167-170] for depositions of Frederick Marsden and Daniel Ryer.
[203] *Gaelic American,* 26 December 1914. See DCR CO/904/206/233B (3-10 [197-228).
[204] *Freeman's Journal,* 5 January 1915.
[205] Of course, many commentators have remarked on Larkin's propensity for intemperate language.

storm of thundering applause followed and with it came the opening strains of the German Rhine song.'[206] The *staging* of this incident is obviously meant to counteract the earlier misrepresentation of Larkin denouncing the American flag, and a public way of assuring the Clan that Larkin was *on their side,* and, to the wider Irish-American audience, they were all on the side of America. *The Gaelic American* alleged that the newspapers that had 'lied' when imputing this anti-Americanism to Larkin, employed English reporters, and the papers were themselves 'hirelings of England.' Yet another staged incident took place during the meeting. Larkin was interrupted by the entrance of two companies of the Irish Volunteers: 'bearing the American and Irish flags. The orchestra struck up "The Star Spangled Banner" and the audience joined in the chorus.'[207] Whereas at the previous meeting, the dramatic emphasis had been on the Irish and German flags, here it is the Irish and American flags. This was obviously designed to counteract the charge of anti-Americanism, and reinforce the positive sentiment about the American flag.

It interesting to note that at this meeting in which the American and Irish flags featured so dramatically, Larkin makes one of his most demonstrable identifications with Irish nationalism. During the meeting, Larkin was *interrupted* with the entry of the two companies of Irish Volunteers brandishing the Irish and American flags. When the enthusiasm for this entry of the Volunteers subsided, Larkin referred to it as a 'magnificent' spectacle, and said: 'The men of the Gael carrying the flag of this great continent, and *the only flag that I ever paid fealty to*, the tri-colour that is now raised aloft before me [my italics].'[208] Even considering the rhetorical context, and the strategy to atone for the perceived favouritism towards the German flag, this is a significant statement about the Irish flag: *the only flag that I ever paid fealty to*. We will see that he would go on to make the same claim about the red flag, even more forcefully.

At this point in the thesis, the generally accepted hypothesis that Larkin was a nationalist needs to be investigated. In the Larkin historiography, there is no substantial treatment of the meaning of the term nationalism and how that might apply to Larkin; there is also a problematic interchanging of the terms republicanism and nationalism, without sufficient analysis of the terms. What is certain is that whilst Larkin engaged with nationalist tropes, he referred to himself as a republican rather than as a nationalist (of course, nationalists could also refer to themselves as republicans). At no time does he refer to himself in any meaningful way, as a nationalist (apart from one or two rhetorically charged pronouncements at Clan na Gael meetings). To put it broadly, modern republicanism has its roots in the English, French and American revolutions, where it was a change in the form of governance

[206] *New York Sun,* 18 December 1914; see DCR CO/904/206/233A (188 [190]).
[207] *Gaelic American,* 26 December 1914; see DCR CO/904/206/233B (3-10 [197-228]).
[208] *Gaelic American,* 26 December 1914; see DCR CO/904/206/233B (3-10 [197-228]).

which was paramount (from feudal to liberal).[209] Whilst on the other hand, nationalism has its roots in resistance to foreign domination, where what is paramount is a change from foreign governance to native governance (the roots of Irish nationalism are older than those of its republicanism). As a republican, Larkin consistently agitated for a change in the *form* of governance, from capitalism to socialism (rather than merely a change of personnel; which, *in the main*, was what the nationalists were looking for). Larkin's preference for republicanism, and his distancing himself from nationalism, took its most advanced form in 1919 when he declared 'I am a socialist before I am an Irishman' (see below).

In his introduction to the second edition of Ernest Gellner's *Nations and Nationalism*, John Breuilly writes, 'Gellner remains one of a handful of writers whose work is regarded as central for an understanding of nationalism.' According to Breuilly, this remains the case despite the interrogation of Gellner's ideas from feminist, gender and multiculturalist-framed analyses.[210] In his book, Gellner provides an eminent, much discussed, and generally accepted, definition of nationalism: 'Nationalism is primarily a political principle, which holds that the political [unit] and national unit should be congruent.' In its application to Ireland, therefore, this would simply mean: the people[211] of Ireland should be governed by the people of Ireland. Gellner points out that, '[T]here is one particular form of the violation of the nationalist principle to which nationalist sentiment is quite particularly sensitive: if the rulers of the political unit belong to a nation other than that of the majority of the ruled, this, for nationalists, constitutes a quite outstandingly intolerable breach of political propriety.'[212]

It is clear that nationalists like Thomas Clarke, Padraig Pearse and Eamon de Valera put Irish freedom as an end in itself. It did not matter what the form of rule was; but rather who it was that ruled. That is, Irish people should rule Ireland and not the British. Such nationalism, which seeks to rid a country of a foreign power, undoubtedly plays a positive role in the evolution of states. Nationalism and republicanism are complex concepts and should not be viewed as static concepts; particularly when applied to people and their actions in the realities of life (which differ significantly from concepts in the realm of theory). Clarke *et al* should also be viewed as republicans; their aim was a fully-fledged republic. That their ideal of a republic was not realised, and that de Valera, the sole surviving

[209] For the English revolution see Hill, C., *The Century of Revolution: 1603-1714* (London; Routledge: 1980, 2nd ed.); for the French revolution see Doyle, W., *The Oxford History of the French Revolution* (Oxford; OUP: 2002, 2nd ed.). See McCullough, D., *1776* (New York; Simon and Shuster: 2005) for the American revolution.
[210] Gellner, E., *Nations and Nationalism* (New York; Cornell University Press: 2006, 2nd ed.) p.iii.
[211] An amorphous term in itself; there are plenty of nuanced critiques of Gellner's terms (which is essentially a deconstructionist exercise); however, none of the critiques supplant Gellner's working definition.
[212] Gellner, E., *Nations and Nationalism* (New York; Cornell University Press: 2006, 2nd ed.) p.1.

commandant of 1916, went on to accept, if reluctantly, the reality of the Treaty, does not diminish this fact. Larkin, too, had a real fondness for Ireland, and he wanted the British out of Ireland, but this does not make him a nationalist. When the terms republicanism and nationalism are examined, the term republican applies to Larkin more accurately than the term nationalist. When the term republicanism is further refined, the variant *socialist republican* applies more accurately again. In his book on Irish nationalism, Sean Cronin gathers the roots of Irish nationalism from Catholic ascendancy nationalism; Anglo-Irish nationalism and secular nationalism. Cronin defines revolutionary nationalism as Irish republicanism. For Cronin, Larkin does not feature in the nationalist pantheon. James Connolly is put in the category of *Fenian socialism* and is viewed as having played a significant role in Irish nationalism.[213] Therefore, at this stage, it is suggested that the term socialist republican is, arguably, the correct designation for Larkin; but there are other more orthodox interpretations.

Larkin's biographer Emmet Larkin said that Larkin was at one and the same time a socialist, a catholic and a nationalist. Labour historian, and Larkin biographer, Emmet O'Connor in his article 'Red Jim was a Green Man'[214] has also identified Larkin as a nationalist. O'Connor also sees Larkin's nationalism as being of the 'sentimental' type; and further, that Larkin's nationalism hardened in his later years.[215] This is a significant issue due to the potential antagonism between the creeds of nationalism and socialism. It will be instructive to look at Larkin's positioning of nationalism in relation to the ITGWU. O'Connor argues in *Red Jim was a Green Man* that when Larkin founded the ITGWU in December 1908, in the preamble to the union's rules, he made 'nationalism a part of the union's philosophy': Ireland was a 'nation in the great world of organised labour[.]' O'Connor then acknowledges that 'there was an obvious self-interest in the policy' but that it allowed him to 'express a suppressed sense of identity.'

However, is this the complete story? In fact, another reading is possible *apropos* the aims of the ITGWU. It was also the case that the ITGWU was a revolutionary union, which envisioned *working class* emancipation: 'all children, all women and all men [will be] entitled to the fullness of the earth and the abundance thereof.' Irish working class emancipation is viewed in the context of internationalism: 'the great world of organised labour[.]' To speak of Ireland as a nation is subsidiary

[213] For an analysis of Irish nationalism and republicanism (including some focus on James Connolly, if none on Larkin), see Cronin, S., *Irish Nationalism: A history of its roots and ideology* (Dublin; Academy Press: 1980); see pp.3-4 for his enumeration of the five strands of Irish nationalism. Also, see Boyce, D.G., *Nationalism in Ireland* (London; Routledge: 1991, 2nd ed.); see pp.301-304 for Connolly's position as an internationalist on nationalism.
[214] O'Connor, E., 'Red Jim was a Green Man'; see the *Irish Democrat* in www.irishdemocrat.co.uk, accessed 31 August 2015.
[215] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* pp. 325-326.

to this larger project, and therefore represents the subordination of nationalism to internationalism. What is more, this can be seen as an early example of Larkin using nationalism for his own purposes. It is also clear from the preamble that Ireland was not to be a nation as conceived by official nationalism, but part of an 'Industrial Commonwealth.' Also, there was no need for Larkin to seek a convoluted way of expressing a 'supressed identity' through the philosophy of nationalism (Emmet O'Connor)—he claimed he was born in Ireland, his mother was Irish and he publicly declared himself as Irish. O'Connor goes on to list other references of Larkin associating himself with nationalist tropes, such as: republicanism, Fenian stock, the 'Irishising of everything' and Caitlin ni Houlihan. However, again, this is self-serving; it was good business to associate with nationalism—Larkin was trying to build a nation-wide movement, in a country which was under the imperial yoke of Britain, and in which an anti-English sentiment was the dominant narrative. Had Larkin not engaged with the nationalist narrative in which the struggle for existence and recognition was embedded, he would not have made much headway. Larkin was an opportunist, and Larkin would have known the value of mining the nationalist narrative to nurture his emerging organisation, the ITGWU.

It is certainly true Larkin invoked Caitlin ni Houlihan, and often; however, it is also the case that he invoked Niobe and Mercury in the same breath—but this does not indicate a yearning on Larkin's part for Greek or Roman ancestry. Rather it is an expression of inclusiveness, a sense of Irish-ness that is not exclusive. In Larkin's sense of ancestry, the English people were just as important to him as the Irish people. This is something which he made clear on numerous occasions, and it was a way of emphasising his internationalism in the face of any perceived nationalism. When Larkin was leaving in 1914, he was addressed by the Dublin Trades Council which praised the work he had done in Ireland. In response Larkin spoke of the sense of duty his mother inspired in him for Ireland. Significantly, Larkin viewed love of a country as an abstraction; for Larkin, it is *the people* that matter, not 'the rivers, or coasts, or green grass'. His socialist republican statement was: 'True love of a country cannot exist side by side with oppression of the people.'[216]

One of the early indications of where Larkin stood on nationalism is seen in the reasons he gave for going away. In the *Irish Worker*, Larkin wrote:

> I have found it necessary for the benefit of the Union and in the interests of its advancement to go on a lecture tour in the United States of America. [Our Union] … has aroused an amount of interest amongst the workers of that great Continent … *We have been and remain truly national* in our outlook and work *because*

[216] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.273.

> *of our belief in a real international labour movement* … Ours is not an ordinary trade union—*our Union is a world movement*. We have the honour of inspiring *a new spirit into trade unionism* [my italics].[217]

In this farewell, Larkin is doing two things; one, he is focusing on the international aspect of his work; the important national work that the union does is *conditional* on the belief of the *international labour movement*. The union is a national union, but it is more than this—it is part of a *world movement*. Larkin states his purpose as one of going out and energising the world's unions with a *new spirit*. What is patently not present in this, his most public pronouncement as to why he was leaving Ireland, is any singular emphasis on nationalism, or the nationalist cause, only the contingency of nationalism on internationalism. The second thing Larkin is doing here is associating himself, naturally enough, with nationalist Ireland; after all, it is a national union, an *Irish* union going out to energise the world's unions. These words of Larkin in the *Irish Worker* were followed up by action on Larkin's part (if not much success) when he arrived in America.

Another historian who questions Larkin's credibility as a revolutionist and an internationalist is Dermot Keogh. In Keoghs *Rise of the Irish Working Class,* Emmet O'Connor says that Keogh doubts Larkin's revolutionary credentials. Indeed, this is evident in Keogh's preface where Larkin is defined as the *mercurial militant* and Connolly as the *revolutionary socialist*. Arguably, however, Keogh has not explained the contradiction between Larkin's non-revolutionary *mercurial militancy* and Larkin's vocalised internationalist perspective. Larkin's internationalism was vocalised at the time, and was also evident in the *Irish Worker and People's Advocate*. For example, an editorial from 1911 talks of the ascent from Dante's hell, and of sensing the movement of the working class as it realises its goal: 'Brotherhood one in spirit, oneness in action, oneness amongst the workers the world over.' Again, as seen above, this internationalism is enshrined in the preface to the union's rules wherein Ireland's destiny becomes subsumed into a greater goal: the ultimate aim of the union is the realisation of a golden age, 'when all children, all women and all men … become entitled to the fullness of the earth and the abundance thereof.'[218] Larkin's pamphlet, *Scathing Indictment of Dublin's Sweaters,* although not an internationalist tract, also refers to the future as a *universal brotherhood* based on the abolition of *racial and sectarian differences*.[219] These words were accompanied by action on

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[217] *Irish Worker*, 24 October 1914.

[218] Keogh, D., *The Rise of the Irish Working Class: the Dublin Trade Union Movement and Labour Leadership 1890-1914* (Belfast; Appletree Press: 1982); see pp.155-160 for an unconvincing exposition of Larkin's nationalism. See Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) pp.888-889 for preface to union rules.

[219] Larkin, J., *Larkin's Scathing Indictment of Dublin Sweaters* (Dublin; Irish Worker Press: [1914; 2nd Ed.]).

Larkin's part with his demands that the British workers support the Irish workers. The objective conditions that prevailed at this time pushed Larkin into taking up an internationalist position—and he was embracing it (that his methods, arguably, distanced the British union leaders is a different issue).

Contemporaries' opinions on Larkin are particularly instructive. Seamus O'Farrell was a member of the Éire Óg branch of Cuman na nGaedheal from 1907; and he had worked with Larkin:

> I was in Dublin [1911-1913] where with the late Jim Larkin I assisted in the production of the "Irish Worker." Arthur Griffith's attitude towards Larkin and trade unionism caused the majority of the Dublin workers, especially the members of his union, to look on Sinn Fein and to some extent on the Volunteers as being opposed to their interests. This, in my opinion, was the reason for the formation of the Citizens' Army. Connolly and some others believed that if an armed rising did occur and if it met with any success it might mean for the workers no more than a continuance of low wages with an Irish army and police force (instead of a British) to act as strike breakers at the request of the Employers' Federation.[220]

Clearly, there existed fundamental differences between the physical force nationalists and individuals like Larkin, and Connolly, as far as the latter were concerned. This is very indicative of Larkin's position in relation to the nationalists. As it turned out, the Free State army and police were used against Irish workers; and in one notable instance against Larkin when he returned to Ireland in 1923 (discussed below in chapter 9).

One of the most concise appraisals of Larkin's nationalism was given by Seán MacDiarmada in a letter to Joe McGarrity in December 1913. This assessment of Larkin's nationalism was borne out by events (Larkin would ultimately espouse the communist ideal, if not communist Russia's tactics).[221] MacDiarmada told McGarrity that although Larkin did great things amongst the poor, he was a 'danger nationally … Larkin is not a nationalist, he talks nationalism, but only in so far as he thinks it is likely to help along his socialist programme.' Where Larkin differs fundamentally from the official Irish nationalism of Griffith and other leading members within the physical force nationalists (and also from John Redmond's nationalism) is seen when MacDiarmada wrote, 'socialism and the

[220] BMH, Statement by Seamus O'Farrell, W.S. 0193; bureauofmilitaryhistory.ie, accessed 30 April 2016.
[221] See O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)*, p.326; O'Connor says he had little in common with the tactics of communism.

sympathetic strike action are dangerous ruinous weapons.' According to MacDiarmada, the 'present labour trouble has done an immense harm to [Irish manufacturing].' Worst of all, 'the talk about the friendliness of the English working man, and of the Brotherhood of Man, the English food ships etc have a very bad unnational [*sic*] influence.'[222] What MacDiarmada could see was that Larkin used nationalism as a means to an end, and that end was socialism, and a common fraternity between people. Amidst all the inconsistencies and contradictions that Larkin was involved with and the mistakes he made, he never lost sight of striving for this end.

It is worth pointing out that much later, and in the years leading up to his death, Larkin would refer to himself without reference to nationalism: 'I am a republican, both by birth and conviction, and I always will be … [and] I speak as an internationalist.'[223] At a summer school of the Independent Labour Party in 1943, he spoke of a united Ireland being possible with the aid of the British workers. In relation to socialism, he said:

> What the Bolsheviks did in Russia, Socialist-led workers would do in Ireland one day … There were as big men among the younger generation of Socialists in Ireland as there had ever been, and they would not let the [socialist] flag down. Instead, they would lift it higher and carry it finally to success.[224]

That is, the red flag of socialism, of course; and not the green flag of Ireland. During the period following the outbreak of the War, and while Larkin was working with the advanced nationalists in America, a common refrain of his was that the German workers and their children were as important to him as the English and Irish workers and their children.[225] Larkin never subscribed to the narrow (but prevalent) nationalist conception that the children or people of one's own country were more important, or special, than any other country.[226] Although Larkin certainly had a profound sense of the Gael (which complimented the religious dimension of his personality), Larkin found Irish nationalism repugnant. In fact, he found nationalism *per se* repugnant. 'I believe Nationalism is the ultimate form of egoism … That is why I have always been an Internationalist.'[227] Emmet O'Connor

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[222] Joseph McGarrity Papers, NLI, 17,618/1; letter from Seán MacDiarmada to Joseph McGarrity, 12 December 1913.

[223] Dáil Debates, 29 April 1938.

[224] *The New Leader,* 14 August 1943.

[225] DCR CO/904/206/233A (142-147 [143-148]). Larkin speaking at the New Star Casino, New York City on 17 Jan 1915.

[226] Nationalism also carries connotations of superiority: that one's particular nation-state is of primary importance; patriotism as a feeling of superiority over other countries. See the Oxford dictionary online: thefreedictionary.com/oxford. Accessed 1 March 2016.

[227] Larkin, J., *In the Footsteps of Big Jim: A Family Portrait* (Dublin; Blackwater Press: [1995]) p.230.

argues that Larkin's nationalism was 'sentimental', and that it deepened as he got older (see above). Emmet Larkin argues, however, that it was rather 'an ascendancy of Nationalism for a time over Socialism', and that ultimately Larkin was not 'digestible' as far as the 'National Being' was concerned.[228] Larkin came from a socialist, anti-imperialist milieu; with nationalism, whilst always present in his Irish roots, a very distant cousin. All his early activity was with the working class, and labour issues. Whilst Larkin was a member of the Independent Labour Party, the party denounced the Boer war (1899) as 'a jingo-imperialist venture'; and Larkin was 'arrested and fined several times for his street-corner denunciations of the war.' His first-hand experience of the utter degradation and poverty of the Liverpool slums, where he witnessed such sights as a baby trying to suckle its dead mother's breast, enforced his belief in socialism. Every Sunday, when not working, 'Larkin spoke in the neighbourhood of Liverpool … the message was always the same—Socialism.'[229] When Larkin found himself in Ireland with a potentially revolutionary trade union at his fingertips, in a society whose discourse was underpinned by a nationalist narrative, he quite correctly espoused the tropes of nationalism. The reason for this espousal of nationalism, as Sean MacDiarmada astutely perceived, was 'to help along his socialist programme.'

At this juncture in the thesis where Larkin is working with the advanced nationalists in America, we have made an assessment of Larkin's nationalism. It was necessary to interrogate the meaning of the term *nationalism*. In doing so it was seen that the issues and definitions were very complex, and it is not satisfactory to say that Larkin was a nationalist. As a result of the analysis, Larkin should be seen as a socialist republican, whose outlook was that of an internationalist (we will return to this issue in chapter 4, where it will be seen that Larkin espouses Bolshevism). We will now look at the activities in Dublin Castle and we will see that the administration spent a great deal of time discussing Larkin, and devising strategies to deal with him; particularly in relation to containing him should he return from America. Orders under the Defence of the Realm Act (DORA) were instigated against him; to exclude him from re-entering Ireland; and to prosecute anyone that might provide him with 'refuge'. It will also be seen that a great deal of deliberation took place in relation to how the DORA Orders were to be served on Larkin, and how best to keep this secret, and even avoid Larkin being aware of the Order against him. In the following, this insight into the deliberations of Dublin Castle in relation to DORA confirms the central theme of this thesis: that the British capitalist state set out to marginalise and contain Larkin.

[228] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; New English Library: 1968) p.165.
[229] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; New English Library: 1968) pp.5-8.

DUBLIN CASTLE AND LARKIN'S IMMINENT RETURN

Jack Carney claimed that when Larkin landed in America, the 'British government at the request of Lord Kitchener, issued an Order in Council forbidding him from entering any part of the British Empire.'[230] Larkin had a tendency to scoff at such interdictions, boasting that he would travel whenever and wherever he wished (acknowledged to some extent by Irish intelligence, when Larkin's return to Ireland was imminent); but the reality, as we shall see, belies this vaunt of Larkin's considerably. Carney may not have been technically correct when he said Larkin was barred from entering the empire, as the restriction would seem only to indicate Ireland, initially; and there was no prohibition against Larkin entering England.[231] We will now look at the deliberations which took place at the highest level in Dublin Castle in relation to the legislation to be used in preparation for containing Larkin, and the best means of serving the legislation on him.

On 14 December 1914 a short article from the *Labour Leader* on the meeting of the 15 November (in which the German Uhlans featured) was sent to Assistant Police Commissioner Thomson in Scotland Yard. Accompanying the clip was a short note, 'Larkin is reported to be returning shortly from [the] US.' [232] Thomson sent the clip and accompanying note to Under-Secretary Nathan, who sent it to the Attorney General, Jonathan Pim. The spectre of Larkin suddenly turning up on Erin's shores was not a welcome one. Once back, it was feared that Larkin would cause trouble in two areas: one, he would hinder enlistment in Ireland for the war effort, as he had done before he left; and two, he would most likely be disruptive industrially; Larkin had the potential to harness the labour movement against the war effort.[233] Unfortunately for the British administration, they were between a rock and a hard place. If he landed in Ireland, was arrested and jailed, he would simply be a martyr to the cause, and become a focal point of unrest, which they could do without. In America, Larkin had the potential to do damage to the war effort in league with the Germans, and a lot of time and expense would be spent on surveillance there (although, at least his labour and revolutionary activity in America would be the concern of the American administration). At this point in the war, which they had hoped would be over by Christmas, the sensible thing to do would be to exclude him from

[230] Quoted in Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Gill & Macmillan 1998: Dublin) p.280. There is an Order dated 28 November 1914, which is three weeks after Larkin landed in America, which was revised by Pim in December, see DCR CO/904/206 233B (42-43 [261-262]).
[231] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.62; O'Connor makes the point that Larkin was not blocked from entering England.
[232] DCR CO/904/206 233B (49-50 [268-269]); who or what agency sent this clip is not clear. Originally, the *Labour Leader* was Keir Hardie's newspaper; at this time it had passed into the ownership of the Independent Labour Party, so the agency probably originated in England.
[233] DCR CO/904/206/233A (37 [256]).

Ireland, and if he could not be returned to America, the next best thing would be to contain him in England.

On 21 December, Attorney General Pim wrote that it was 'wise to prepare for Larkin landing in Ireland[,]' and expressed the opinion that there was: 'enough evidence to justify the Competent Military Authority arresting Mr Larkin if he attempts to land in Ireland, and trying him by Court Martial.' This could be done, he continued, 'by orders made under Article 14 of the Consolidated Order of the 2nd December under the Defence of the Realm Act, by the Competent Military Authority in each area of command … This perhaps would be the best way of dealing with the difficulty.'[234] Under Secretary Nathan agreed and instructed Pim to draft the Order. Pim stressed the necessity of coordinating the chain of command; and, indeed, over the next couple of weeks, the widest possible net was put in place to ensure Larkin's arrest. The relevant sections of the draft Order, dated 24 December 1914 and sent to Colonel Sir Neville Chamberlain, Inspector General of the RIC at Dublin Castle, are as follows:

> Where a person is suspected of acting, or of having acted, or being about to act in a manner prejudicial to the public safety or the defence of the Realm … the Competent Naval or Military authority may by Order prohibit him from residing in or entering any area or areas which may be specified in the Order … [should he reside in or enter the area] … he shall be guilty of an offence against these regulations.
>
> AND WHEREAS James Larkin, lately residing at Croydon Park … Dublin, has acted and is suspected of being about to act in a manner prejudicial to the public safety and the defence of the Realm …
>
> I, L.B FRIEND … DO HEREBY PROHIBIT the said James Larkin from entering into or residing in any part of the aforesaid area … *viz*:- Ireland.[235]

Notably, the area specified here is Ireland, and there is no reference to the general area of the Empire, or any of its Dominions. In the 'Order in Council' of 28 November 1914 revised by Pim, in which Larkin is named, the geographical area is not specified. Carney's claim that Larkin was

[234] DCR CO/904/206/233B (44 [263]).
[235] DCR CO/904/206/233A (182-3 [184-5]).

prohibited from entering any part of the Empire is not borne out by the Dublin Castle records.[236] A confidential document sent to the RIC at Dublin Castle by Deputy Inspector General Connell on 24 December 1914, specifies that Larkin is excluded from Ireland.[237] The Order to exclude Larkin from Ireland was sent to the War Office in London for final approval. We might add that the administrators of the British state are focused on the *war effort*. Arguably, the underlying issue is a labour one, and thus in the DORA Order *public safety* may also be rationalised as the *interests of the employers*.[238] Of course, from the perspective of the civil authorities such as the police and army, who had to deal with the everyday practicalities of enforcing imperial rule, it was Larkin who was the disturber of the peace, even in war time.

On 23 December Pim suggested that 'the police at the ports of disembarkation in England should be informed of Larkin's advent as soon as it is known on what ship he is crossing the Atlantic.' Deputy Inspector General of the RIC O'Connell wrote to the Head Constable in Liverpool, informing him that:

> James Larkin, the revolutionary Labour leader, who is well known to the Liverpool police, may at any moment return from America by one of the Atlantic liners … The Irish government requests that … the several police forces will be good enough to have him watched … and if he leaves for Ireland that we may without delay be notified by wire of his departure.[239]

The Liverpool authorities were notified first. Even though it may not have been the most likely port of disembarkation from America, it was the most likely port of embarkation for Dublin. The next day, further letters, enclosing a photo and description of Larkin (which added a 'slouching gait' to the description sent earlier to Wilkins), went out to the Head Constables of other major British ports such as London, Glasgow and Bristol.[240]

Evidently, there was considerable discussion about the DORA Order at the War Office in London. On 28 December Brigadier General Greenfield (Irish Command, Parkgate) informed Under-Secretary Nathan that the War Office had suspended the Order. No reasons were given as to what the possible hitch might be. However, further instructions soon followed and by 31 December the suspension

[236] Later documentation does, however, specify Larkin was excluded from the Empire generally (apart from England), and it may be that a later revision of the Dora Order has been misplaced. The New Zealand, Canadian and Australian authorities would later exclude him from landing in their respective territories.
[237] DCR CO/904/206/233B (38 [257]).
[238] War is productive for capitalism, enabling huge fortunes to be made. The British were focused on their side winning, to defeat a rival and secure *their* markets. Capitalism still prevails, no matter which side loses.
[239] DCR CO/904/206/233B (39 [258]).
[240] DCR CO/904/206/233B (38 [257]).

was lifted and the DORA Order was back in force.[241] The Castle records shed some light on another issue concerning the DORA Order, and that was the method of it being served upon Larkin; the concern at the time was whether or not it was being served correctly. Inherent within any concept of law is the notion of natural justice, and this entails a basic right to fairness before the law. 'The basic common law approach to fairness … [gives rise] to the doctrine of legitimate expectation.'[242]James Larkin, like any other citizen, had every right to be treated fairly before the law.

The responsible officer for the Order, Major General Friend had reservations about the legitimacy of how it was going to be served. On 26 December Friend wrote to Nathan:

> I understand that after consulting the Attorney General, you are of [the] opinion that for *political reasons it is undesirable to notify Larkin by means of registered letters* addressed to him at his private residence and at Liberty Hall.
>
> Under section 60 of the Regulations I, as Competent Military Authority, am directed to publish notice of the Order in such manner as I may consider *best adapted for informing* persons affected by the Order [my italics].[243]

Friend acknowledges (and is perhaps concerned) that the regular means of serving the Order, through the postal service, has been prohibited. He also points out that he is the individual responsible for getting notice of the Order to Larkin; and he also quotes from the Regulations that he is beholden to do so in a way that is 'best adapted' to informing same. He goes on:

> The terms of the Order direct the police, in the event of James Larkin entering into or being found in Ireland, to arrest him forthwith. It *seems reasonable* that the person affected should be informed of the penalties he will incur, and it is *incumbent upon me* to inform him. I shall be obliged if you will favour me with your views as to how this can be best carried out [my italics].[244]

It is clear to Friend that neither Nathan nor the Attorney General Pim want Larkin to be forewarned of the Order against him (which is confirmed by Pim in the next correspondence). He points out it is

[241] DCR CO/904/206/233B (20-21 [239-240]).
[242] Westgate, Martin, 'Article 6 and Common Law Fairness' Judicial review, vol. 11, issue 1, (2006) 57-77; published online by Taylor and Francis Online at www.tandfonline.com; accessed 31 August 2015.
[243] DCR CO/904/206/233B (27 [246]).
[244] DCR CO/904/206/233B (27 [246]).

only *reasonable* that Larkin should be informed, and he repeats that it is *incumbent upon him to inform Larkin*. From the final sentence, it could be argued, that Friend would like to have a record of the instructions on how he is to proceed, in the event anything goes wrong in the process of serving the Order.

Nathan referred Friend's concerns to Pim for a response. On 29 December Nathan sent Pim's response to Friend: 'for your information, a copy of a minute by the Attorney General in which I concur.' Pim is absolutely adamant that Larkin is to get as little latitude as possible:

> Regulation 60 is the means whereby persons affected by the Order are informed of its purport. Sometimes large numbers of persons are affected and information can only be given to them through the Public press or by means of public placards.
>
> Where one person or a small number of persons is or are concerned, notice can and should be given to them individually and no other publication is needed.[245]

The serving of the notice, then, can be a very public affair or it can be done on an individual basis. Pim's interpretation of the regulation here (which is reasonable) is that once a person is served, no other means of publishing the serving of the notice is required. He goes on:

> It certainly is not necessary that the Military Authority should take any *special steps* to inform persons in foreign countries whither they have gone with treasonable intent and in which they have made *treasonable speeches*, of the existence of any Order which affects them [my italics].[246]

At this point, Pim is not being reasonable. He asserts that no 'special steps' are necessary to inform individuals in foreign countries; however, sending a letter in the post is not a *special step,* it is the normal procedure. Pim is also being misleading when he conflates the *claim* that it is not beholden on the military authority to inform individuals in foreign countries with the *allegation* (for this is all it is in a legal sense) that Larkin has travelled with 'treasonable intent' and made 'treasonable

[245] DCR CO/904/206/233B (23-24 [242-243]).
[246] DCR CO/904/206/233B (24 [243]).

speeches[.]' This is necessary to point out because the state in the person of the Attorney General is inclining to act as judge and jury.[247]

Pim says, 'It is the duty of the Military Authority to inform such persons as soon as they return, [no more.]' Then, referring directly to Major Friend's concerns, he continues:

> It has been suggested that a letter might be sent to Mr. Larkin in America. This I cannot approve of. Such a letter would give him an immense advertisement. *He would remain in the States* and would read the letter to meeting after meeting all over the Union. *He would at once become the powerful enemy of Great Britain* whom the Government dare not allow back.[248]

We can see now what Friend was referring to when he said it was for *political purposes* that he understood Larkin was not to be served with the DORA Order in person. Pim is afraid that Larkin would use DORA for propaganda purposes to 'become the powerful enemy of Great Britain.' Clearly, Pim is very concerned with the political propaganda Larkin could harvest here. However, when justifying the method of serving an Order, the Attorney General should not allow himself to be overly influenced by what the person served with the Order might do; particularly, as here, this results in the virtual non-serving of the Order. Also, and importantly, we see here an admission on Pim's part that if Larkin was served with the DORA Order by letter he would *remain in America*. If that was to be the case, there would be no danger of him landing in Ireland, and then being served and arrested but not having been forewarned. Consequently, Larkin would have been dealt with fairly before the law. The discussion between Pim and Friend shows the functionaries of the state using the legislation of the state to contain Larkin. More significantly, it also reveals that they have used a way of serving the legislation which was intended to put Larkin at a severe disadvantage before the law.

The Under-Secretary may have been feeling reasonably confident that his intelligence would provide Larkin's travel details because he wrote to Major Friend on 2 January 1915: 'The Irish government have taken steps to ascertain the departure from America of [Larkin] as well as the name of the steamer in which he travels and its port of destination.'[249] But evidently this intelligence was not forthcoming and on 6 January DMP Commissioner Davies told Nathan that copies of the DORA Order

[247]Larkin was to suffer this sort of prejudicial treatment a number of times over the next few years, either directly or indirectly; once, when his basic human rights were denied and he was incarcerated in America in 1920, eventually gaining a full pardon nearly three years later. On another occasion in 1924, the Irish Free State was targeting Larkin and jailed supporters of his who had been illegally evicted by the State from union offices and found innocent of the charges brought against them (see below for discussion).
[248] DCR CO/904/206/233B (24 [243]).
[249] DCR CO/904/206/233B (18 [237]).

were on their way to Belfast, Dundalk, Newry, Drogheda, Rosslare, Wexford, Waterford, Cork, Limerick, Sligo, Derry and Larne. He also extended the Order to Greenock in Scotland 'as it appears passengers from America are sometimes landed there.' By the 8 January, copies of the Order had been sent to '*all ports* at which vessels from America are known to call [my italics].' Deputy Inspector General O'Connell stressed 'it would be a mistake to permit [Larkin] to have any time in this country[,]' because he 'would use it to organise opposition.' Attorney General Pim concurred: 'It would be most objectionable to leave Larkin at liberty a moment longer than necessary.'[250]

On 9 January O'Connell reported that 'Larkin is believed to be still in America, but the police at ports and elsewhere should be on the alert to detect him on his return.'[251] With tensions rising due to his imminent return, a further communication went out from O'Connell (21 January 1915) to: 'correct any misunderstanding with regard to police action towards James Larkin[.]' This specified the precise order of actions in the event that Larkin is not located prior to disembarkation, or evades being served prior to disembarkation.[252] For Larkin this meant being arrested, detained and deported from Ireland without having been forewarned of the Order against him under due process.

As evidenced, every effort was being made to ensure the successful detention and/or deportation of Larkin.[253] On 22 January another Order under DORA was drawn up by Friend and sent to Inspector General Sir Neville Chamberlain. The new Order stated that it was believed Larkin would evade the prohibition, land in Ireland and find refuge in a house or building. The Order therefore authorised the RIC:

> To enter, if need be by force, said house, building or premises in which the said James Larkin shall take refuge, or shall be found, at any time day or night, and examine, search, and inspect … and seize anything found therein … prejudicial to the Public Safety and Defence of the Realm.[254]

Dublin Castle is seen, then, to be bolstering its strategy for dealing with Larkin by extending the exclusion order under DORA to virtually all known ports. Also, to stop Larkin from gaining any refuge

[250] DCR CO/904/206/233A (177-179 [179-181]; and 184 [186]).
[251] DCR CO/904/206/233A (112 [113]).
[252] DCR CO/904/206/233A (111 [112]).
[253] This endorses Greaves conjecture that Larkin would have been kept out of Ireland if he had landed in England; see Greaves, C. D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) p.249.
[254] DCR CO/904/206/233A.

in Ireland, it deployed another order with new powers of search and arrest. In the event, however, Larkin did not show. What actual intelligence they were relying on in 1914 is not in the DCR file.

As mentioned above, intelligence gathering is not an exact science, and the intrigue and duplicity inherent within it means its values are always approximate, even if correct. Wilkins' operatives (also known as 'correspondents') built up a network of informers. For example, one such individual was a Mr Theykin, who was a member of the Iron Workers' Union. In his 1934 affidavit, Larkin boasted that having organised the workers at the Bridgeport munitions factory, who had achieved disruption of the British war supplies, an increases in wages, and the establishment of the eight hour day. At this time (July, 1915) an operative made the following enclosure:

> The present strike in Bridgeport, according to Theykin's statement to me last night, is being brought about by the Germans who belong to the Iron Workers' Union, of which Theykin is a member. Jones who went West with Larkin is on his way back to New York, in consequence of same.[255]

Sometimes these operatives would be members of the organisations they were spying on. For example, an extract from American Correspondence memorandum 1386, dated 20 July 1915 shows that the writer who provided the enclosure (the spy) was a trusted member of Clan na Gael, and that he was using his position to gather information for the British.[256] There were also informers within the Socialist Party, one was a Julius Aniker, who passed on information about Larkin. What complicates matters is that the organisations and individuals who are being spied upon are aware of the intelligence system and its spies. This would lead to misinformation being provided. Often Larkin and others would refer to the 'spies in the room' even when they could not identify them. On one occasion an operative approached Larkin after a meeting, had a long talk with him, and shook his hand demonstrably. He was then able to use this 'connection' to gain information. Another enclosure reported on a meeting addressed by Con Lehane, in which Lehane, spoke of the 'British spy system', and said 'I know there are some here but they will not deter me. I feel I am watched everywhere I go and every move I make.' He then promptly announced his intentions to the room, and to the spies; declaring, with some hyperbole, that either he or Larkin would return to Ireland:

[255] DCR CO/904/206/233A (101 [102]). Various strikes broke out in Bridgeport in 1915, including the munitions and associated works. Samuel Gompers was unable to stop the strike and blamed the 'Teutons' [confirmed above], see *Washington Times,* 20 July 1915, and *New York Tribune,* 24 July 1915.
[256] DCR CO/904/206/233A (102 [102]).

'not later than 1916…at the head of a victorious army.'[257] Thus, here we have an example from the intelligence that intelligence gathering entailed counter-intelligence and misinformation.

Intelligence on Larkin returning in December 1914 may simply have been connected to Larkin expressing a desire to return home to Ireland and his family, which was picked up by the operatives who were shadowing him. If so, he seems to have deferred this because by March, Larkin was making arrangements for Elizabeth to visit him. At this time, Emmet Larkin notes his 'loneliness, disappointments and homesickness'; which resulted in Larkin (who was living in near-poverty) arranging with the ITGWU to pay Elizabeth's fare to America in April 1915.[258] Significantly, what caused the surge of intelligence on Larkin returning is almost certainly connected to his imminent parting of the ways with the Clan na Gael. When Larkin was seen to be falling out with the Clan, then the authorities back home would have seen this as a reason why it was stated, or rumoured, that he was returning.

LARKIN'S DIFFICULTIES WITH THE CLAN

Larkin's difficulties with the Clan (and the Clan's difficulties with Larkin) are located in the prospective or actual reasons why Larkin went to America in the first place. Again, there is the cause of Irish nationalism, and the cause of world socialism. The cause of nationalism was very much something tangible, it had a definite context, and probably more significantly, nationalism had a history. World socialism was only an aspiration, and had none of the concreteness that the cause of nationalism had.[259] Larkin obviously believed that he could harmonise the two (perhaps because they were harmonised in his own mind), and that the Irish-Americans would fall in behind his vision of an independent socialist republic. He also seems to have thought that he could use the resources of the Germans, which were being funnelled to him through the Clan na Gael, to finance his world socialist aspirations (if that only meant keeping hunger at bay). He may have felt this was a perfectly legitimate vocation, but it is very doubtful that the Clan did.

Senior members within the Clan would have been aware of Larkin's initial activities. Upon arriving in America, one of the first things Larkin did was to give an interview to the *New York Call*, an organ of the Socialist Party of America (SPA), in which he called himself an 'industrialist'; that is a proponent

[257] DCR CO/904/206/233A (103-106 [104-107]).
[258] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.180.
[259] Nationalist insurgency was actually taking place around the world, in places like India, South Arica. Belgium and Ireland. There had been revolts by the Serbians and the Greeks against the Ottoman Empire in the previous century. Hungary had been granted a dual monarchy in 1867; and there had been an up swell of nationalist sentiment across Europe in the middle of the 19c. In other words, nationalism had a physical, concrete presence in history. Socialism lacked such a history, and was essentially an aspiration up until 1917.

of *industrial unionism*. As mentioned above, he attended the meeting celebrating Meyer London's election to Congress, at which he said 'It takes great men and women to stand up and say "We're Socialists." We are fighting to abolish this system of exploitation.' He also attended meetings of the American Federation of Labor, and the Industrial Workers of the World; and was also to meet up with radicals like Pat Quinlan and Elizabeth Gurley-Flynn.[260] At no stage on his arrival did he present the case that he was an Irish nationalist only, recently arrived into America for the sole purposes of Irish nationalism. Many of his initial contacts and activities were contacts with the labour movement.

By December, as a result of the fallout from the American flag controversy, despite his rousing performances for the Clan at the Manchester Martyrs meetings, John Keating 'wrote to Devoy from Chicago [saying] that the "Larkin slander was damaging … It was in every newspaper here."' Consequently, Larkin 'alienated a good many local Clans when he did speak[,]'; and, accordingly, his opportunities of speaking under the auspices of Clan na Gael decreased.[261] By the end of January 1915, intelligence identified the offices of the *New York Call* as the place 'where Larkin hangs out.' It also reported that at the meetings Larkin was addressing, there was a decline in numbers, with increasingly less Irish, and no presence of Clan na Gael. Aware of this, at one particular meeting, Larkin 'launched into a tirade of reproof' against the Clan. These meetings were reported as 'socialistic', and were associated with the *Call*. On the 2 February, Under- Secretary Nathan noted that, according to Wilkins, Larkin's 'position as an Irish patriot [had] declined in importance.'[262] This indicates a definite cooling off with the Clan; for the British this was good news because Larkin became less of a threat to their interests.

Emmet Larkin has pointed out that Larkin tried to please both sides, the nationalists and the socialists, and 'ended by pleasing no one.'[263] This is not the entire account because Larkin would continue to work with the left-wing within the Socialist Party. Certainly, as a result of his activities with the nationalist movement, Larkin received criticism from those within the labour movement, and not just in America. The Dublin Castle file details significant aspects of this criticism, including brief commentary by the senior administrators within the Irish government, reports, depositions, and news clippings. Back in Britain, the paper of the Independent Labour Party the *Labour Leader* had criticised Larkin's presence at the Manchester Martyrs meetings in November. In America, Larkin referred to *socialist bigotry* at a meeting in the New Star Casino, New York on 17 January 1915: 'I have never found more bigotry and intolerance than I have found among a certain wing of the

[260] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.169-79.
[261] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.169-79.
[262] DCR CO/904/206/233A (153-158 [154-159]).
[263] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.172.

Socialist Party. I know whereof I speak, for I have been made to suffer for this intolerance as an Irishman and a Catholic.'[264]

A common theme of Larkin's at meetings around this time was the misrepresentation of him by the 'capitalist press.' The *New York Tribune*, fittingly, as if on cue, misrepresented Larkin in its report of the New Star Casino meeting of 17 January. The *Tribune* led with 'Larkin Lashes [out] In Fury'. In a calculated misrepresentation, it reported that 'Larkin, Irish agitator, attacks everything outside [of] Germany and his own movement.'[265] Fortunately, the Castle file contains two depositions by intelligence operatives, which make some significant contributions to the content of his three hour speech. The following is Larkin denouncing the press (along with his erstwhile Irish friends):

> I regret that there are not more of my countrymen present. The way that I have been maligned and mis-interpreted since I landed in this great continent, is due to Irish politicians[266] and the Capitalist press. I have always been lied about and maligned deliberately and by malice aforethought by the press.[267]

Another reason the press evoked Larkin's ire was because he had come to America to tell what he felt was the truth about John Redmond, and the press continued to misrepresent the true state of affairs in Ireland: 'The whole [lot] of them state that Ireland has got Home Rule, and she is fighting for England, and she is satisfied … The papers in America are the most ignorant and most contemptible that were ever published in any nation.' Certainly, the *Tribune* was wrong when they reported that Larkin had not said anything negative about Germany. He made his position very clear where he stood on Germany. In introducing Larkin, Cassidy (chair of meeting) said he could not recall any one who had been so 'misrepresented … he has been represented as being a pro-German advocate. He is no more pro-German than he is pro-Ally[.]' Speaking, Larkin said that the working classes of all nations were equally important to him. He said that he was only 'pro-German … when the German movement is a working class movement'; and in what was a common refrain of Larkin's in the multi-cultural milieu of New York demographics, he said, 'the German workman and his children are as dear to me as the English or Irish[.]' He said that his 'motives in coming to this country at this time were not to create a favourable sentiment for the Germans[.]' Indeed, Larkin's true motive for coming to America may be gleaned from the following. There was only one reason, he

[264] DCR CO/904/206/233A (142-147 [143-148]).
[265] DCR CO/904/206/233A (161 [162]); *New York Tribune*, 18 January 1915.
[266] This is probably a reference to Tammany Hall. Larkin had been in contact with Cohalan, a friend of Devoy's, who had opposed Tammany Hall's support of Woodrow Wilson for the presidency.
[267] DCR CO/904/206/233A (143 [143]).

said, why he hoped that the Germans would win: 'because the Socialist cause will benefit immensely by it[.]'[268] In other words Larkin had, arguably, come to America to champion Irish nationalism and undermine the British war effort for the purposes of the world socialist movement. Despite Larkin's clarification of his position on Germany, the press still presented him as *pro-German*. An operative was to report from a meeting at the Labor Lyceum, Brooklyn, two weeks later that, 'his Socialist brothers in Chicago refused to let him speak in that city because of his appearing on an Irish-German platform[.]' Even more tellingly, the operative reported that Larkin's speech would be: 'of very little interest because the big men [that is, senior members of Clan na Gael] … put in no appearance. Larkin's avoidance of German-Irish Alliance matters and C.N.G. [Clan na Gael] doctrines at yesterday's meeting was quite to be expected.'[269]

This, then, was further intelligence that relations were strained between Larkin and the Clan, which would be deemed to diminish Larkin's effectiveness to hamper the British war effort. On 25 February, DMP Commissioner W.M. Davies minuted Under Secretary Nathan that Larkin was 'disappointed by the reception he has had from the Irish in the States.'[270] Again, this perceived deterioration in his relationship with the Clan, may have been what alerted the Dublin administration to what was now an increased possibility of Larkin returning. Their intelligence from the outset had been that Larkin was going to America to work with the Clan for the purposes of Irish nationalism and he was to be financed by the Germans. If this arrangement had broken down there was no guarantee that he would stay out of harm's way in America. In the event that he did return, Attorney General Pim and Nathan discussed the DORA Order again; Pim concluded that it might come down to a charge of treason against Larkin. In February 1915, a letter from Government House, Ottawa (Canada) informed Louis Harcourt (Secretary for the Colonies) that the Dominion Police considered it was no longer necessary to have sworn depositions of Larkin's speeches. At the beginning of March, Nathan wrote to Birrell that Larkin, minus his connections with the Germans and Irish Americans, was now 'an ineffectual socialist speaker.'[271]

Nevertheless, intelligence still centred on his activities, his whereabouts and the lingering spectre of his imminent return. On 19 March, an informant within the Socialist Party said that Larkin was expected to return to Europe. Sometimes the intelligence was completely insubstantial. On the 22 April, an operative in a bar 'thought' he overheard the name of Larkin, and that he was intending to return home. On 30 April, it was reported that Larkin was making plans to return home on a steamer

[268] DCR CO/904/206/233A (142-147 [143-148]).
[269] DCR CO/904/206/233A (150-151 [151-152]; 131-137 [132-138]).
[270] DCR CO/904/206/233A (138 [139]).
[271] DCR CO/904/206/233A (126-127, 130, 138-139 [127-128, 131, 139-140]).

on which a relative of his worked; he was to travel under an assumed name, and be employed as one of the crew. On 17 May, Under Secretary Nathan wondered if any steps could be taken to ensure they knew the name of the steamer Larkin was to travel on, in the event that Wilkins' correspondent was unable to give them advance warning. Chamberlain replied that their only source was Wilkins' intelligence. On 20 May, O'Connell, Deputy Inspector General of the RIC wrote to Nathan saying he had sent out copies of the DORA Order nationwide, reminding the Constabulary of their duties in the event of Larkin landing in Ireland.[272] Again, Larkin was to disappoint them.

In this chapter, the nature of the American state was assessed and it was seen to be inimical to Larkin's objectives. Larkin's alleged nationalism was interrogated and the assessment of Sean MacDiarmada that Larkin used nationalism to further his socialist goal was deemed to be correct. Two aspects of Larkin's activities stood out. Firstly, Larkin was really caught between two worlds. He wanted the cause of Irish nationalism to be a success, but he wanted it to be achieved by the working class (with preferably himself at the head of the movement), as part of a wider socialist revolution. His initial success with the Clan was subsequently tempered by its disapproval of his labour radicalism; and his disapproval of the insular aims of nationalism. Larkin was also having trouble with the socialist movement, which objected to his nationalist and religious associations. Secondly, Dublin Castle was very concerned about Larkin's possible return, and discussed at great lengths the best options available to stop him returning to Ireland. Dublin Castle also went to great organisational lengths to get copies of the DORA Order excluding Larkin from Ireland to the relevant bodies, and to *all ports* that might possibly be used by Larkin. In the next chapter, we will look at the continuing relationship of Larkin with the Clan, particularly in relation to the Germans We will see that the FBI would also become very concerned with Larkin's activities.

[272] DCR CO/904/206/233A (108 [109]).

CHAPTER 3 LARKIN, THE GERMANS AND THE FBI

In the last chapter it was seen that Larkin's relationship with the Clan ran into difficulties due to Larkin's incomplete commitment to the cause of Irish nationalism. This chapter will look at Larkin's activities with the Germans, and his continuing, if faltering, connection with the Clan; particularly with John Devoy who was the main link for Larkin with the Germans. Larkin's somewhat puzzling relationship with the Germans will be assessed. The Germans virtually head-hunted Larkin, and urged him on a number of occasions to carry out sabotage on their behalf; yet Larkin seems to have managed to get paid by the Germans without actually doing very much for them. Considering that Larkin had arrived in America with the express purpose of collecting finance for the expected revolt in Ireland, Larkin's reaction to the 1916 Rising will be looked at; particularly as the reaction appears to be a negative one; driven, as Emmet O'Connor puts it, by 'jealousy'. The second half of this chapter will look at the FBI and their initial interest in Larkin. A survey of the history of American intelligence and its reliability will be made, and we will look at the significance of the police and intelligence agencies to the state in relation to combatting labour demands. The thesis will also look at the treatment of Peter Larkin (who was working with the IWW in Australia) by the Australian state as a foil to Larkin and his upcoming battle with the American state. The chapter ends with the British and American intelligence agencies sharing information on Larkin's whereabouts in 1917.

LARKIN, THE CLAN AND THE GERMANS

Larkin's continuing stay in America was still very much in the context of his relationship with Clan na Gael, and not least because he got funds from the Germans through the Clan. It will be remembered that Dublin Castle understood he was going as an accomplice of the Clan, and for the aims of revolutionary nationalism. As seen above, the relationship was a difficult one because of Larkin's abiding concerns with the world's proletariat, and what must be seen as a refusal on his part to focus solely on the anti-English concerns of Irish-American nationalism. In May and June 1915 Wilkins' operatives reported that Larkin, who was travelling between New York and Chicago, and on the West Coast at this time, was to remain in America, 'under contract with the Socialistic Party [SPA].' Larkin's headquarters was now the office of the *New York Call* in New York (office of the SPA), 'which receives all his mail.' By May, as far as the Clan was concerned, it was becoming increasingly clear to them that Irish nationalism was not at the top of Larkin's agenda; thus, the Clan claimed: '[Larkin]

was all for Larkin.'[273] A similar claim was made some seven years later in America, when with the Treaty signed and the Free State established, the revolutionary nationalists were no longer Devoy and the Clan, but the marginalised de Valera and de Valera's Irish Republican Defence Committee, operating out of 53 Jane Street, New York. Miss McFadden defending de Valera and complaining bitterly of Larkin (to an informant, as it turned out; see below), said Larkin 'insisted on his rule or ruin policy.'[274] This reveals Larkin had not changed over the interim; and radical nationalists did not seem to have realised this, until it was too late.

However, the relationship between Larkin and the Clan was to persist in one form or another for another while from the middle of May 1915 onwards.[275] Devoy was just as interested in using Larkin as Larkin was apt to use Devoy. The significant link in their relationship was the Germans; particularly, the anti-English German espionage activity that was providing much needed funds for Devoy's operations. British intelligence tried to monitor the amount of finance that was being diverted to Ireland, which at this time appears to have been very little. Indeed, Wilkins' operative commented on 2 April 1915: 'From what I can learn, there is no money going home; it is being used by Devoy and the Executive of the Clan for political purposes.' This is a point which is repeated again on 28 May; this diversion of funds may have been related to Devoy and Cohalan's fight to wrest control of the Democratic Party from Wilson. However, how secure this intelligence was is open to question.[276] Significant money was deposited in Irish banks for printing costs and arms purchasing by individuals in America around this time, and the money ultimately came from the Germans.[277]

Devoy still had good use for Larkin (who had been a notable ally against Redmond), even if he did not agree with him on the necessity of socialism. When the papers in Ireland reported in April 1915 that Larkin and Devoy had fallen out, Devoy was quick to repudiate this.[278] Devoy had been very much to the fore in forging links with the Germans for anti-English activity (and hence pro-Irish). Shortly after the war started, a special committee of the Clan arranged to meet with Ambassador Von Bernstorff at the German Club in New York. The Clan committee told the Germans that the Irish at home intended to free Ireland by armed uprising but that there were no resources to train the men, nor to buy arms. The obvious benefit to the German war effort by having Ireland distract the

[273] DCR CO/904/206/233A (106-107 [107-108].
[274] JUS 8/676, NA, Special Investigator Z-25 report 5 April 1923 (see below).
[275] Cronin, S., *The McGarrity Papers* (Tralee; Anvil: 1972) p.70; Larkin spoke at the Irish Race Convention in 1918; and Devoy was involved in posting bail for Larkin after he was arrested and charged in November 1919.
[276] DCR CO/904/206/233A (119 [120]).
[277] See Jones, J.P. and Hollister, P.M., *The German Secret Service in America: 1914-1918* (Boston; Small, Maynard and Company: 1918) p.302. Between September 1914 and April 1915, $80,000 was deposited in Irish banks.
[278] *Gaelic American*, 17 April 1915.

British and re-deploy resources away from its European front was not lost on Von Bernstorff, who promptly cabled his thoughts to the German Foreign Office on 25 September. Considerable sums of money were to be channelled through the Clan from German coffers. The depth of the relationship was exposed later, in 1916, when Cohalan was heavily implicated in German subterfuge with the Irish Rising, when the offices of Wolf Von Igel of the German embassy staff were raided by the American secret service.[279] Neither Von Igel nor Von Papen would heed Devoy's warning that their offices would be raided by the secret service. Naively, they saw that as a gross violation of international law, and believed the American state would not be party to such an act. Devoy maintained that the material found on Cohalan was planted for the purpose of initiating an attack on Cohalan, who was an opponent of Woodrow Wilson.[280]

LARKIN AND THE GERMANS

It suited Larkin that there were rumours of him falling out with the Clan and returning to England (or going elsewhere). It may have pushed the Germans into financing him, to keep him associated with the Clan; and it would have kept the authorities in Britain and America guessing as to his whereabouts. It is quite likely that Larkin played a role in putting these rumours out himself, firstly as a smokescreen and secondly, if nothing else, simply to be a nuisance to others. As seen above, Devoy had been so impressed with Larkin's rousing speech at the Manchester Martyrs speech in November 1914 that he soon had him speaking again at another meeting commemorating the Martyrs. This meeting was particularly significant for Irish-German relations because representatives from the German-American Alliance were scheduled to speak along with Irish speakers, on the same platform. The meeting took place at the Academy of Music in Philadelphia on 24 November. Larkin said in his 1934 Affidavit[281] that it was at a banquet after this meeting that he was first introduced 'to certain consuls of Germany and Austria and a number of high German officials.'

From this initial meeting a relationship was to develop between Larkin and the German officials which, in one important respect, according to the known historical records, is somewhat mystifying. Certainly, the relationship had features that were present in Larkin's relations with the Clan (and others: notably the Russian communists ten years later), namely, that Larkin was not captive to the ends of others, and his agenda, and his alone, was the only agenda he was interested in. This can be,

[279] Carroll, F. M., *American Opinion and the Irish Question* (Dublin; Gill & Macmillan: 1978) p.49, 61.
[280] Devoy, J., *Recollections of an Irish Rebel* (Irish University Pres:, Shannon: 1969) pp.463-466. See Link, A.S., *Woodrow Wilson and a revolutionary world, 1913-1921* (Chapel Hill; University of North Carolina press: 1982); and Daniel Cohalan obituary, *New York Times*, 13 November 1946.
[281] See Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.298-312; Larkin had given this affidavit to the American government who were looking for war reparations from Germany.

and often is, characterised as Larkin not being a *team player*. What should be kept in mind when considering the dynamics of these relations, is that Larkin was not the only one who was pursuing a singular agenda. The Germans were pursuing their own ends (with the carrot of recognising the Irish Republic upon victory), as Devoy was his, and all were using each other. The likely reason why the Germans persisted in their relationship with Larkin was pure opportunism. If not, it can only have been out of sheer desperation.

Back in New York City, after the initial meeting in Philadelphia, Larkin was invited to meet some German Naval officers, including Captain Boy-ed and possibly Von Papen (the naval and military attachés to the German Embassy).[282] Boy-ed explained their intentions in round terms but said he was unable to go into any details because Larkin was not a member of the Clan, and the Clan were, therefore, unable to guarantee his actions. Boy-ed told Larkin that a high ranking German government figure was coming over to coordinate work between the Germans and the Irish. At this point, Larkin was offered $200 a week to work with the Germans but refused to go on their payroll. Undeterred, the Germans arranged to meet Larkin again at a restaurant in New York with Von Papen and Paul Koenig, who was in control of the crews on certain shipping vessels. Boy-ed, who was also present, aware that no progress had been made with Larkin, decided to spend the rest of the evening and the night with Larkin, in an effort to persuade him. Boy-ed told him that they needed someone to coordinate sabotage who was a non-German, as all the Germans were under surveillance. Larkin insisted that he was only interested in disrupting production and transportation by organising trade unions, and claimed to have had some success. He then told Boy-ed that he rejected their type of sabotage and was only interested in working along lines that were 'in accordance with [his] own views of life.' According to his much later affidavit, Larkin told Boy-ed:

> I had no regard for the German government as such, nor was I desirous of its success in the World War except that it might result in forcing England to accept Irish independence. My object was to see a deadlock arrived at, hoping that the workers would revolt in the several countries.[283]

[282] In his 1934 Affidavit, Larkin was unable to recall if Von Papen was present at this particular meeting. In his biography, Emmet Larkin seems quite sure Von Papen was present, although he does not give a source for this information.

[283] Larkin's 1934 affidavit in Nevin, D., (ed.) *James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998)* pp.298-312.

Still undeterred, the Germans contacted Larkin again when the Irish Brigade failed to materialise under Roger Casement.[284] Larkin claimed that the Germans wanted to enlist him to do the recruiting (which was going badly) but he turned them down and suggested Robert Monteith. However, it was probably around this time that Larkin had succumbed to the need for money and went on the German payroll. In his affidavit, Larkin does not allude to this but Devoy gives an account of it in a letter some years later. In the letter Devoy said that Larkin had negotiated a considerable sum and had asked that Devoy be the conduit through which the money came from the Germans to Larkin. Larkin's biographer, Emmet Larkin, sees this as a shrewd move on Larkin's part in that he was using the esteemed Devoy as a witness that he was only helping the Germans in union-led industrial sabotage rather than direct sabotage by incendiary or other means.[285]

In the autumn of 1915, Larkin was invited to Washington by the German Minister Dernburg, where James K McGuire, a member of the Clan and trusted confidant of Devoy's, had an office. Dernburg pressed Larkin to take up sabotage work for them with strategic port workers, but again Larkin refused. He then gave a report of disruption he had organised 'along [his] own lines', including the slowing up of production of munitions at Bridgeport; and then left for New York. In February 1916, Larkin met Von Igel, Von Papen's successor, who again asked Larkin to become involved in direct sabotage. He was taken to Hoboken to see the bomb-making operations first-hand. Von Igel tried to assure Larkin of his own safety; which, it would seem, they mistakenly thought would placate him. Later, back in New York, at another meeting, the Germans stressed the need to disrupt munitions supplies and told Larkin of plans to blow up the New Jersey port terminal. At this time, however, Von Igel's office was raided by American agents, Von Igel was arrested and Larkin headed West.

LARKIN AND THE 1916 RISING

Back in Ireland, two months after Larkin had been with the Germans in Hoboken, the insurgents struck on Easter Monday 1916. This was a momentous event in the minds of those concerned. This was one of the principal reasons Larkin was in America, and this was what Clan leaders like John Devoy had been planning for years. In Ireland, the Supreme Council of the Irish Republican

[284] Roger Casement became active in the Irish Volunteers and headed the Howth-gun running in July 1914. He was convinced that working with the Germans was the way forward for the cause of Irish nationalism, but his efforts were mostly in vain. He was hanged in August 1916 under a law dating from the 14th century. See Mitchel, A., *16 Lives: Roger Casement* (Dublin; O'Brien Press: 2014); Daly, M E., (ed.) *Roger Casement in Irish and world history* (Dublin: RIA: 2005).

[285] For the relevant section of the letter see Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) 185-6; the usually meticulous Devoy claims that he was unable to keep a record of the money that went to Larkin.

Brotherhood (IRB) had met at the outbreak of the war, and discussed the coming opportunity. Tom Clarke and others finalised plans. The IRB confided in and recruited Connolly and ensured the employment of the Citizen Army. The *Aud* was to arrive from Germany with a large shipment of arms. There then followed a series of mishaps and confused orders, including the failure to make the agreed rendezvous with the *Aud* (it was then run aground, having been intercepted by the British); Casement returned to Ireland (intending to postpone the Rising) but was captured; and Eoin MacNeill sent out orders to cancel operations. The Rising became a mostly Dublin-based event, and the insurgents were hopelessly outnumbered.[286] Larkin had sent messages back home telling James Connolly not to engage in the uprising. In his biography of Larkin, Emmet Larkin discusses these instructions of Larkin's at some length, but due to the scarcity of evidence could only conclude that Larkin feared being upstaged.[287] Similarly, Emmet O'Connor writes, 'Larkin knew he had been upstaged on a grand scale' and in private he 'frequently traduced his old underling.'[288] Connolly had been in America before Larkin, and he had been active in the SPA, and with the IWW.[289] To a certain extent, Larkin was following in Connolly's footsteps, and it might be worth asking if this criticism of Larkin in relation to Connolly is justified.

Firstly, in 1916 the 'Rising' (in itself an important historical event) had none of the glory that was bequeathed to it by subsequent generations of nationalists; and the national-hero stature the combatants were to acquire posthumously (which germinated with their executions), was not then evident in the eyes of the general populace. Considering that the 'Rising' could be presented contemporaneously as a failure (which arguably, at the time, it was), it is not sufficiently clear what Larkin is supposed to have been upstaged by. The Rising, however, quickly became seen as a significant event in the nationalist ken; and in view of the events that followed, particularly the War of Independence, and the formation of the Free State, the 1916 Rising was seen as a significant event on a linear, chronological pathway. To what extent this was evident in the mind of Larkin at the time is difficult to tell. If the Rising is seen as a stepping stone to the Irish Free State, then in Larkin's view, one could argue, the tragedy merely led to farce. On the other hand, it should be acknowledged that Larkin must have sensed that the revolt in 1916 would have historical significance. Whether he would have resented that is a different issue, and it requires far too much supposition to come to any sort of conclusion on.

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[286] See Foy, M.T., and Barton, B., *The Easter Rising* (Stroud; Sutton 2004); McGarry, F., *The Rising, Ireland: Easter 1916* (Oxford; OUP: 2010); Mitchel, A., *16 Lives: Roger Casement* (Dublin; O'Brien Press: 2014).
[287] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.190-191.
[288] O'Connor, E., *James Larkin* (Cork; CUP: 2002) pp.57-58. *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.176, and pp.325-326.
[289] Nevin, D., James Connolly 'A Full Life' (Dublin; Gill & Macmillan: 2005).

Larkin was critical of Connolly, at times; however, it is only fair to point out that Larkin was also frequently generous in his praise of Connolly, and it was this seminal type of praise and recognition for the insurgents of 1916 that began the process of cementing their rightful place in history. Larkin's article in the *Masses* (July 1916), has been described as an 'obsequious and self-serving article' on Larkin's part.[290] Certainly, O'Connor is correct to point out that Larkin is associating himself with the 1916 Rising; but Larkin is also putting up a defence of Connolly's position, which had received much criticism from the American Left. Connolly's sacrifice in 1916 is linked by Larkin to Connolly's general sacrifice on behalf of the working class, with Larkin very much emphasising the fact that Connolly had a wife and children to support and look after. Larkin also promotes Connolly's books and pamphlets, and provides details at the end of the article as to where they can be purchased.[291] Also, in a similar article in 1917, in an appeal to members of the Socialist Party for the dependents of those killed in 1916, Larkin singles out Connolly three times for praise; saying he hoped the old comrades of Connolly's in the SPA would remember his 'wife and bairns.'[292]

Two years later, at a meeting (shadowed by FBI agents) to commemorate the death of Cornelius Lehane on 6 February 1919, it can be seen that Larkin was consistent in his general appraisal of Connolly:

> [Connolly] was one of the greatest Irishmen Ireland has produced. He is of a type that the County of Monaghan is proud of … Jim Connolly was one of the best writers Ireland has produced. That is what one of the most prominent literary men in England said about him.[293]

In later years, in which a stoic calm seems to have set settled over Larkin, it is seen that Larkin did not resent Connolly's fame. For example, two years before he died he spoke of Connolly as the leader of the Dublin Rising, which was a 'dynamic inspiration to Ireland.'[294]

Whatever Larkin might say in 'private' (and it is known he criticised Connolly's lack of achievements in Belfast), Larkin would appear to have a fondness and a respect for Connolly that should not be overlooked. Finally, Larkin's claim in the *Masses* that he and Connolly had jointly drafted the 'declaration' of the insurgents should not be taken to mean that Larkin was trying to claim he was co-drafter with Connolly of the 1916 *proclamation*. The reference to a 'declaration' was in relation to

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[290] O'Connor, E *James Larkin* (Cork; CUP: 2002) p.58. *Masses*, July 1916. *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)*, p.177.
[291] See *The Masses*, July 1916. There is a copy of the article in William O'Brien Papers, 15679/7, NLI.
[292] William O'Brien Papers, 15679/13, NLI; name and date of newspaper not evident, but 1917 is written at top of article.
[293] FBI file, p.62.
[294] *The New Leader,* 14 August 1943.

an oath taken and a declaration signed by members of the Irish Citizen Army upon becoming members, which entailed the objective of setting up an industrial commonwealth:

> [E]ach member of the Citizen Army took an oath upon joining that he would not fight outside the boundaries of his own nation, except to assist the struggling revolutionary class of another country … From letters which I have received it is plain to me that the premature Rising in Ireland was forced upon them by the knowledge the insurgents possessed that the British government were determined to conscript them. The ultimate aim of their work and endeavour, as set down in the declaration they signed, and which Connolly and myself drafted, was to set up a cooperative commonwealth in Ireland, based upon industrial democracy.[295]

The 'declaration', therefore, is a contract between the Citizen Army and the recruited member. This is repeated in the 1917 article, in which the drafting of the 'declaration' is extended to others as well:

> The declaration these men and women signed was drafted by James Connolly, Michael Mallon, other members of the Socialist and Labour movement who are now imprisoned in England and whose names cannot be given, and the writer of this appeal.[296]

Larkin's statement that there are individuals still alive who, along with Connolly, drafted the document strongly indicates that the document existed. If it did not exist, he was leaving himself open to being exposed by Citizen Army members; particularly members like Frankie Robbins, who sided with John Devoy and William O'Brien against Larkin. Finally, these articles can be seen to be written by Larkin with the intention of *protecting* Connolly. In both articles he acknowledges that some people thought that the Rising was unwise, and did not agree with it. When Larkin claims that he has *letters* which tell him that the Citizen Army, and their Commandant, Connolly, felt impelled to rise up because they were going to be conscripted by the British, this is an attempt on Larkin's part to protect Connolly from the charge that he acted prematurely in leading the Citizen Army into the Rising. On the other hand, the point should be made again that both of Larkin's latter biographers conclude that Larkin saw himself as being upstaged by Connolly and the Rising (above, p.86). Emmet Larkin counters this to some extent as being perhaps an issue of timing for Larkin, in that the

[295] *The Masses*, July 1916.
[296] William O'Brien Papers, 15679/13, NLI; name and date of newspaper not evident, but 1917 is written at top of article.

conditions were not propitious for a successful revolt. Emmet O'Connor views Larkin's actions as arising purely out of envy: 'he did not want Connolly grabbing the glory.' Larkin's attitude, O'Connor writes, 'sprang from jealousy'.[297]

Larkin always had a strong sense of following in the footsteps of others (a sentiment he often voiced), and his work with the Germans in America at this time, would have been viewed by Larkin as an extension of Connolly's work. In June 1916, Larkin was asked to meet the German Consul Von Bopp for talks in San Francisco; at the meeting Von Bopp made an attempt to show sympathy for Larkin's ideas, but maintained the line about the necessity of direct action. In Washington, Larkin met more Germans in the company of McGuire, where he was asked to proceed to Mexico to meet 'high officers who … dare not come into the United States.' In September 1916, in Mexico City, an Otto Paglische was to bring Larkin to see the German Minister Von Eckhardt. Von Eckhardt, as it turned out, was unable to keep to the arrangement due to complications with the British objecting to German activities in Mexico. Larkin returned to San Francisco to meet Von Bopp, who complained to Larkin about the calibre of people they were paying to carry out sabotage, and asked Larkin yet again if he would undertake sabotage activity for them. Again Larkin refused. Von Bopp persisted, importuning Larkin over the course of the next few days to work for him on the West coast but to no avail. Larkin returned to Chicago, where he now had a semi-permanent place of residence, and where he published the American *Irish Worker* with Jack Carney.[298]

DUBLIN CASTLE AND THE 'SECOND COMING'

Around this time, back in Ireland, Larkin's threatened Second Coming again aroused the consternation of Dublin Castle.[299] On 10 July 1917 a report stamped 'secret' from Detective Branch, DMP, read:

> I beg to report that information has been received from a reliable source that James Larkin is expected to visit Dublin towards the end of July. It is further alleged that William Mellows, and perhaps [Robert] Monteith will arrive here about the same time.[300]

[297] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.176-177; and see O'Connor, E., *James Larkin* (Cork; CUP: 2002) for a similar interpretation of Larkin's response to the 1916 Rising.
[298] Larkin's 1934 affidavit in Nevin, D., (ed.) *James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998)* pp.298-312.
[299] See above for Dublin Castle frenetic activity in 1915 as to Larkin's whereabouts.
[300] DCR CO/904/206/233A (99 [100]). William Mellows was a nationalist revolutionary and socialist, and was close to Connolly. A member of the Irish Republican Brotherhood, he was elected onto the committee of the Irish Volunteers, and was active in East Galway during the Rising. He was later executed by the Free State

Under-Secretary W.P. Byrne minuted: 'in the present conditions of Ireland, these three had better be kept away.' Byrne suggested that the advice of the General Officer in-Command (GOC) should be ascertained before submitting the report to Chief Secretary Duke. On 13 July a letter stamped 'secret' from Military Command at Parkgate to Byrne warned that the GOC felt it 'highly undesirable' that any of the three should be allowed into Ireland. It advised that Larkin and Monteith be tried for high treason, but that Mellows may come under the general amnesty; and that 'it is most desirable' that the Home Secretary should issue Orders under regulation 14E (of DORA).[301]

On 8 August, Cecil Spring Rice, Ambassador in Washington wrote to Foreign Secretary Balfour saying he had issued a circular to Consular staff not to issue a visa to Larkin who was rumoured to be seeking passage to Australia. Newspaper clippings of Larkin sailing the high seas swirled around the corridors of Dublin Castle. The *Freeman's Journal* (31 August) reported that the Australian Prime Minister William Hughes had received instructions not to allow Larkin into Australia. Another clip (untitled) claimed that Larkin had been refused permission to land in New Zealand. 0n 13 September, the Sydney Correspondent of the *Daily Mail* reported that James Larkin had left America in a steamer bound for Australia:

> But the Captain, according to instructions, landed Larkin at Pago Pago, in American Samoa. Larkin indignantly protested to the American Administrator, who replied that he had no power in the matter. Larkin, it is expected, will return to America as all shipping companies have been notified of the prohibition against his landing in Australia. If he did get there immediate deportation would follow. [Larkin] is virtually marooned in the middle of the Pacific.[302]

An interesting historical curiosity is whether or not Larkin landed in Pago Pago; and whether or not he had set off on his professed world tour (see Chapter 1). According to New Zealand's *Auckland Star*:

> When Mr R. A. Wright asked the government today if it will follow Australia's example in keeping out Jim Larkin, the well-known Dublin

government in reprisal for the shooting of Sean Hales; see Greaves, C. D., *Liam Mellows and the Irish revolution* (London; Lawrence and Wishart: 1971). Robert Monteith joined the Irish Volunteers in 1913, and worked on drilling activities; he joined Casement in Germany to assist him recruiting an Irish Brigade from among the British army prisoners there. This was not a success, and he later returned to Ireland with Casement in a German submarine. See Monteith, F.L., *Mystery man at Banna Strand: the Life and Death of Captain Robert Monteith* (New York; Vantage Press: 1959).

[301] DCR CO/904/206/233A (97-99 [98-100]).

[302] DCR CO/904/206/233A (74-77 [75-78]).

> agitator, the Premier remarked: "I can answer that at once: Larkin will not be allowed to land in New Zealand."[303]

If there is any truth to this episode, it may be that he was brought to Pago Pago, on a return leg to America (having been barred from Australia, where his brother Peter was in prison for IWW activity).[304] On the 26 September, Rice wrote to Balfour that the Consul General in San Francisco had been visited by James Larkin on 5 September for 'a passport to proceed to Shanghai.' When this application was refused, Larkin applied for a passport to Ireland, 'but did not return again to the Consulate General.'[305]Again, it is quite possible that this rumour express was the work of Larkin, or his aides, sending out misinformation by making false applications, as a way of covering his tracks, and may have been directly connected with his excursions to Mexico to meet the Germans at this time.

In July or August of 1917, an emissary of Von Bopp's contacted Larkin and asked him to proceed to Mexico City once more. When Larkin agreed to travel to Mexico, McGuire contacted Larkin and urged him to do whatever the Germans wanted. Larkin arrived there on 17 September, and met with Von Eckhardt and a number of other significant officials. The Germans were coming under increasing pressure in Mexico from both the American and British intelligence services at this time; particularly with America's entry into the war. The entry into the war precipitated the galvanising of intelligence in America in the form of Military Intelligence Division 8 (MI8). One of Von Ekhardt's most successful saboteurs Lothar Witzke, who had been responsible for the Black Tom explosion (the munitions depot in New York harbour was blown up in July 1916), would soon be caught crossing over the border from Mexico into America in February 1918 (and would be sentenced to death).[306] The Germans again complained to Larkin about the calibre of the people they were forced to work with and asked him once more to consider working for them in direct sabotage activity. When Larkin yet again refused, 'their whole demeanour changed.' At this point, the Germans seemed to have more or less given up on Larkin. Soon, he was refused access to his belongings in the hotel, and his bag and wallet were stolen. He was also attacked on the train out of Mexico, and there may have been an attempt on his life. Larkin blamed these misfortunes on the Germans (and the historiography has tended to concur on this), but it is just as likely that once the Germans finally realised he was of no use to them in terms of direct action, they decided to have nothing more to do with him at that time.

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[303] *Auckland Star,* 5 September 1917.
[304] This is an example of uncorroborated information in the DCR, and should be viewed with caution; there is a potential link, however, with his claim to go on a world tour. See *Attempt to Smash*, pp.125-136.
[305] DCR CO 904/206/233A (70 [71]).
[306] Kahn, D., *The Reader of Gentlemen's Mail: Herbert O. Yardley and the Birth of American Codebreaking* (New Have; Yale Press: 2004), pp.16-18 for the origins of MI8; and pp.38-44 for Lothar Witzke.

This was not a personal issue for the Germans, it was strictly business. Besides, there are two other reasons why it is unlikely to have been the Germans. Firstly, the Germans were not finished with the war, which at this point was not going well for them, and Larkin could potentially still play a small part in hindering Britain's efforts through strike activity; if the Germans wished to revert to that. And secondly, the Germans made one last attempt to contact Larkin after he arrived back in the United States, but he refused to have anything more to do with them.[307] This would simply be *realpolitik* on the part of the Germans—Larkin was of no use to them dead (although, as it turned out, of course, he had not been much use to them alive, either).

Why the Germans persisted with Larkin is most likely down to Larkin's management of the relationship. It is likely that Larkin is not as innocent in the whole sabotage business as he made out in his affidavit. Clearly, the union activity Larkin was engaged in did not make any appreciable difference to the German war effort. It is quite possible that Larkin never categorically refused to work for the Germans along the lines they wanted, and he literally strung them along. One of Larkin's central concerns while he was in the United States must have been funding, and the Germans had deep pockets. While there is no reason to assume that he was ever involved in any direct sabotage, he was certainly assisting on the periphery. During the course of his activities with the Germans (from nascent relations in 1915 up to the end of 1917) Larkin delivered letters for the Germans[308] and it is probable that they contained instructions, drawings or plans of intended sabotage for their agents. Although not independently verified, Frank Robbins recollects Larkin showing him two sticks of gelignite on one occasion: 'This is the kind of work we are doing here.'[309] Emmet O'Connor quite rightly concludes that although there is no evidence that he was involved in any direct action, Larkin's account is something 'less than the whole truth.'[310]

LARKIN AND THE FBI

While Larkin was in Mexico liaising for the Germans, the FBI already had him in their sights. America would be engaged directly in a world war, and any anti-war activity had to be spied upon and controlled. But anti-war activity was not their only interest, there was another pressing domestic

[307] Larkin's 1934 affidavit in Nevin, D., (ed.) *James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998)* pp.298-312.
[308] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965), p.196.
[309] Robbins, F., *Under the Starry Plough: Recollections of the Irish Citizen Army* (Dublin; Academy Press: 1977) p.165, quoted in O'Connor, E., *James Larkin* (Cork; CUP: 2002) pp.56-57. Robbins would be an opponent of Larkin when he returned to Ireland (see below).
[310] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.56; O'Connor also makes the point that Larkin was using the Germans for funding, and flags the incident with Robbins.

issue: labour unrest and radicalism. A look at the website of the FBI presents a gallery of populist history, with the focus very much on what might be termed *big-name* criminals. The history page opens up with celebrity criminals such as John Dillinger, Al Capone and Bonnie and Clyde; and discredited organisations like the Ku Klux Klan. However, a crucial part of FBI activity, an activity which has no prominence on the FBI home page, is the FBI's anti-labour activity. Indeed, the FBI was born in the cauldron of heightened class antagonisms, and as well as dealing with internal problems like organised crime and corruption, it should, at least in part (if not the greater part), be seen as a reaction to the rising militancy of the working class, and revolutionary socialism. In the annals of the FBI this is cloaked as a reaction to anarchism, which it was to some extent, but anarchism was itself part of the spontaneous up-swell of a left-wing international movement.[311] This is illustrated by the following statistic: by 1919, more than half of the Bureau's 'field force was covering radical activities.'[312] The police and the detective agencies were a necessary adjunct of the American capitalist state, which protected the interests of capitalism by undermining and, in the case of the IWW, destroying organised labour, particularly its militant arm. It has been estimated that in the early twentieth century, private detective agencies made most of their money working in *industrial relations*.[313] This is what radical individuals like James Larkin were up against.

Even though spies and information on army movements had been used since antiquity, it wasn't until the advent of capitalism that spy and intelligence networks became central to the functioning of the state. Military technology, technology in general and economic expansion through industrialisation were the significant factors. For example, national, and transnational railways meant that armies could be deployed more efficiently, and this put pressure on the need for more immediate intelligence. In 1869 the American transcontinental railroad was completed; and by 1874, US exports exceeded the value of imports. In I882, the Secretary of the navy initiated the Office of Naval Intelligence. In 1885, an army intelligence division was introduced and in 1889 a Military Information Division was formally authorised by Congress. The Spanish-American War of 1898 further boosted the drive towards more sophisticated intelligence.[314]

In 1908, Attorney General Charles Bonaparte appointed a force of special agents within the Department of Justice, and ordered them to report to Chief Examiner Stanley W. Finch. Finch, in

[311] For the Bureau's homepage, see www.fbi.gov (accessed July 30 2015).

[312] Greenberg, I., *Surveillance in America: Critical Analysis of the FBI, 1920 to the Present* (Lanham; Lexington Books: 2012) p.54, for the statistic on the field force.

[313] Jeffreys-Jones, R., *Cloak and Dollar: A History of American Secret Intelligence* (New Haven; Yale Press: 2003, 2nd ed.) p.8.

[314] Khan, D., *The Reader of Gentlemen's Mail: Herbert O. Yardley and the Birth of American Codebreaking* (New Haven; Yale Press: 2004) pp.16-19.

turn, was to report directly to the Attorney General. This is seen as the beginning of the FBI, which at that time was called the Bureau of Investigation. However, the Bureau did not dominate intelligence, and was something of a bit-player for its first few years. In 1915, under Woodrow Wilson's directions, the little known U-1 was formed. It took its name from the first initial of *Undersecretary*, and was based in the Department of State. At this time there were many sources for American intelligence, and all of these sources fed into U-1; all the sources (or subdivisions) were designated as U-2, U-3, U-4 and so on. Thus, for example, Military Intelligence Division 3, or M.I3 (the office of counter-intelligence), was represented as U-3. The formation of U-1 was an attempt to centralise all intelligence in a time of war, for diplomatic, commercial and intelligence needs. The FBI and other intelligence divisions would eventually supplant U-1, and in 1927 the ultra-secretive (secretive to the extent that very few knew of its existence) U-1 would cease to exist.[315]

Stanley W. Finch had made attempts to create structures and solidify the FBI as a nationwide organisation from the start of his tenure in 1908. This was to be by the creation of field offices in major cities such as Chicago and New York; but the initiative was slow to develop. However, by 1920, there were divisional headquarters in major cities from Texas to Oregon, from Ohio to Maryland and Atlanta, including Chicago and New York.[316] These were the field offices out of which operated the FBI agents who were at the coal-face, involved in the dirty-work of spying and gathering intelligence. Nationwide, the organisation was structured in such a way as to try and centralise operations, and centralise the intelligence. Outside of New York and Washington, the head of each field division was labelled, Special Agent in Charge (SAC). SACs will have a number of agents under them, labelled Assistant Special Agents in Charge (ASAC). In New York and Washington, the SACs are outranked by the Assistant Director in Charge (ADIC).[317] The FBI was to remain a distinct organisation from the Military Intelligence and Naval Intelligence Divisions, and although channels of communication were open between them, the process was cumbersome. In this overview of American intelligence, it is seen that it is a multi-layered, and in many ways a disparate industry. Indeed, the attempt to centralise it in U-1 in the very heart of the State Department failed. It failed because the very nature of the industry was highly-secretive and self-protective, and the intelligence divisions were mistrustful of each other. It was led at the top by people who were egocentric and autocratic, and who could be a law unto themselves.[318] It was fed by individuals on the ground who lived double-

[315] Jeffrey-Jones, R., *Cloak and Dollar: A History of American Secret Intelligence* (New Haven; Yale Press: 2003, 2nd ed.) pp.61-62.
[316] Theoharis, A.G., *et al* (eds.) *The FBI: A Comprehensive Reference Guide* (Arizona; Oryx Press: 1999) p.236.
[317] Theoharis, A.G., *et al* (eds.) *The FBI: A Comprehensive Reference Guide* (Arizona; Oryx Press: 1999) p.217.
[318] For example, most commentators agree on the power-seeking, egocentricity of J. Edgar Hoover, who often went beyond his remit, and in defiance of his employer, the Justice Department. See Jeffrey-Jones, R., *Cloak*

lives, and who were involved in clandestine activity. This made the whole enterprise essentially unwieldly to a great extent. This was not its only failing.

As was seen above when discussing Dublin Castle and its intelligence on Larkin, the concern for British intelligence was the quality of the people on the ground, and the related problem of the reliability of the information coming in. For that reason the historian had to proceed with caution. The same caution is required by the historian who works with the James Larkin FBI file. The FBI put measures in place to tighten up the quality of information coming in, with their use of SACs and ASACs; but nothing would make the gathering of information fool-proof. Unreliability (usually in the form of exaggeration) was also seen at the top as well. As early as the Civil War days, Allan Pinkerton was sacked from Abraham Lincoln's military intelligence corps for exaggerating information in 1862. Fifty years later Chief Examiner Finch was criticised for being '"a master at painting the Menace."' This construction of the enemy (so perceived) as the raison d'être for the necessity of the organisation or the individual, like the other failings of the intelligence industry, was unavoidable. But it bore its fruits: historian Ellen Schrecker has pointed out, 'By exaggerating the threat of Communism and then making the Bureau indispensable to eradicating that threat, Hoover not only increased the power of his agency, but also advanced the anti-communist cause.'[319] The important point about intelligence agencies is that no matter what structures were put in place, nothing can guarantee the reliability of the information

When America entered the World War in April 1917 (under Woodrow Wilson) the Bureau acquired 'responsibility for the Espionage, Selective Service, and Sabotage Acts and assisted the Department of Labor by investigating enemy aliens.' When President McKinley was shot in 1901, the Criminal Anarchy Act was brought onto the statute. Larkin, an 'undesirable alien', was to be incarcerated under this statute in 1920, on trumped-up charges arising out of a '*Left Wing Manifesto*' published by the *Revolutionary Age* (for which he was granted an unconditional pardon in 1923). J. Edgar Hoover had worked for the Department of Justice since 1917 'where he headed the enemy alien operations during World War I and assisted in the General Intelligence Division under Attorney General A. Mitchell Palmer, investigating suspected anarchists and communists.'[320] Hoover, of

and Dollar: A History of American Secret Intelligence (New Haven; Yale Press: 2003, 2nd ed.) pp.92-94; and Schrecker, E., *Many are the Crimes: McCarthyism in America* (New Jersey; Princeton Press: 1998) pp.106-107.

[319] Schrecker, E., *Many are the Crimes: McCarthyism in America* (New Jersey; Princeton Press: 1998) P.203. Also see Khan, D., *The Reader of Gentlemen's Mail: Herbert O. Yardley and the Birth of American Codebreaking* (New Haven; Yale Press: 2004) for the problem of the reliability of gathering information.

[320] General historical details on FBI from www.fbi.gov/about-us/history, accessed 31 August 2015; and Jeffreys-Jones, R., *Cloak and Dollar: a History of American Secret Intelligence* (New Haven: Yale Press: 2003, 2nd ed.).

course, was to go on to become one of the most notorious and celebrated heads of the FBI. Hoover was closely involved in the case against Larkin, assisting Assistant New York District Attorney (and Clan na Gael member) Alexander Irwin Rorke who prosecuted Larkin. From his earliest days in the Bureau, Hoover had a strong inclination to wipe out Left-wing radicalism. The red-scare raids of November 1919 and January 1920 were not without their precedents:

> On September 5, 1917, in a series of nationwide raids, agents from the Department of Justice ransacked the halls and the headquarters of the Industrial Workers of the World. They seized correspondence, journals, pamphlets … everything from desks and typewriters to paper clips. Shortly thereafter, federal, local, and state authorities herded hundreds of men into the jails of Chicago, Wichita, Omaha, Tulsa … and many other American cities.[321]

Hoover, who saw the extent of the perceived problem perhaps more sharply than most, 'sought to make deportation of alien Wobblies an automatic and mandatory procedure, and proposed the selective arrest of Wobblies in groups of five hundred in order to cripple the organisation permanently.'[322]

This bent against the IWW did not only occur in America. The IWW was an internationalist organisation and wherever they agitated they were repressed. Above we saw that Larkin may have attempted to get to Australia to see his brother Peter. It will be instructive for this thesis to look briefly at the way Peter Larkin's experiences mirrored Larkin's, in terms of the state, its judiciary, legislation, specialist police and the role of the labour reformers in undermining the radicals. When Hoover set out to destroy the IWW in America in 1917; legislation to deal with the IWW had already been put in place by Australia. Peter Larkin was possibly further to the Left than Larkin; and he seems to have been the prime mover behind the Port, Gas and General Workers' Provisional Committee, and the resultant WUI (see below). He had helped Larkin in 1907 in Belfast, and had helped out in the 1913 Lockout. He arrived in Australia in September 1915 and became one of the IWW's most prominent officials (the IWW had been organising there since 1911). He was soon arrested on

[321] Dubofsky, M., *We Shall Be All: A History of the Industrial Workers of the World* (Quadrangle; New York: 1973) *ix*.

[322] Dubofsky, M., *We Shall Be All: A History of the Industrial Workers of the World* (Quadrangle; New York: 1973) p.456. Years later, as if in homage to the sanctity of the FBI's anti-radicalism, a million dollar endowment by Schenley Industries financed an organisation which provides J. Edgar Hoover scholarships, 'to further the values of its Director.' Such *values* as the destruction of militant labour would be values in line with the values of profit-seeking industries. Theoharis, A.G., *et al* (eds.) *The FBI: A Comprehensive Reference Guide* (Arizona; Oryx Press: 1999) p.243.

trumped up charges, and along with 11 others, was committed to 10 years imprisonment under the 1848 Treason Act. In anti-radical sentiment similar to that of Magistrate McAdoo, who would fulminate to James Larkin in November 1919 that *all communists* were guilty of criminal anarchy, the judge declared that the Sydney Twelve was 'an association of criminals of the very worst type'.[323] He was eventually released in August 1920, became involved with the communist movement, and was soon one of the leading communists in Australia. He left Australia in May 1922, and went to work on his brother's release in America.[324] Hot on the heels of the imprisoning of the Sydney Twelve, legislation was brought in to extirpate the IWW. The Unlawful Associations Act went through parliament in five days in December 1916, making it illegal to be involved in IWW activity, with mandatory imprisonment and deportation. Billy Hughes, the reformist labour leader, now nationalist, pushed the anti-IWW legislation through the Australian parliament:

> In introducing [the Unlawful Associations Act] in December 1916, Hughes referred unequivocally to its principle object, the IWW: 'I say deliberately that this organisation holds a dagger at the heart of society … As it seeks to destroy us, we must in self-defence destroy it.'[325]

The 1916 Act was bolstered in 1917 by an amendment making even membership of the IWW subject to an automatic six months sentence. The harshness and brutality of the 1917 amendment is seen poignantly in the sentencing of an 86 year old man to six months hard labour.[326]

In his book on the history of the FBI, Ivan Greenberg says the FBI sided with the employers and targeted militant trade unionists in its efforts to contain industrial radicalism: 'The experience of Irish American [*sic*] radical James Larkin illustrates the FBI's containment efforts.'[327] It is difficult to know exactly when the FBI became interested in Larkin, and this for a number of reasons. The FBI file is made up of many different reports from different agents, who had differing levels of intelligence on Larkin. Also, there is a substantial number of omissions, of which there are two types: one, information which originates from other departments is omitted from the file; and two, there are a number of unexplained omissions, such as truncated reports and reports referred to which are not

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[323] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.441.
[324] For general details on Peter Larkin see Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.439-444; for Peter Larkin's role in the founding of the WUI, see pp.342-343 and p.443. Also, see DCR CO/904/206/233/A (116/117) for a reference to Peter Larkin possibly being on the Lusitania.
[325] Burgman, V., *Revolutionary Industrial Unionism: The Industrial Workers of the World in Australia* (Cambridge; CUP: 1995) pp.215-216.
[326] Turner, I., *Sydney's Burning* (Sydney; Alpha Books: 1969 [revised edition]) p.88.
[327] Greenberg, I., *Surveillance in America: Critical Analysis of the FBI, 1920 to the Present* (Lanham; Lexington Books: 2012) pp.54-55.

present. Also, there is the process of redaction that the *released* files are subjected to by the security service which often makes whole sections meaningless.

The earliest dates in which Larkin is mentioned in the FBI file are 1914, and January 1915, which are dates pertaining to Larkin's arrival into New York, and the dates are referred retrospectively to Larkin. The next is a report of 28 February 1925 in relation to the Black Tom explosion of 30 July 1916, which quotes reports within the Bureau of Intelligence given by an informant to the British in 1916; but this report is so extensively redacted that it is not at all clear if Larkin was mentioned contemporaneously or retrospectively. In his 1934 affidavit, Larkin said that the German Consul Von Bopp told him that he had agents in the Department of Justice who said the FBI were unable to charge Larkin with anything even though they felt sure he was engaged in sabotage. This conversation took place sometime between September 1916 and April 1917. The FBI file contains two reports of the 11 and 30 October 1917 stating that it was reported Larkin was in the Fresno Hotel (visiting Tom Mooney) around the time of the Preparedness Day Parade on 22 July 1916; but again these are not contemporaneous accounts. Although it is almost certain that the Department of Justice was aware of Larkin prior to 1917, the earliest contemporaneous account of Larkin in the FBI file is 14 February 1917, when it was reported that the occupants of a building in Chicago did not know anybody by the name of James Larkin. On 13 December 1917, Chief Bialeski (of the FBI) wrote to Van Deman in the War Department in relation to a report of October 1917, that Larkin was known to be in Mexico, and that they should find out what he was doing there.[328] When Larkin arrived back into San Francisco after the Mexican fiasco, he was arrested and questioned by the FBI.[329]

Around the time that America entered the war in April 1917, the British informed the State Department that there was a 'movement':

> To obstruct the manufacture of war material, etc., and to use as confederates persons of German extraction and Irishmen belonging to the Sinn Féin faction. *James Larkin* was especially active in this

[328] FBI file, p.10.

[329] See the following for this period, but see my *nota bene* in this footnote: Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.192-193; Larkin quotes from a naval intelligence file dated 29 October 1917. The two following dates need to be affirmed: the date of the Preparedness Day Parade was 22 July 1916; the date of the Black Tom explosion was 30 July 1916. Emmet Larkin says the Preparedness Day Parade went off on 16 July, whereas it was the 22 July. Emmet O'Connor (in his 2002 biography, p.58) says the FBI knew he was in San Francisco before the Preparedness Day Parade bomb of 16 July; then, that Larkin was in New York visiting Devoy when the Black Tom bomb went off on 30 June. *N.B.*, the respective dates are 22 July 1916 and 30 July 1916. I have no wish to be pedantic; I hope any mistakes (dates or otherwise) I may have made in the course of this thesis will be suitably corrected.

> movement which seemed to centre about the Sherman House in Chicago, Illinois.[330]

The Sherman House was a large, bustling hotel owned by a Jewish Hungarian immigrant by the name of Joseph Biefeld, situated between LaSalle and Clarke Streets on the north side of Randolph Street, Chicago.[331] It is likely that the 'confederates' would have met here on occasion, but there is no evidence to suggest that they used it as their base of operations. The FBI file shows that their investigations were in the immediate vicinity, which was in line with the British information. Interestingly, the FBI already had information on suspect activities in the area of the Sherman Hotel prior to April 1917. In a report headed 'James Larkin: Neutrality Matter' dated 16 February 1917, a building at 10 North Franklin Street was investigated; its occupants, the Horders (who ran a stationery business out of the building), 'knew nobody by the name of Larkin.'[332] This building is a mere four blocks south-west of the Sherman House hotel.

FBI Chief Bielaski's agents in Chicago continued to watch the vicinity of the Sherman Hotel closely throughout the year, and a series of letters and reports went between them. A letter from Bielaski dated 21 September 1917 said that the 'movement' to hinder the war effort was believed to be 'within four blocks to the left of the Sherman Hotel.' Finally, Larkin's presence was located in the vicinity. In a report of November 1917, after several attempts to garner corroborative evidence, an agent was told by an informant that Larkin had been 'in Chicago about six months ago [April or May] and that he spent most of his time in the saloon of John E Fitzpatrick.' This would place Larkin in the vicinity of the Sherman Hotel, area of the purported operations, if nothing else. Fitzpatrick had three saloons, at Madison Street, Washington Street and Clark Street. The agent said that this would place Larkin within four blocks of where the 'movement' was based.[333]

In this chapter, we looked it was seen that Larkin had less and less to do with the Clan; despite the fact that he was put on the German payroll by Devoy. Devoy had cultivated German assistance for Ireland at the outbreak of the war for purely nationalist purposes. Larkin, however, was to prove not to have a singular bent of mind when it came to Irish nationalism. Whatever Larkin's aims and objectives were, his relationship with the Germans proved fruitless (although he gained much needed funds). He had met the Germans formally in November 1914, and was on their payroll by 1915. Larkin can hardly be blamed for not becoming involved in direct sabotage but his efforts at

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[330] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.194-195.
[331] Demolished in 1980, the site is now occupied by the James R Thompson centre; see Google Maps at www.maps.google.com and Roy Croft Books at www.roycroftbooks.org/hotelsherman. Accessed 31 August, 2015.
[332] FBI file, p.2
[333] FBI file, p.7

causing industrial strife in America to hinder the British war effort, whilst meeting with some small successes, effectively came to nothing; and this activity had no impact on assisting the opportunity seized on by the insurgents in April 1916 in Ireland. This chapter also saw an interrogation of Larkin's attitude to 1916. We started from Emmet O'Connor's proposition that Larkin's attitude was essentially driven by jealousy; and that Larkin made no immediate comment following the Rising because he 'knew he had been upstaged on a grand scale.' However, an analysis of Larkin's known writings and comments on 1916, and particularly on Connolly, while Larkin was still in America, showed that an alternative interpretation was possible. The analysis showed that Larkin's comments were shaped to protect Connolly from the charge that he had mismanaged the role of the Citizens Army in the Rising; and that Larkin's articles generally praised Connolly and his achievements. The second part of the chapter dealt with the origins of the American security services and intelligence gathering. It was seen that the need for intelligence was driven by war and the pursuit of profit, with industry and technology facilitating the honing of the intelligence services. Importantly, it was also seen, as with Dublin Castle, that the intelligence gathered by the Military Intelligence Division, the Naval Intelligence Division and the FBI needs to be treated with caution by the historian. By 1917, the FBI had Larkin firmly in their sights. In the next chapter, Larkin, who was still being *shadowed* by British intelligence, would also now be *shadowed* by the FBI. As Larkin moved away from the Clan and the cause of nationalism, he became more and more involved with the SPA, and then the communist movement. Consequently, he became one of the main targets of the FBI in the build up to the orchestrated anti-Red raids of November 1919. Interestingly, it will be seen that although the obvious method for dealing with Larkin by the American authorities should have been deportation, this option was not taken. We will have reason to ask why this option was not taken.

SECTION TWO

CHAPTER 4 LARKIN, THE WAR AND COMMUNISM

This chapter opens with a look at another aspect of the American state: its imperialist designs. This helps to contextualises Larkin in America in terms of the activity he was engaged in. There will also be a review of the legislation the American state put in place to deal with anti-war activity. With the effective end of Larkin's working relationship with the Clan in 1917, it will be seen that Larkin moves closer to the SPA. The 1917 Russian revolution gave militants like Larkin a much needed morale boost. The heightened militancy within the SPA gave way to a split, and Larkin became active in forming the Communist Labor Party of America. With America joining the war in 1917, the state became very concerned with Larkin's anti-war activity; and he was also seen as very radical in his support of Soviet Russia. Larkin's nationalism was brought to the fore by the events in Russia, and it will be seen that he now swore his loyalty to the red flag, not the green one. The first part of the chapter ends with Larkin's name writ large in FBI reports as the American state agencies gear up for the November raids in 1919. The second part of the chapter looks at the activities of the Larkinite faction back in Dublin. The Larkinites under P.T. Daly and Delia Larkin set out to try and force the hand of the William O'Brien controlled ITGWU executive into campaigning for a passport for Larkin. On the eve of Larkin's arrest, a Dublin Trades Council deputation headed by P.T. Daly made its way to London and met with the Chief Secretary Ian MacPherson to ask why a passport had not been issued to Larkin. With Larkin arrested, MacPherson tells the deputation that he will not intercede on Larkin's behalf with the American authorities. The aims of the first part of the chapter are to continue to contextualise Larkin as an opponent of capitalism and imperialism, and view his anti-war activity in this context. The aim of the second part of the chapter is to look at the response of militant elements of the rank and file to Larkin's predicament in being unable to secure a passport, *vis á vis* the response of the bureaucratic leadership of O'Brien, Foran *et al*. The reformist leadership of the labour organisations has been identified as one of the factors in the demise of syndicalism and its leaders; this, therefore, forms part of the context in which Larkin's activities should be viewed generally.

It was seen earlier that the American state (that is, the individuals who run the state departments and administer the state according to its laws and institutions) was a pro-capitalist one, and that its agencies such as the police and its armed forces were often used against labour. This contextualised Larkin in terms of the anti-capitalist activity he was carrying out while in America. Larkin was also

fighting against British imperialism; it is worth pointing out that America was also an imperialist country at this time. America may not have emerged as a world superpower until after the Second World War, but its own imperialist designs predated the First World War. President William Howard Taft whose presidential term came to an end one year before Larkin arrived in America, voiced imperialist designs: 'the day is not far distant [when] the whole hemisphere will be ours…as, by virtue of our superiority of race, it is already ours morally.' Robert Lansing, Secretary of State while Larkin was in America, told President Woodrow Wilson (who proceeded Taft): 'in its advocacy of the Monroe Doctrine, the United States considers its own interests.'[334] The Monroe Doctrine dated from 1823; it is a foreign policy plank with the objective of stopping any European colonisation of South America. American imperialist territories included the Republic of Texas (annexed 1845), and Hawaii and Puerto Rico, which were annexed in 1898. The war against Mexico (1846-1848) resulted in the annexation of much of modern day south-west America, including California. By the conclusion of the First World War, America was a major player, influential in the deliberations of the victors, and prominent at the Paris Peace Conference in 1919. This was the context in which Larkin was active as a revolutionist: America was an imperialist, pro-capitalist state.

Early in 1917, whilst being based in Chicago, Larkin was still in contact with Clan na Gael, and he was still conniving with the Germans. As Emmet O'Connor rightly points out, Jack Carney's recollections of Larkin's activity at this time indicate that there was some collusion between Chicago policemen and the Clan. Carney writes:

> Jim went travelling, being six and seven weeks at a time away from Chicago. On his return he would call meetings of the Clan na Gael. I was the messenger. I would meet … one of the heads of the Chicago police, and hand him a note with instructions. I saw the men arrive for the meetings and checked on their numbers. Larkin knew how many would attend. So he must have been in close touch with the Clan.[335]

However, as we saw in the last chapter, Larkin's connections with the Germans were severed completely in Mexico City in September 1917. His effectiveness with the Clan, and his usefulness to them consequently took a severe setback, a setback from which it would not recover. O'Connor sees

[334] Chomsky, N., *Hegemony or Survival: America's Quest for Global Dominance* (London; Penguin: 2004) pp.63-64. Their designs were on South America.
[335] Jack Carney memoir, quoted in O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* pp.181-182.

this loss of connections with the Germans (and the Clan) as being the reason that 'compelled [Larkin] to modify his lone-star style, and return to the embrace of the American left.'[336]

When America entered the war in April 1917 on the side of Britain, a raft of legislation followed, which was aimed at silencing criticism of the war effort and the government. The Espionage Act of June 1917 was followed closely by the Sedition Act of June 1918. The Criminal Anarchy Act was already on Statute since 1902. After America's entry into the war, Larkin was equally as vociferous in his denunciations of the war as he had been when he was campaigning for the Clan. No less than in Britain, Larkin's anti-war and anti-conscription speeches in America were a threat to the strategic objectives of the state; and therefore his activity was punishable under statute. On 22 June 1917, Larkin was arrested under the Espionage Act by Detective Fitzgibbons of the 8th Branch, FBI, for making a speech in contravention of the national conscription law at the Queens Labor Lyceum, in Ridgewood, New York. The meeting was attended by some three hundred socialists and pacifists. A number of policemen were placed strategically around the hall. Larkin mocked them, and picked out Fitzgibbons for ridicule: 'There is an Irish stool pigeon seated in the rear of the hall. He is like a lot of other detectives. He falls asleep but wakes up when anything is said against the country.' More importantly, Larkin is alleged to have said: 'The soldiers are a lot of hired assassins … I didn't tell you not to obey conscription, but if you have [obeyed] conscription you can go to hell.' He also implored the meeting to: 'Stand by me and stop the war.' The next day he was arraigned in Jamaica Court, Queens, New York before Justice Doyle. He was held over on $500 bail, but later acquitted. Larkin's strategy of being against the war and conscription but declaring he was not soliciting anyone to disobey the conscription law, made it difficult to get a conviction.[337]

In December 1917, Larkin addressed a meeting of workers in Carpenters' Hall, San Francisco and made an anti-war speech. According to the FBI agent's report:

> Larkin lauded the Bolsheviks of Russia, suggested opposition to conscription by physical force, if necessary, and made a speech very hostile to the administration and to the conduct of the war … he attempted to persuade the workers that it is against their interests to assist in carrying on the war.[338]

[336] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.183.
[337] *Brooklyn Daily Eagle*, 23 June 1917; O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.182.
[338] FBI file, p.8.

This speech was as radical as any speech Larkin would later make; and it should be remembered that this speech was made hot on the heels of the Bolshevik seizure of power in November 1917. Although Larkin had strong links with the SPA (having lectured for them) it was not until around this time, the end of 1917, that he joined the organisation. He saw one of his tasks being to try to get the Irish-Americans into the party, and was critical of the party's attitude as 'hostile and uninviting.'

Around this time, from the latter half of 1916 to the middle of 1917, there was a new wave of nationalist campaigner arriving into America from Ireland, with the experience of the 1916 Rising behind them. Frank Robbins, who had taken part in the Rising, arrived. There was also a notable caucus of women who had been involved in the Rising, either directly or indirectly, including: Hanna Sheehy Skeffington, Mary and Muriel MacSwiney, and Margaret Pearse.[339] Also at this time, Judge Daniel F. Cohalan (and John Devoy) founded the Friends of Irish Freedom as a result of the 1916 Rising. The left-leaning Irish-Americans formed the Irish Progressive League (IPL) in 1917. Gertrude Kelly was a founding member of the League, and she was to play a not insignificant role in Larkin's time in America.[340] Other notable members of the IPL were Pat Quinlan, Nora Connolly and Frank Robbins. Emmet O'Connor sees Larkin as not being happy with this development. There was a 'sudden elevation of once obscure acquaintances' with a version of revolution that 'exalted James Connolly and 1916 rather than Big Jim and 1913'. This, O'Connor maintains, 'wounded his pride.' Larkin's complaints of 'socialism being subordinated to nationalism' and his 'abuse of republicans' were 'obviously driven by petulance' and he lost credibility with the Irish-American Left.[341] However, this assessment of a self-centred, petulant Larkin would have to be balanced against the oppositional hypothesis that Larkin had consistently complained of anything, including nationalism, subordinating socialism. Along with Connolly, Larkin considered that 'Nationalism without socialism … [was] national recreancy.'[342] Larkin had made clear in January 1915, a couple of months after his arrival in America (as seen above), that he hoped the Germans would win 'because the Socialist cause will benefit immensely by it[.]'[343] This was the subordination of nationalism to socialism; and it was

[339] For a history of the women arriving into America, see Mooney Eichacker, J., *Irish Republican Women in America: Lecture Tours, 1916-1925* (Dublin; IAP: 2003).
[340] Kelly was an Irish-American nationalist; a member of Devoy's FOIF and the Irish Progressive League. Kelly campaigned for Larkin's release, on a number of occasions. She made a direct plea to Governor Smith on 9 January 1923 for his release; see FBI file pp.429-432. Gertrude Kelly and others, staged a pageant in Manhattan in support of political prisoners, including Larkin on Christmas Day, 25 December 1919. They paraded down 5th Avenue wearing prison clothes and manacles. They were arrested and arraigned for disorderly conduct. On the day of the hearing, Larkin was present but remained outside the courtroom; see *Brooklyn Daily Eagle*, 26 Dec 1919. And see Ross, J., *The Socialist Party of America: a complete history* (Nebraska; University of Nebraska Press: 2015) p.608
[341] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* (Cork; CUP: 2015) pp.187-188
[342] Mac Aonghusa, P., (ed.) *What Connolly Said* (Dublin; New Island Books: 1995) p.18.
[343] DCR CO/904/206/233A (142-147 [143-148]). This record of Larkin's speech was certified by a public notary, numbered and filed in New York County. Such intelligence can be considered sufficiently trustworthy.

stated prior to the Rising of 1916. Apart from some rhetorical flourishes at Clan na Gael meetings, Larkin's consistent position was that nationalism was a means to an end, and that end was socialism.

Notable personages subject to public and private criticism by Larkin were Hanna Sheehy-Skeffington, whom Larkin criticised from the floor of a meeting in February 1918; and Nora Connolly and Patrick McCartan (Irish Envoy to America) in letters to Thomas Foran. It would seem that Larkin may have been instrumental in forming the New York Connolly Club as a way of circumventing what he termed petty bourgeois nationalists.[344] The New York Connolly Club became the hub of left-wing activity (and would shortly be housing the Left-faction, and the office of the *Revolutionary Age*). This hub replaced the IPL as the link between the Irish and the SPA; with Larkin, perhaps, sensing that the IPL was more interested in getting socialists interested in the Irish question than in getting the Irish interested in socialism.[345] Another consideration may be that this was related to Larkin's attitude towards what he perceived as Arthur Griffith's Sinn Féin party.[346] When Larkin accused IPL members Hanna Sheehy Skeffington and Nora Connolly of being Sinn Féiners, he was not doing himself any favours. Arguably, one of Larkin's greatest faults was his inability to see that other people operated according to their own lights. Using a term like Sinn Féin pejoratively was easy, keeping people onside was another thing altogether. Hence, he could lose contacts and allies unnecessarily out of a narrow-minded default to personal abuse.

As it had done to workers across the globe and their leaders, the Russian Revolution was a beacon in dark times. It was a particular boost to the more radical elements because it appeared to be proving the Marxian prediction of the oncoming dictatorship of the proletariat. When John Reed returned to America in April 1918, his book *Ten Days that Shook the World* revived the enthusiasm for the Bolshevik revolution. Reed spoke at the Connolly Club and Larkin, very taken with it all, became very vocal in defence of Russia. He addressed meetings, claiming that 'the Irish were with Russia.' He also claimed that Russia was the 'most peaceful and orderly country in the world.' The Russian Revolution meant the 'Socialist salvation of the entire world. It [meant] democracy for humanity.' Emmet Larkin points out that Larkin at this time was speaking out of a naïve faith in the Russian Revolution (because in reality, no one really knew what was going on, or what would transpire). Talking against the war (America was still at war at this time) and in favour of Russia was a difficult occupation and many, including Eugene Debs, were being arrested for such sentiments. The *New York Call* published

[344] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.199-201. O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* (Cork; CUP: 2015) pp.187-188.
[345] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.201.
[346] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.59.

Larkin's speeches but was careful, due to war time censorship, to veil Larkin's more flagrant pronouncements.[347]

A movement that addressed itself to the impact and the significance of the Russian Revolution was gaining momentum in August and September of 1918. It comprised significant names such as Reed, Louis Fraina, John Nearing, Santeri Nuorteva (official representative of the People's Republic of Finland); Gregory Weinstein and Nicholas Hourwich, editor and sub-editor of the Russian language organ *Novy Mir*. Also in the group was a close ally of Larkin's, Emmet O'Reilly, and Larkin himself. Within a week of the war ending, the left-wing, of which Larkin was a member, began publishing the *Revolutionary Age*. Fraina was editor and the associate editor was another close ally of Larkin's, Eadmonn MacAlpine. This grouping was continuing to galvanise as the left opposition within the SPA, and all of the above, including Larkin, would become members of the communist party.[348]

FBI agents were present at a meeting of the Connolly Club on 8 December 1918, and at the Rand School on 9 December. Preparations were being made for a rally in Central Park on 13 December, in support of arrested radicals, including Eugene Debs. Larkin explained the tactics for strikes, and the necessity of keeping the police busy. A delegation from the meeting of the 9 December was dispatched to the offices of the New York Call, organ of the SPA, to demand an explanation as to why they had not advertised the upcoming Central Park meeting.[349] In Boston, at a meeting on 15 December 1918, an FBI agent (who had a front row seat) reports that Larkin:

> Described all the rulers, and the American government, as thieves and throat cutters of the working men, as well as murderers of children and poor defenceless women … this sort of thing must be, and will be, abolished by the Bolshevik government [of America].[350]

On 2 February 1919, at a meeting to commemorate the deaths of Liebknecht and Luxemburg, Larkin claimed:

> In Russia, the Federated Soviet Republic, any man can own or can win the means whereby he lives for the land and the tools of production are owned by all the people. That is the only place on the known earth, and that is the reason, comrades, why they killed Liebknecht

[347] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.202-204.
[348] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.204-206. Also see O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* (Cork; CUP: 2015) pp.187-191.
[349] FBI file, p.14.
[350] FBI file, p.15.

> and Frau Luxembourg, because they were preaching the gospel of human understanding, they were preaching the gospel of economic freedom, and no man in any country can be free where he does not hold the economic means of life.[351]

Larkin's continued Bolshevism and anti-Americanism were compounding his earlier deviancy of anti-war activity. This was not to go unnoticed by the American government, principally the Department of Justice and the FBI. On top of these activities, Larkin was also protesting against the treatment of IWW members, who were in jail, or being deported. As seen above, the American state, spearheaded by Hoover, had successfully moved to crush the IWW to the verge of extinction in September 1917. Protest meetings took place nationwide, although it increasingly appeared to be a lost cause. Larkin, however, helped when he could. He spoke at the Brooklyn Labor Lyceum on 18 February 1919 to protest against the deportation of IWW members, and their treatment by the American state. They were held at Ellis Island, categorised as undesirable aliens, and were being processed for deportation.[352] Six months later, in July 1919 Bureau Chief Suter named Larkin as one of two people to whom 'particular attention' must be given by agents nationwide (see below).

At this point in Larkin's career, we can see that he has moved towards absolute support for Bolshevism, and away from nationalism. At a meeting in Odd Fellows Hall, New York (18 February, 1919), at which Rose Pastor Stokes[353] was present, Larkin 'commanded the audience to rise, take [their] neighbours' hands and swear loyalty to the Red Flag[.]' Whereas previously he had said he would die for Ireland, in February in New York, he now said he would die for the soviet form of government. In the same month, in Boston, he said 'I am a socialist before I am an Irishman.' In March 1919, in Philadelphia, he called for a Soviet government in America, and for the red flag of communism to wave across the land. Probably the most illustrative statement on his part which indicates a complete break with his nationalist past, was made at a meeting of the Deportees' Defence Committee in New York in April 1920 (the day before the commencement of his trial), when he said:

> One Loyalty; one Flag-aye, the flag that is waving over the broad region of Russia (Applause). If you were over in Vladivostock and should ask if they are coming east … the answer would be, 'No Sir:

[351] FBI file, p.20.
[352] *Brooklyn Daily Eagle*, 19 Feb 1919.
[353] Rose Pastor Stokes was a feminist, member of the SPA, and later the Communist Party. A staunch anti-war activist, she was arrested and convicted in 1918. She was part of the campaign that helped free Pat Quinlan, who had been imprisoned for leading the Paterson silk strike in 1913.

> coming east and coming west, all over the universe.' *One flag, one language, one loyalty and one class*. (Applause) [my italics].[354]

This is in sharp contrast to the type of sentiment he was expressing at the Clan na Gael organised Manchester Martyrs meetings in November 1914. At one meeting (see above) he had said of the Irish flag: 'the only flag that I ever paid fealty to, the tri-colour that is now raised aloft before me.' In his theoretical position[355] and in his day to day activities in this period, Larkin found himself on an unfamiliar shore from which the four fields of Caithlin-ni-Houlihan were now below the horizon. This shows that socialism had overcome nationalism in Larkin's *Christian-nationalist-socialist* trinity; in other words, Sovietism in America (or Britain) was more important than Irish independence. But this switch of allegiance is not necessarily a *volte face*, when one analyses the terms. Nationalism in Ireland had many shades, including a Left-leaning republican nationalism[356] (see earlier discussion, chap. 2). For Larkin, Irish nationalism was synonymous with the working class and their assumed rise to power; thus Irish freedom meant socialism. Of course, Larkin assumed, as others did, that a world revolution would achieve independence for countries under the yoke of imperialism, and to this extent Larkin never lost sight of Irish republican nationalism. However, Larkin had only contempt for the type of conservative-Catholic, pro-capitalist nationalism that won through in 1922.

THE SPA AND LARKIN

The SPA was to go through two major convulsions while Larkin was associated with it. The first was occasioned by the entry of America into the war in April 1917 and the eruption of the Russian Revolution in November 1917, forcing the party's members to adjust their positioning in relation to these events. The second convulsion took place when the war was over, and the Left and Right factions fought for control of the party. The 'Reds' were more numerous, but the 'Yellows' controlled the party's machinery. When it became obvious that the Left would win 12 of the 15 seats on the SPA executive, the Right-wing responded in May 1918 by expelling the Left-wing membership. Larkin, with a majority of the expelled, determined that they should try to regain control of the SPA (a minority, mostly Russian, refused to have anything more to do with the SPA). Larkin topped the poll in elections for a National Council, along with Louis Fraina and Eamonn MacAlpine. Fraina and MacAlpine became editor and assistant editor of the *Revolutionary Age* (which was moved from

[354] FBI file, pp.68, 94, 27-63, 179.
[355] Although well read, Larkin had little time for theory; and was critical of individuals who used words that went over the heads of the masses. Larkin wanted the working class to learn through *their own action*.
[356] See Grant, A., *Irish Socialist Republicanism, 1909-36* (Four Courts, Dublin: 2012).

Boston to New York), and which would produce the Left-Wing Manifesto (the publishing of which was soon to be used against Larkin in court). The majority of the left-faction split again, with Fraina and others reappraising their position on forming a Communist party. Larkin, MacAlpine and Benjamin Gitlow, and later John Reed,[357] maintained their position of trying to regain control of the SPA but were eventually confounded when the police evicted them from the National Convention of the SPA, leaving the right-wing in control (Larkin would experience this type of eviction by state agencies, aiding the right-wing of a movement, again back in Ireland in 1924 when supporters of his were evicted from Liberty Hall). Adolph Germer, National Executive secretary of the SPA, who had been blamed for enlisting the aid of the police, insisted that it was left-winger Alfred Wagenknecht's information sent to a reporter of the *Chicago Tribune*, subsequently picked up by the police, which was responsible for their intervention. Nevertheless, the police still intervened on the side of the right-wing, whatever their source. This victory of the right-wing led to the formation of the Communist Labor Party of America (containing Larkin), alongside the Communist Party of America (containing Fraina) in September 1919.[358] The communist movement would try to move the struggle forward on a political basis, whilst subsuming the industrial movement within itself.[359] As things stood, following the *victory* of the right-wing, the left in America was in a shambles. From this low point it may have looked as if it could not get any worse; unfortunately for the left it did get worse. The might of the American pro-capitalist government agencies was about to be unleashed.

In 1919, in the same year that the head would be removed from the socialist leviathan (a beast that, ultimately, had surrendered itself to its own internal contradictions of factional in-fighting and disparity), an incredible 20 per cent of the labour force was involved in strikes.[360] The strikes began in Seattle with a general strike early in the year and culminated in the autumn with massive coal and steel strikes. The 'steel strike alone involved 365,000 workers.'[361] A united left-movement might have been able to take advantage of whatever opportunities these strikes afforded, and even

[357] John Reed was the author of *Ten Days That Shook The World*; a journalist and political activist, he died shortly afterwards in Russia having contracted typhus. Louis Fraina had a long career in communism and remained a communist sympathiser, he was viewed as a theoretician. Benjamin Gitlow was arrested in the November raids and was sentenced to five years in February 1920. He became disillusioned with communism, and even gave evidence against old comrades to the House of Un-American Activities Committee; Eamonn MacAlpine was one of Larkin's closest supporters and would return to Ireland and become active in the P.T. Daly-Delia Larkin led opposition to the 'Parnell Square caucus' (see below).

[358] Ross, J., *The Socialist Party of America: a complete history* (Nebraska; University of Nebraska Press: 2015) pp.224-231. Also, see Nevin, D., (ed.) *James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998)* pp.65-8; Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.200-212; O'Connor, E., *James Larkin* (Cork; CUP: 2002) pp.59-60.

[359] Montgomery, D., *The Fall of the House of Labor* (Cambridge; CUP: 1999) p.426.

[360] Darlington, R *Syndicalism and the Transition to Communism: an International Comparative Analysis* (Aldershot; Ashgate: 2008) pp.78-79.

[361] Draper, T., *The Roots of American Communism* (New Brunswick; Transaction: 2003, 2nd ed.) p.197.

forestalled the *red scare* of November 1919. *Per contra*, the Right was to take its opportunities. The perceived threat of Bolshevism had the '100% Americans in their 100% organisations such as the American Defence Society, the Ku Klux Klan, and the American Legion' all willing and eager to slay the socialist anti-Christ on behalf of American values such as freedom and equality. On the federal level, the Overman Committee, and on the state level in New York, the Lusk Committee were invested with the powers to root out Bolshevism and anarchism wherever it could be found. Congress voted the Department of Justice unprecedented budgetary subventions to save the nation from an imminent decent into communist chaos.[362]

When the American state moved against the Russian Bolsheviks by invading what was effectively the Russian embassy in New York, Larkin became involved in the protests. In June 1919, the Russian Soviet Bureau in Manhattan was raided by the Lusk Committee. The following week circulars went out inviting people to a Socialist meeting at Madison Square Garden to protest against the raid. It was held under the auspices of the Russian Federation of the SPA. Benjamin Gitlow was the chair, and Larkin, amongst others, spoke at the meeting. The meeting was attended by police detectives, and arrests were made. On the day of the meeting, the Lusk Committee and federal troops raided the Rand School (an SPA educational resource), the offices of the IWW, and the office of a communist newspaper, all in New York City. Those arrested were to be considered for immediate deportation. The *Gazette Times* reported that federal authorities were considering using the ships that were bringing American troops home as the means to ship out alien undesirables to their homelands.[363] In relation to Larkin and the American state, it is worth repeating that deportation was not to be imposed on Larkin; despite the fact that it was the default mechanism for dealing with *undesirable aliens*.

As the American government agencies[364] were gearing up for an assault on the anarchist, communist and general left-wing leaders in November 1919, Larkin's name was writ large. Sharing files with another government agency in July 1919, in relation to Larkin's IWW activities, Acting Chief Suter of the Bureau wrote: 'your attention is especially called to 4, 6 and 37 of the United States Criminal Code. Additional evidence on this trouble breeder [Larkin] will be useful to this Bureau.' This letter was sent out to contacts in ten major cities across America. Again in July, Suter wrote to Special Agent Barry in Chicago: 'Wire all information in your files regarding James Larkin, giving names and

[362] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) 214; Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.66.
[363] *Brooklyn Daily Eagle*, 20 June 1919; *Gazette Times*, 22 June 1919.
[364] Such as the FBI, the Naval Intelligence Bureau, the Lusk Committee, the Overman Committee (the Overman Committee made a final report on anarchy and communism in June 1919, and did not participate directly in the 1919 raids) and the various state police departments.

dates of agents' reports where this information can be found.' The same month Suter wrote, 'I am desirous of obtaining a full detailed report upon the various individuals mentioned in the report … Particular attention should be given to Jim Larkin and Bengamin Gitlow.'[365]

In August, an agent provided evidence of Larkin's revolutionism, which they referred to as anti-Americanism, in the form of an article published in the *Industrial Worker*, Everett, Washington (an official IWW publication), quoting the following from the article:

> The work of Carl Liebknecht shall continue. That is the glorious thought that penetrates my mind and absorbs my intellect. They have shown us the path that must be followed, the path of revolution all over the world. You are the radicals. You have fought all your lives. You are the ones that have fought conscription and you know how hard the fight has been. But we will continue until we have reached our goal.[366]

The agent submitted the material 'as evidence of additional grounds for deportation of subject.' Interestingly, deportation (for which warrants had already been issued) was seen as the method for dealing with Larkin at least up to August 1919. In fact, deportation was the proper legal sanction for this type of activity for people with alien status. However, deportation was not to be Larkin's fate. Emma Goldman and hundreds of others would be deported as alien anarchists, but Larkin, an alien radical, was not to be afforded that privilege. The question as to why Larkin was not deported is examined in closer detail in chapters 5, 7 and 8.

THE LARKINITE FACTION IN DUBLIN

Before we look at the arrest of Larkin, we will look to see what was happening in Dublin at this time. There was one group that was very anxious that Larkin return to Ireland, and that was the group which was centred on P.T. Daly (arch-lieutenant of Larkin) and Delia Larkin. This group would also include loyal Larkinites like Barney Conway, Michael Mullen and Chris Finnegan. This grouping can be seen as an opposition *corps* to the William O'Brien dominated executive of the union. In 1918, 'new rules devolved power from the General Secretary [Larkin] to a triumvirate of the General President, General Secretary and General Treasurer', effectively leaving control of the union in the hands of O'Brien and Foran (Séamus Hughes, the unofficial Acting General Secretary at the time was later

[365] FBI file, p.109, 122, 123.
[366] FBI file, p.124.

removed from the union by the ruthless O'Brien).[367] The seed of this opposition (which was both personal and ideological)[368] began to germinate back in 1914 when Larkin was leaving for America and appointed P.T. Daly (his heir-apparent) as acting General Secretary. Connolly, supported by O'Brien[369] and Foran, was promoted to the Acting Secretary post at a committee meeting, when Larkin acquiesced to Foran and others who argued the case for Connolly. Daly was given the Insurance Section; and content for the moment, O'Brien bided his time. In 1919, Daly was beaten in a contest for the post of General Treasurer by O'Brien, and then suffered the further indignity of being removed from his position in the Insurance Section. Having been Secretary of Congress for eight years, Daly was then beaten by O'Brien for the post at the Irish Trade Union Congress and Labour Party annual conference in August, 1919.[370] Delia Larkin had returned from England in 1918, and with Daly, she published the Larkinite *Red Hand* in which, for three months in 1919 (July, August and September), carrying large front-page pictures of James Larkin, they attacked, what they characterised as, 'the 41 Parnell Square caucus.' O'Brien *et al* responded in the *Voice of Labour* and eventually Larkin wrote a letter with the demand: 'come to your senses … a truce must be carried out between both parties until I land; which may be sooner than you think, or some folks welcome.' This last clause is a thinly disguised threat directed at O'Brien *et al*, who knew there would be trouble when Larkin arrived back. Larkin has also cleverly separated Foran off from this group by excluding him from the final clause. The whole letter is a rapprochement with Foran, reminding him of their previous struggles together, and reminding him that he (Foran) was 'official head of the union' in his absence (and therefore, not O'Brien). 'Let us work together' Larkin wrote, the troubles in the union would be settled when he returned by the 'Old Guard' (that is, Larkin and Foran).[371] Larkin did not land, of course, and his prescription to form a truce was, apparently, largely ignored (Larkin's letter was received on 15 September, and the *Red Hand* had already ceased publication on 6 September). The *Voice of Labour* boasted that the 'fratricidal strife' had been overcome by the union.[372] Daly was not reinstated, and a new strategy by the Larkinites, devised in part to upstage O'Brien *et al* was already in motion

In the run up to Larkin's arrest in November, the Larkinite faction set out to embarrass the O'Brien faction by championing a crusade to have Larkin returned to Ireland from America. Evidently, Larkin

[367] O'Connor, E., *James Larkin* (Cork; CUP: 2002) pp.61-2.
[368] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.436 '… the dispute between William O'Brien … and Daly had come to represent the line on which the political and personal differences within Liberty Hall were divided.'
[369] Already at this stage, O'Brien wanted Larkin out of the union; see Greaves, C Desmond *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) p.133.
[370] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.235-236.
[371] *Attempt to Smash,* pp.135-136; this letter is taken at face value; but see below for a different interpretation.
[372] 20 September 1919.

had been persisting in his attempts to secure a visa from the British. A secret DMP report went out on 14 July 1919 to officials within Dublin Castle: 'I beg to state that it is rumoured that James Larkin may at any moment turn up at Liberty Hall.' The DORA Order prohibiting Larkin was again discussed and Under-Secretary James MacMahon wrote to the War Office in London requesting that they 'issue instructions to the Military Control Officer at New York not to grant visa to any passport Larkin may hold.' On 1 August 1919, the War Office wrote back:

> I am commanded by the Army Council to acquaint you that it does not appear possible to withhold permission for his return to any part of the United Kingdom. His return to Ireland would necessarily be subject to the restrictions which have been placed upon him by the [DORA] Order of the 24 December 1914 … I am to add that should Larkin attempt to enter the area prohibited by this Order proceedings could be taken against him … alternatively, upon his arrival in the United Kingdom … *a recommendation of an Order for his internment would, if necessary, receive consideration from the Council* [my italics].[373]

Interestingly, this indicates what the British government's ultimate designs were *apropos* Larkin. It is worth keeping in mind that the internment of Larkin was being discussed at this time despite the fact that the war was over. That is, even if he had landed at a British port and was not in contravention of the DORA Order, he would have been interned, if deemed necessary. It can be seen here, too, that governments are comprised of people; and here again, in the person of James MacMahon, chairman of the Dublin gas company (the Dublin gas company would play a role in events that would see the ITGWU split in 1924; discussed in chapter 9). Even if he did not know it, the situation facing Larkin in the summer of 1919 was rather daunting: if he was not locked up in America for his anti-American activity, he would most likely be interned in England upon his return. If Larkin tried to get to Larne or Belfast, he would also be interned; the reality of internment was stated publicly as the policy of the Northern government in early 1923.[374] To what extent the British, who shared intelligence with America on their common enemies, knew what the intentions of the Americans were at this point is impossible to tell definitively (not everything that was decided upon or discussed was recorded, and

[373] DCR 904/206/233A (47 [48], 53-55 [54-56]).
[374] See *New York Times,* 23 April 1923, where Larkin was to be placed aboard an internment ship if he tried to land in Ulster.

not everything that was recorded survived) but we will see there are indications that they were working in concert against Larkin.

The Home Office informed Chief Secretary McPherson that MP Neil Maclean would address a question to the Foreign Secretary in the House of Commons, wanting to know if it was at the insistence of the Foreign Office that the British Consul in New York had refused Larkin a visa to travel to Ireland. It advised McPherson that the Foreign Secretary would respond in the affirmative, but would point out that there was no prohibition on Larkin applying for a visa to return to England. It was pointed out that it was the: '[S]tated policy of the Home Office not to keep out of this country British undesirables who may be abroad in order that they may not weaken their own power to deport foreign undesirables from this country to their country of origin.'[375]

Through his contacts in the British labour movement, Larkin had got Neil MacLean to table the motion in the House of Commons on 18 August. MacLean was told (as per the memo to McPherson) that Larkin was restricted by DORA from entering Ireland:

> According to the information in the possession of the Foreign Office James Larkin applied for a passport to Ireland about the end of last month. After reference to the Government of Ireland it was ascertained that James Larkin was prohibited by an order dated December 24th, 1914, from entering or residing in any part of Ireland, and the Acting British Consul-General at New York, who had made inquiries about the matter, was so informed.[376]

Interestingly, Secretary Harmsworth did not deem it appropriate, for whatever reason, to mention that Larkin could apply to enter Britain. We know, however, from the letter of the War Office (above) that there was nothing benign in the British administration's intentions towards Larkin should he land in England.

The letter to Thomas Foran from Larkin telling him to call a truce between the two factions in Dublin was delivered by Eamonn MacAlpine, Larkin's 'Ambassador.' MacAlpine, who had worked with Larkin in the SPA and sided with him in the ensuing splits, became very active with the Larkinite section in Dublin upon his arrival, and there is little doubt that this was part of his mission. Already, at the Irish Labour Party and Trade Union Congress (ILPTUC) conference that took place in Drogheda (in August) a resolution was passed protesting against the withholding of a passport, not allowing Larkin back to

[375] DCR 904/206/233A (42-43 [43-44]).
[376] DCR 904/206/233A (41 [42]).

Ireland where he could help the cause of labour. The resolution called upon trade unions in England, America and the Colonies to exert their influence to have the prohibition lifted. Liberty Hall told the *Evening Telegraph* that replies from the unions in Britain and America had been favourable.[377] The *Irish Independent* reported that Eamonn MacAlpine addressed the Dublin Trades Council (DTC): 'It was decided to call a national conference to demand his free return, and, if agreed upon, to call a 24-hours protest strike.'[378] By the end of October, a DTC conference was debating the issue of the 24-hour stoppage, and it was agreed to go ahead with plans for the strike; those unions not represented were to be contacted in relation to the protest. The Railway Clerks Association and the National Union of Railwaymen informed the conference that they would not be supporting the stoppage.[379]

P.T. Daly told the *Freeman's Journal* that the strike would definitely go ahead if Larkin was not granted a passport. MacAlpine told the conference that he 'had recently left New York, where he was in daily touch with Jim Larkin.':

> Larkin had continually applied for passports to come home. He said he had been with him just before sailing for Europe when he made a further application, and was then told by the Vice-Consul that the Embassy there would be glad to give him passports but that they were forbidden to do so by the Home government … Larkin was forbidden by an ordinance of America to even appear on the docks or on the waterway of the States.[380]

Interestingly, when a deputation was elected to seek cooperation from those unions not represented, alongside the names of MacAlpine and Daly were the names of Foran and O'Brien. This had been intended as an attempt by the Larkinites to spearhead a movement to free Larkin, and to show up the O'Brien group as lethargic bureaucrats, unable or unwilling to use the strike weapon to bring to the attention of the country the plight of Larkin, and here were Foran and O'Brien in its vanguard.[381] The *Irish Independent,* which relished any opportunity to ridicule the plight of Larkin and any measures which might alleviate it, reported: 'Several labour leaders … were unanimous in describing the proposal as ridiculous.' One of the labour leaders obligingly exposed the chicanery of the Daly faction:

[377] 16 September 1919.
[378] 14 October 1919.
[379] *Irish Independent,* 30 October 1919.
[380] 31 October 1919.
[381] The union had claimed victory in strikes against conscription and incarceration of prisoners.

> It strikes me there is something more at the back of this than has seen the light. I would not be surprised if it were not an attempt by a small section at logger-heads with the officials of Liberty Hall to corner these gentlemen, but the ITGWU was too wary to fall into the trap, and by warmly supporting the movement nonplussed their opponents and retained their fame amongst the advanced section of the union.[382]

The same paper carried a *Letter to the Editor* from 'A Worker':

> I can understand Mr Daly's anxiety to bring Larkin back here. It may be the means of reinstating Mr Daly and Miss Delia Larkin in the jobs from which Mr Foran is alleged to have ousted them. Mr Daly is fighting for his own ends—for his crust—and cares very little for how the workers suffer.[383]

Even if unashamedly anti-Larkinite, the reporting does, nevertheless, highlight the fact that P.T. Daly and Delia Larkin were using Larkin's predicament to undermine his opponents. However, this was not a cardinal sin by any means; and it is doubtful if Larkin would really have disapproved, despite what he said in the letter to Foran. After all, he also said in the letter to Foran that he would write separately to Delia, P.T. Daly and Mullen but the content of these letters, if they were ever written, is not available; and there is no sign they were under orders to desist from trying to undermine the labour leadership. However, what indicates that Larkin may very well have been duplicitous in the letter, is that the bearer of the letter, who was aware of its contents (it being unsealed) became immediately embroiled in the fight against the O'Brien faction, and this almost certainly with the tacit approval of Larkin (it is very likely that tactics were discussed prior to MacAlpine leaving America). The campaign backfired badly on the Larkinites because the O'Brienites kept very much to the fore and upstaged P.T. Daly *et al*. It was Foran who proposed the motion at the DTC conference on 4 November at Capel Street that the DTC appoint a deputation to open up negotiations with the British government in order to gain a passport for Larkin, which was carried unanimously. Appended to the remit of the deputation was the threat of a strike, if a passport was not forthcoming. Foran was seen, then, as championing Larkin, even to the point of using the weapon bureaucrats were accused of avoiding—the strike. The strike was sanctioned with the proviso that it was to be carried

[382] *Irish Independent*, 1 November 1919.
[383] *Irish Independent*, 1 November 1919.

out in conjunction with the national executive of the ILPTUC, which cleverly put control of the strike into the hands of the bureaucracy.

The question also has to be asked if the call for a strike by the P.T. Daly faction was realistic, considering the fact that the people in power in the unions in both Britain and Ireland were moderate and not revolutionary syndicalists. The Larkinites, of course, could claim that they were trying to appeal to the rank and file, and there is some substance to this. However, being organised and being in control of how the rank and file expresses itself is the key to victory, and no one knew this better than O'Brien. Delia Larkin had thought she could walk back into Dublin and command the rank and file. This is symptomatic of the *ad hoc* nature of some of the proponents of revolutionary syndicalism. As it was, in the cold light of day, there was no appetite for a strike amongst the trade union officialdom. In the end, in a face-saving exercise for the P.T. Daly faction, arguing that he would not expose the Irish workers without the whole-hearted support of the British workers, in a telegram in *The Watchword of Labour*, Larkin called off the threatened strike.[384]

THE DTC DEPUTATION MEET MACPHERSON IN WESTMINSTER

One effect of the militant activity of the Larkinite faction was that the reformist section heading the ITGWU was pushed into action, and as seen above, O'Brien *et al* were prepared to go along with efforts at securing a passport. The DTC deputation that had been established to open talks with the British *apropos* a passport for Larkin on 4 November consisted of P.T. Daly, Dermot Logue and Eamonn MacAlpine. They promptly went over to London and based themselves in the Edward Hotel, Euston Square. P.T. Daly, secretary of the deputation, wrote in the first instance to the Home Secretary (on 6 November) requesting a meeting urgently, warning that the failure to procure a passport would result in a strike. Daly bluffed: 'the strike … is likely to become a national strike.' It had the desired effect, the Home Secretary said it was a matter for the Irish government, and the Deputation was referred to the Chief Secretary for Ireland, Ian MacPherson. Attorney General W.M. Connolly advised MacPherson that the deputation should not be received, pointing out that Larkin had been arrested in New York. The Chief Secretary, however, would use the opportunity to probe the deputation on their plans.

The deputation met MacPherson in his rooms at the House of Commons on Tuesday 11 November at 4 pm. They were introduced by British Labour Party Whip Griffiths (who had also asked the Chief

[384] See Eamonn MacAlpine in *The Watchword of Labour,* 22 November 1919: Larkin 'rejects the magnificent offer of his Irish fellow workers to step out alone.'

Secretary to meet the deputation). The Attorney General for Ireland Denis Henry was present to advise on legal matters. Logue outlined their position; he said that Larkin's domicile was in Ireland, where his wife and children lived, and that they would be failing in their duty if they could not convince the Secretary that Larkin should be in receipt of a passport. MacPherson, apparently on the look-out for any scrap of information, asked P.T. Daly why Larkin had left. Daly gave the stock response, 'members of the Union had decided he needed a rest.' Daly then pointed out that, although arrested, Larkin had not been charged and claimed that there was no 'power to prohibit a man returning to his own country.' In relation to Larkin returning to Ireland the report of the meeting says: 'The Attorney General dissented from the latter statement.' In fact, Larkin had been charged the day before on Monday 10 November in New York before Justice McAdoo with contravening the statute on Criminal Anarchy; although the deputation did not know this at the time. There was also the prohibition under DORA (the details of which Larkin was definitely aware of by 11 November 1919) which was still in force.

MacAlpine acknowledged that Larkin had been 'engaged in anti-war propaganda' and that he had been arrested, but claimed that the charge in relation to the *Revolutionary Age* was fabricated. He asked MacPherson if the DORA Order of December 1914 only prohibited Larkin from entering Ireland. MacPherson agreed that was the case, but that if he wanted to enter any other part of the United Kingdom that would be a matter for the Home Secretary. Logue interposed, threatening that: 'if the passport was not granted there would be a general strike in Ireland[.]' MacPherson (who would have been informed by the Foreign Office that Larkin had been charged) then asked the deputation: 'Supposing Larkin is charged and convicted in America—what would you say?' Logue countered: 'was that to be the answer of the Chief Secretary to the deputation?' The members of the deputation were, not without due cause, very suspicious of the intentions of the British towards Larkin. Logue then asked MacPherson why Larkin had been 'lifted?' MacPherson insisted that Larkin's arrest had nothing to do with the government, and that he personally knew nothing about it. He said he did not think the threat of a strike was advisable, there being other, constitutional means open to trade union leaders. Responding to MacAlpine, MacPherson said that he 'would not bring any pressure to bear upon the American government in favour of Larkin.'[385] MacPherson was certainly not pulling his punches, here. This was a very final and non-conciliatory position to take. Having failed in its mission to procure a passport for Larkin, and with the knowledge that he had been arrested, the deputation returned to Ireland.

[385] DCR CO/904/206/233A (14-23 [15-24]).

In this chapter, it was seen that Larkin continued to be very vociferous against the war, and that his later speeches were as anti-war as they had been when he was addressing meetings for the Clan. It was also seen that Larkin became very enthusiastic about the 1917 Russian revolution, and that he gravitated away from Irish nationalism. After he had been expelled by the right-wing from the Socialist Party, he was instrumental in forming the Communist Labor Party of America. As a result of his anti-capitalist activity, he was closely monitored by the FBI, and was being targeted in the build up to the 1919 Red-scare raids; an assault on the Left for which the American state had brought in new legislation to bolster existing legislation. Significantly, Dublin Castle was still concerned with Larkin and his movements. It was seen that Dublin Castle and the Home Office were considering the internment of Larkin in order to keep him out or Ireland. The dynamic between the militant Larkinite section in Dublin and the reformist leadership of the ITGWU was looked at in the context of trying to secure a passport for Larkin. It was seen that the reformist section tended to follow, rather than to lead. In chapter 5, it will be seen that once Larkin was arrested in the November 1919 raids, the Clan worked to have Larkin convicted and kept in America. The normal procedure would have been deportation for Larkin. There will also be reason to question the role of the American and British states in keeping Larkin in prison in America.

CHAPTER 5 LARKIN IS 'LIFTED' IN THE NOVEMBER RAIDS

This chapter will look at the arrest and indictment of James Larkin in the November 1919 raids (which saw the arrest of over ten thousand activists by 1920). It will be shown that Larkin was one of the prime targets of the pro-capitalist, anti-labour American state. Larkin's relationship with John Devoy will be looked at anew; that Devoy was a 'friend' to Larkin is generally accepted in the historiography. The hypothesis that Devoy was not a 'friend' to Larkin, will be proffered. The thesis will then look at the 'nationalist plot' (uncovered by the FBI) to assassinate Larkin. This 'plot' was divulged by Clare Cullerton in 1999, but it has been largely dismissed, or ignored, by the historiography. It is the aim of this chapter, however, to investigate whether the 'plot' was in fact real and was part of a wider strategy of the Irish-American organisation Clan na Gael to keep Larkin away from Ireland, and Sinn Fein. It will be shown that part of this wider strategy was the sabotaging of Larkin's appeals process. In the second part of the chapter, the significant hypothesis that Larkin was a British agent will be investigated (this hypothesis is rooted in a contemporary allegation). The aim will be to investigate if this was a slur used by the Clan to deflect criticism away from itself. The chapter will then review the lengths to which Edgar Hoover of the FBI and Alexander I. Rorke of the Clan went to in order to secure a conviction, and have Larkin committed to a penal term. Another significant issue that will be analysed will be why Larkin was not deported, particularly as the legal sanction that applied to Larkin under the legislation was deportation. The aim of the analysis will be to enquire whether the decision not to deport Larkin was taken to keep Larkin away from Ireland. It will also be looked at as part of a wider strategy by the British to keep Larkin away from Ireland, a strategy which included Winston Churchill's request to the American State Department in 1922 to stop Larkin from travelling to Ireland. It will be seen that related to this was the activity of the Clan, and the failure of Rorke *et al* to seek Larkin's deportation at his trial and conviction.

On the 7 and 8 November 1919, Attorney General of the Unites States Mitchell Palmer, assisted by his Special Assistant Edgar Hoover (future head of the FBI,) and the Lusk Committee, had the offices and centres of radical groupings in New York and across America raided. Between November 1919 and January 1920 an estimated 10,000 individuals were apprehended. Larkin was arrested on 8 November at his home in MacDougal Alley,[386] and shortly after joined 2000 others who were detained in a large auditorium in New York. In the previous chapter, it was seen that Acting Chief Suter of the FBI had written to agents around the country in July 1919 (with information being

[386] MacDougal Alley has been identified as Larkin's home at the time of his arrest. Larkin had at least three addresses in New York; 53 Jane Street, and Milligan Place are two others; Emmet O'Reilly recalls that it was Milligan Place from where Larkin was arrested.

compiled on activists) that 'special attention should be given to James Larkin.' Now, at his arrest, Larkin was described as one of the 'most dangerous of the agitators in this country.'[387] This designation was made by the *New York Times*. The newspaper medium can, arguably, be viewed as something akin to an auxiliary agency of the state. The medium was, for the most part, hostile towards labour leaders and other radicals. It was *the public platform* of the day but was mostly controlled by private interests; its proprietors were often capitalists, or individuals sympathetic to capitalism. According to Noam Chomsky, the Red Scare, initiated under Woodrow Wilson, 'was the earliest and most extreme resort to state power in twentieth-century America to suppress labor, political dissidence, and independent thought.'[388] This suppression of radicalism by the state was applauded by the newspaper medium. For example, the *New York Times* was hostile to social radicalism and at this time branded the communists a 'pernicious gang'. The *Washington Post* lauded the expulsion of the socialist Victor Berger from the House of Representatives, saying the House 'could not have given a "finer or more impressive demonstration of Americanism."'[389] Larkin had a particular dislike of newspapers, their proprietors and journalists; he once boasted: 'I've yet to shake the hand of a newspaper man.'[390] He had been critical of American newspapers and their often malicious and mendacious reporting of his speeches. Once back in Ireland, he would brand them: 'the hired prostitute of the finance capitalists.'[391]

After his arrest on 8 November, Larkin was held in the Tombs (New York City police headquarters) for the weekend. On Monday 10 November, Larkin was charged before Magistrate McAdoo with violating the statute on criminal anarchy by publishing the *Left Wing Manifesto* in the *Revolutionary Age*. Bail was set at $15,000. Clan na Gael member, and confidante of John Devoy, Alexander Irwin Rorke, was the prosecuting attorney. An attempt was made to have the bail reduced; attorney Charles Recht argued that Larkin and Gitlow were pioneers in a 'movement for a better day.' Rorke countered, claiming that Larkin and others were advocating the 'conquest of Government by bullets rather than ballots.' McAdoo, exhibiting symptoms of the judicial system that indicates an inherent

[387] See Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.274-280 for Larkin through the eyes of the *New York Times*.
[388] Chomsky, N., *Necessary Illusions: Thought Control in Democratic Societies* (London; Pluto Press: 1989) pp.185-186.
[389] Chomsky, N., *Necessary Illusions: Thought Control in Democratic Societies* (London; Pluto Press: 1989) pp.185-186. The first chapter points out the structural forms that determine the media will protect the sectional interests of the powerful.
[390] *New York Times*, 22 April 1923.
[391] For an analysis of the media as a tool that protects the interests of elites in society see Chomsky, N., *Necessary Illusions: Thought Control in Democratic Societies* (Pluto Press, London: 1989), and Edwards, D., and Cromwell, D., *Guardians of Power: the myth of the liberal media* (London; Pluto: 2006). For an analysis of the narrative of newspapers as a functioning part of the onslaught against labour, and biased in favour of capitalism, see Richardson, J. E., *Analysing newspapers: an approach from Critical Discourse Analysis* (New York; Palgrave MacMillan: 2007).

bias in favour of preserving capitalism, retorted that anyone who joined the Communist Party was 'guilty of criminal anarchy' and promptly refused to reduce the bail. That night, Larkin was brought to Alexander I. Rorke's office and questioned by Assistant Attorney General Berger. The arraignment before McAdoo continued throughout the week, coming to an end on Friday 14 November, with Larkin to appear before a Grand Jury on the charge of criminal anarchy, in violation of sections 160-164 of the New York penal code. In a particularly non-judicious crusade, McAdoo found Larkin (and Gitlow) guilty as charged (prior to the Grand Jury and trial in the Supreme Court) in the pages of the American press: 'their crime was worse than murder … [and] they are clearly guilty.'[392] McAdoo was to take the unusual step of writing a formal opinion (six pages) on Larkin (and Gitlow). This was written as a justification for side-stepping the First Amendment rights on the freedom of speech, and McAdoo has been described as the first who set out to 'silence those at the political margins.'[393] Between the Revolutionary government in Ireland (that is, Irish envoy John Boland; see below), John Devoy and various appeals, bail was soon raised and Larkin was released on 20 November.[394] Not finished yet, the persistent Rorke tried to have Larkin's bail revoked a week later for 'seditious utterances.'[395] An indictment for criminal anarchy was issued by the Extraordinary Grand Jury and sent to Judge Bartow Weeks of the New York Supreme Court. Weeks issued a bench warrant to the Bomb Squad,[396] and Larkin was arraigned before Weeks in the Criminal Branch of the Supreme Court on 20 Dec, with bail remaining at the level previously set. Citing precedent, Nelles requested that Larkin be paroled into his custody pending the transfer of money for the bail from McAdoo's office. Weeks refused the request, claiming he was restrained because those who had been afforded the precedent, had since gone missing.[397] However, this was a mere quibble; a precedent is a precedent, and its status cannot be impugned by the subsequent action of an individual. The jurisprudential doctrine of *stare decisis* (stand by that which is decided) requires substantial re-examination of a precedent in order to overturn it.[398] Larkin was going to make bail when the money was transferred from the Chief Magistrates office, but Clan member Justice Weeks was determined to deny Larkin any modicum of liberty.

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[392] See, for examples, *Evening World*, 10 November and *New York Tribune*, 15 November 1919.

[393] Mackey, T.C., '"They are positively dangerous men." The Lost Court Documents of Benjamin Gitlow and James Larkin Before the New York City Magistrates' Court, 1919.' In *New York University Law Review*, vol. 69, (May, 1994), 421-436.

[394] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.214-15; O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.63; Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) pp.68-9.

[395] *Brooklyn Daily Eagle*, 29 November 1919.

[396] *The Evening World*, 26 November 1919.

[397] *Brooklyn Daily Eagle*, 1 December, 1919,

[398] See Lectric Law Library at www.lectlaw.com/precedent, and www.lectlaw/staredecisis; accessed 31 March 2016.

LARKIN AND JOHN DEVOY

A significant issue should be inquired into at this point. As Rorke was a Clan member and confidante of Devoy (of which there is no doubt, see below), why did Rorke prosecute Larkin with the zeal of the convert; particularly, as it is said, that Devoy put up five thousand dollars of the bail money.[399] Of course, it could be said that Rorke was doing his job as prosecuting attorney; but as we will see below (chapter 8), Rorke went further than merely prosecuting Larkin. Also, it is generally claimed in the historiography that Devoy was 'friendly' towards Larkin. Manus O'Riordan writes that 'Devoy was to remain a steadfast "friend in need" to the very end of [his] sojourn in the United States'; similarly, Emmet Larkin states that Devoy was a friend for the 'eight and a half years' Larkin was in America.[400] Emmet O'Connor points out that Devoy was friendly towards Larkin, at least up until February 1920, and this is the more accurate assessment.[401] It may be that Devoy's posting of the five thousand dollars was a smoke screen to hide a more sinister intention.

Certainly Devoy accommodated Larkin initially but it is doubtful if this had anything to do with *friendship*. Larkin arrived into America with a big reputation; and Devoy was to make much of it in the pages of the *Gaelic American* upon his arrival. A more accurate assessment may be that they simply used one another for their own aims and objectives. Certainly, Devoy seems to have genuinely respected Larkin, at least initially. Devoy also gave Larkin large sums of money on occasion, not least on the occasion of his bail (although see below for a critique of this). Overall, the relationship was strained, and there was no affinity between them in terms of their ultimate objectives: Larkin wanted a workers' republic in a unified Ireland, and a world socialist revolution. As the War of Independence progressed, Devoy knew that a compromise was going to be required, and he accepted the 1922 Treaty. As it turned out, Devoy was to use what would appear to be a slur, initiated by Rorke (discussed below) to the effect that Larkin was a 'British agent' in July 1920; knowledge of which was to come into the possession of Larkin's nemesis in Ireland, William O'Brien. Devoy was also to write an article attacking Larkin as a 'Fraud' at the height of the battle between Larkin and O'Brien in May 1924, published in Dublin by the ITGWU's One Big Union Defence League.[402] Interestingly, the precise posting of five thousand dollars of the bail by Devoy is brought into question by correspondence in the Frank P. Walsh papers.[403]

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[399] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.63.
[400] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.179.
[401] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) 65; O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.63.
[402] William O'Brien Papers, 15679/13, NLI.
[403] James Larkin Matter, 1919-1922. Legal Cases. Frank P. Walsh papers, Manuscripts and Archives Division. The New York Public Library, Astor, Lenox and Tilden Foundation. This reference is a designation which was

Walter Nelles, Larkin's lawyer from the beginning of the proceedings and a member of the wider legal team that would represent Larkin, wrote to Frank P. Walsh (senior member of Larkin's legal team) on 4 January 1921:

> When James Larkin was bailed out for the Period between his arrest and trial … $15,000 was put up by a considerable number of persons through Charles Recht and me. One sum of $5,000 was delivered to us by Pat Quinlan. Quinlan thereafter left the United States, writing me a letter in which he requested me to pay over this $5,000, when released to Miss Annie Rice … I have [since] been notified by John Devoy that the money belongs to [him].[404]

Walsh wrote back (10 January) saying he knew nothing of the details of the bail money, but that Devoy was 'a man of the highest integrity and honour.' Nelles did not release the money, and wrote again to Walsh on the 28 September 1921, referring to the two conflicting claims: 'I declined to adjudicate between the claimants and attempted unsuccessfully to interplead them. The result is that Devoy has a judgement against me personally … to the amount of $350.'[405] The fact that Devoy got a judgement against Nelles indicates strongly that the bail money came out of the Clan na Gael coffers originally (or even out of Devoy's pocket).[406] Why it was Quinlan who paid it over and then instructed that it should be paid back to Annie Rice is not revealed in the correspondence. However, Annie Rice was a sister of Lawrence Rice, who was leader of the New York side of the Clan, and therefore close to Devoy. Perhaps there was some issue between Rice and Devoy; otherwise, the money should have gone back into the Clan coffers through Rice, or handed straight over to Devoy. It is possible that Quinlan had used Clan money without Devoy's knowledge. Devoy had been previously accused of abandoning the un-bailed republican radical Liam Mellows (in response, Devoy claimed that the British were using him as bait to entrap others),[407] but whether Devoy would have left Larkin in jail is debatable. It may have been viewed by some as a much better public relations exercise to be associated with contributing to Larkin's bail, even if one did not sympathise with his activities. A possibility, though remote, is that Devoy posted bail indirectly through Quinlan, and

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occasioned by my visit in July 2015 when I flagged the importance of the 'James Larkin Matter' to the NYPL reference archivist. I found the 'James Larkin Matter' in Box 61 of the Frank P. Walsh papers. At that time, Box 61 contained the three folders (among general papers), without any pagination but in reasonable chronological order. Hereafter, the 'James Larkin Matter' in the NYPL is referred to as JLM/NYPL.

[404] JLM/NYPL, Nelles to Walsh 4 January 1921.

[405] JLM/NYPL, Nelles to Walsh 28 September 1921.

[406] Golway, T., *Irish Rebel: John Devoy and America's Fight for Ireland's Freedom* (Kildare; Merrion Press: 2015) p.221.

[407] Cronin, S., The McGarrity Papers (Tralee; Anvil: 1972) pp.69-70.

Quinlan's instructions to repay it to Rice was abused by Nelles for the purposes of holding onto the money (the Walsh papers reveal that Nelles was badly in need of money at this time). Certainly, Devoy and a certain Patrick Quinlan were to stay on friendly terms (see below). Ultimately the bail money was guaranteed by Harry Boland, and would have come with the imprimatur of de Valera, President of the revolutionary Dáil. Boland asked Devoy for a short term loan for Larkin's bail, as the treasurer of de Valera's Irish Mission was not available to withdraw funds, and Devoy agreed.[408] The FBI file indicates another possible reason why Devoy may not have been a friend to Larkin.

NATIONALIST PLOT TO KILL LARKIN

At this time, while Devoy was the most senior influential figure in the Clan, there were indications of a 'plot' by Clan members to *eliminate* Larkin.[409] The Larkin FBI file reveals the hatching of a plot to 'dispose' of Larkin. In December 1919, an agent made the following report:

> [F]rom a source which I consider absolutely reliable and conservative. At a meeting held last night in this city [New York] … the decision that Jim Larkin must be assassinated for the good of the Irish Republic was arrived at by the following: [Brian McGann, Shaun Kavanagh, Pat Quinlan and a Mr Redmond].[410] This 'necessity' is due to the following expressed belief of the above mentioned 'committee of disposal'; they have been informed that Larkin intends to 'jump bail' or to stay and defeat the case against him, or jump bail after conviction, and flee to Ireland in time for the January elections.[411]

[408] John Devoy Papers, 22,644, NLI. Devoy letter to Frank Robbins, 21 September 1923.
[409] Claire Culleton was the first to bring this nationalist plot to kill Larkin to light. See the *Irish Times*, 3 August 1999; and see Culleton, C., 'James Larkin and J. Edgar Hoover: Irish politics and an American conspiracy.' In *Eire-Ireland*, vol. 35, (3/4) (Fall/Winter 2000/1), 238-254.
[410] These names (my copy being redacted) were supplied by Ray O'Hanlon in the online *Irish Echo* article 'St. Patrick's Day: The Plot to Kill James Larkin' 29 September-5 October 1999; the Irish Echo accessed online 31 August 2015 at http://irishecho.com/2011. O'Hanlon tentatively brings de Valera into the equation; interestingly, Quinlan is named here. One would not expect Quinlan to be involved in a plot to kill Larkin; however, he was to remain on good terms with Devoy, after Larkin and Devoy had fallen out (see below for further discussion). Thanks to Ray O'Hanlon for providing me with a copy of the FBI document divulging the names.
[411] FBI file, pp.134-135. The January after his trial is 1921; unless, the agent meant 1920, which would be correct, as there was no election in 1921. In January 1920, there were municipal elections in Ireland in which, it is said: 'the ITGWU emerged as an independent political force.' See Greaves, C.D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) p.257; also see, McCabe, C., 'The Irish Labour Party and the 1920 Local Elections.' *Saothar*: *Journal of the Irish Labour History Society*, vol. 35 (2010), 7-21.

The reason why the 'disposal committee' considered this to be inopportune is quite plausible: '[His] presence in Ireland will mean that he will do all possible to arouse the Irish Socialist vote against the Sinn Féin, whose policies, according to Larkin, are capitalistic and not in accord with good Socialist doctrines.' The instrument of death was to be potassium cyanide: 'Informant advises that there is no doubt that the men involved are sincere in their attempt to murder Larkin, as they have decided he must be put out of the way completely to avoid the possibility of his "come back."'

As has been pointed out, the 'most bizarre aspect of the plot'[412] was that an individual was lined up to impersonate Larkin (disposing of Larkin would have been something of a tragedy; to have impersonated him would have been nothing short of farce). When Larkin was 'disposed of', this individual would go to Ireland and 'impersonating Larkin, [would] take steps to influence the Irish Socialist forces to line up with Sinn Féin.' Arguably, the *impersonation* aspect undermines the credibility of the plot. However, the bizarre aspect to the plot need not mean that the 'plot' should be dismissed. In fact, the plot to dispose of Larkin was not contingent on the plan to impersonate him. The agent insists on the reliability of his source. Indeed, so certain is the agent of its *bona fides*, he gives precise instructions:

> [T]his information [must] be treated with utmost secrecy … Disclosure of this information at present would reveal its source … I therefore suggest that this information be addressed personally to Assistant Director [Hoover], and Chief, Mr. Burke, who is familiar with the services of this informant and the reliability of information secured.[413]

It is notable that the SAC (FBI agent) refers directly to the Chief and Assistant directors Burke and Hoover, stressing the assured reliability of the informant who is *known to them*. The connection of this report with the names of the most senior members of the FBI, Burke and Hoover, affords the agent's report an authority beyond the more mundane reports to be found in the Larkin FBI file. If the Clan, and particularly Devoy, suspected Larkin was going to 'jump bail' then Devoy may have seen his 'disposal' as a means of ensuring both the removal of Larkin from Irish politics and a way of ensuring the return of the bail bond. Certainly Devoy would not baulk at such an enterprise. When de Valera was deemed to be imperilling the Free State, Devoy described de Valera as, 'a monster who must be punished for his crimes. Eliminate him and the trouble will soon end.' [414] The murder of

[412] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.63.
[413] FBI file, p.135.
[414] *Gaelic American,* 2 September 1922; quoted in Doorley, M., 'The Friends of Irish Freedom: a case-study in Irish-American nationalism, 1916–21.' *History Ireland*, vol., 16, no.2 (Mar/Apr 2008) 22-27.

political rivals or enemies was by no means unheard of in America. However, there is no direct evidence to connect Devoy with the plot to assassinate Larkin.

Significantly, the appearance of Patrick Quinlan's name as a member of the disposal committee might at first sight seem implausible. Quinlan was a militant leading member of the IWW at the time of the Paterson Silk strike, and had corresponded with Larkin. Emmet O'Connor maintains that the appearance of Quinlan's name (Quinlan being a friend of Larkin's) means the plot hypothesis 'must be regarded as doubtful'. Unfortunately, there is confusion in the historiography as to the exact identity of Patrick Quinlan. Emmet O'Connor writes that there were two Quinlans, 'Pat Quinlan, an IWW organiser and friend of Larkin [and] Patrick Quinlan who had been a member of Connolly's Irish Socialist Federation [ISF].' [415] However, O'Connor does not use the initial 'L' which distinguishes the two Quinlans (Pat Quinlan and Patrick L. Quinlan) and may have collated both Quinlans into the IWW Quinlan (who, to complicate matters more, would appear to also have been in Connolly's ISF). An examination of this issue is required, particularly as O'Connor, the foremost authority on Larkin, writes that the plot 'must be regarded as doubtful' because the Quinlan who was friendly to Larkin had been named in the report. We will now investigate to see if in fact it was more likely to be the other Quinlan (who was not a friend of Larkin) who is named as a member of the Larkin 'disposal committee'; and if this is the case, the plot need not then be regarded as doubtful.

Claire Culleton, who first uncovered the 'plot' to kill Larkin, writes that it is unclear why Pat Quinlan, whom Larkin had appointed to a head position in the New York Connolly Club in 1918, would be involved in such a plot (Culleton points out Quinlan's links with the IWW and that he was also a friend of Bill Haywood).[416] The first biographical note in Irish labour historiography on Patrick Quinlan was produced by William O'Brien. O'Brien identified Quinlan as Patrick L. Quinlan and recorded that he was an Irishman resident in America where he has been active in Irish and Labour movements. Quinlan served a term of penal servitude for a speech delivered during a strike [this was the Paterson Silk strike in 1913]; and was associated with James Connolly during Connolly's time there [this would be in relation to the ISF]. He corresponded with William O'Brien, and was editor of a socialist paper called the *New Age*. O'Brien noted that Quinlan visited Dublin in August 1922.[417] Donal Nevin has also provided a biographical note on Quinlan: Quinlan was born in Limerick and emigrated to America in the late 1890s. He was a founding member of the ISF with Connolly. By

[415] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.196, fn.45.
[416] See Culleton, C., 'James Larkin and J. Edgar Hoover: Irish politics and an American conspiracy.' In *Eire-Ireland*, vol. 35, (3/4) (Fall/Winter 2000/1), 238-254.
[417] William O'Brien papers, 15,676/2/2, NLI. O'Brien had an obsession with anything to do with Larkin, and compiled as much information as possible on him and his contacts. Quinlan visited Ireland on his return to the US after a tour of Eastern Europe, and Russia.

1912, Quinlan was in the SPA and was an organiser for the IWW. He served a prison term for his part in the Paterson Silk strike, but was out on bail to welcome Larkin to America in 1914. He went on to become editor of the *Buffalo New Age*.[418] Nevin does not use the middle initial, as in Patrick L. Quinlan. But the correspondence of the biographical details indicates that it is the same Quinlan; and this is further corroborated by the following. Nevin states that Quinlan was a founding member with Connolly of the ISF. This is correct, the circular that was issued by the founding committee contains the name Patrick L. Quinlan.[419] Larkin addressed a letter to Patrick L. Quinlan in 1914 in relation to his visit to America, in which he refers to Quinlan and Bill Haywood; and a Patrick L. Quinlan wrote a letter to William O'Brien in February 1919, in which he speaks of Larkin affectionately; he also refers to Larkin's friend Jack Carney.[420] Samuel Levenson has identified a Patrick Quinlan as being from Tipperary (rather than Limerick); that he worked with Connolly in the ISF and in the IWW. Levenson refers to Quinlan without the middle initial, but he does refer to a document which identifies Quinlan as Patrick L. Quinlan. [421] Notably, all of these authorities identify Quinlan as being both in the ISF and the IWW, which is what O'Connor uses to distinguish them. The Library of Congress has an autobiographical sketch by a Pat Quinlan, which is plaintive and poetical rather than prosaic and factual, and which consequently lacks fine detail. In it, Quinlan claims he was born in Connecticut, New Hampshire (but travelled to Ireland when young, Tipperary and Limerick are mentioned). It refers somewhat vaguely to his activities; mentioning in passing his involvement in socialist and trade union work; briefly naming the IWW and Paterson Silk strike but without mentioning he was jailed for his involvement. The sketch claims he was the first US citizen in Russia after the November Revolution, and that he met Lenin and Trotsky. What gave him most pleasure in life was being editor of three newspapers: in New Jersey, Montana and Buffalo [*The New Age*]. Quinlan says he fought in the War of Independence and the Civil War in Ireland; but he does not say on which side he fought in the Civil War. One aspect of his life in which he does go into some detail is in naming the various groups of people he came across in his life, including Griffiths, de Valera, Devoy, Haywood, Gompers, and Eugene Debs; he picks out James Connolly as one of the most important 'socialists and Irish fighters'; there is one significant omission, Larkin is not mentioned.[422]

[418] Nevin, D., (ed.) *Between Comrades: James Connolly Letters and Correspondence 1889-1916* (Dublin; Gill & Macmillan: 2007) pp.645-646.

[419] William O'Brien Papers, 13,940/2/8 (1), NLI. The named are: John Lyng (Sec.), John Mulray, James Connolly, Elizabeth Flynn, Patrick L. Quinlan and M.P. Cody. The organisation stresses its class conscious and socialist aims.

[420] William O'Brien Papers, 15,678/1/1(4), NLI.

[421] Levenson, S., *James Connolly, a biography* (London; Brian and O'Keefe: 1973) pp.124-154.

[422] www.loc.gov/search/patrickquinlan. Accessed 31 March 2016.

Little is known in any detail of Quinlan's activities after the Paterson Silk strike. His jail term was to be no less than two years, and no more than seven. He was convicted on 13 July 1913 but was released on a writ of error after two weeks. The case was appealed to the New Jersey Supreme Court on 5 June, and the Court of Appeals on 28 June 1915 and his conviction was affirmed by both courts. He was incarcerated in February 1916 and released on 24 November 1916.[423] When the Irish Progressive League was formed in New York in 1917, a Patrick Quinlan was among its members.[424] Interestingly, a Pat Quinlan was at Larkin's hearing before Chief Magistrate McAdoo in November 1919; and said to a reporter that he was one of the founding members of the IWW in 1905.[425] Both of these are almost certainly Patrick L. Quinlan.

The two Quinlans that O'Connor has spoken of in relation to the 'plot' to assassinate Larkin should be distinguished by the following. Addresses mostly associate the first Quinlan (Patrick L. Quinlan) with New York and the second Quinlan with New Jersey. More significantly, the signatures of the two Quinlans are completely different. Patrick L. Quinlan signs off with regularly formed initials P and L, these are plain letters, almost in block print; Patrick Quinlan signs off with an ornate P and an irregular Q, with no L initial.[426] The Quinlan without the initial L, and with the ornate signature, and who is definitely Pat, or Patrick Quinlan, is mostly associated with John Devoy. The name 'Pat Quinlan' occurs in a letter from Larkin's attorney Walter Nelles in relation to the five thousand dollars posted by John Devoy (for Larkin's bail in 1919); it was Quinlan who delivered the money to Nelles (see above); this points to a Pat Quinlan who was very close to Devoy. In a letter to Frank Robbins,[427] Devoy refers to a trustworthy 'Pat Quinlan' as being the go between with the Larkin bail. Of course neither of these two latter examples preclude him from being Patrick L. Quinlan; both of these letters refer to Quinlan leaving America at this time, and it is known that Patrick L. Quinlan went to Russia in 1919. However, there are at least two letters which indicate again that there was a Pat Quinlan who was close to Clan na Gael, and one of the letters indicates that he was hostile to Larkin. In a letter to Cornelius F. Neenan, about a Clan meeting and elections, Patrick Quinlan signs himself off as P. Quinlan, in ornate lettering; therefore, he cannot be the Patrick L. Quinlan.[428] There is an exchange of letters in September 1923 published in the *Irish Worker* between James Larkin and a Jack Dempsey (Larkin alleges in the correspondence that it is really John Devoy). This was initiated to help O'Brien in his struggle with Larkin when he returned to Ireland. Jack Dempsey, purporting to

[423] *New York Tribune*, 22 November 1916; *Brooklyn Daily Eagle*, 24 November 1916.
[424] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.187.
[425] *Brooklyn Daily Eagle*, 16 November 1919.
[426] For Patrick L. Quinlan signature see William O'Brien Papers, 15,678/1/1(4); and for Patrick Quinlan signature see Joseph McGarrity Papers, 17,467/2/16, NLI.
[427] John Devoy Papers, 22,644, NLI. Letter to Frank Robbins, 21 September 1923.
[428] Joseph McGarrity Papers, 17,467/2/16, NLI.

write from Dublin, writes a long critical letter to the *Gaelic American* in July 1923 (which Larkin reprints in the *Irish Worker*). The usual charges are proffered: Larkin is dishonest, a faker, who went to America to avoid the Rising; he was an atheist in America and a Catholic in Ireland; a communist in America but a nationalist once he was in jail. Dempsey wrote that there were two people who would be able to lay these charges better than he, and they were William O'Brien in Dublin and Patrick Quinlan in America.[429] This, then, establishes that there was a Patrick Quinlan in America who was hostile to Larkin; and he must have been quite hostile if he was in the same category as William O'Brien. The above analysis indicates then that the Quinlan named in the FBI report was almost certainly this latter Quinlan; the Quinlan who was hostile to Larkin. However, there is one last thing to consider: could the Quinlan named in the FBI report be Patrick L. Quinlan? Although it is more likely that the Quinlan named in the FBI report is the Quinlan without the initial L, there are also reasons why it could have been Patrick L. Quinlan.

In the Library of Congress autobiographical sketch by Quinlan (see above; the piece was written sometime when Nazism was in the ascendancy in Europe), there is some confusion as to the authorship. There is a question mark in square closed brackets next to the name: '[?] Patrick Quinlan'. This indicates that the piece was not signed; or, the identifying signature has become detached. However, due to the details on Connolly, the IWW and the Paterson Silk strike, and that he was editor of the *New Age* newspaper, the assumption that it was Quinlan is correct. As Patrick L. Quinlan has been identified elsewhere as being involved with Connolly, the Paterson Silk strike, and as editor of the New Age, it is safe to assume that it could be the Quinlan with the L initial. As seen above, this document, which is a recollection series, names a series of groups of people from Devoy in the early days of the Clan, through Elizabeth Gurley-Flynn and Bill Haywood of the IWW. Notably, there is one significant omission: Larkin is not mentioned. Considering that Patrick L. Quinlan corresponded with Larkin, met him when he arrived into New York in 1914, wrote caringly of Larkin in February 1919 in a letter to William O'Brien (see above), and attended his hearing in November 1919, this is a curious omission. The elevation of James Connolly (essentially over Larkin) in the autobiographical document, which was continued in his sketch on Connolly's life,[430] and the erasure of Larkin from the annals is very O'Brienesque, and this indicates hostility. This would suggest that a breach occurred between them sometime after February 1919, and the reason could easily have

[429] See the *Irish Worker*, 8 and 15 September 1923; also see a handwritten response to Larkin's riposte of 15 September in John Devoy Papers, NLI 18,113/9. Devoy adds an editorial note to the letter printed on 8 September to say that Larkin and de Valera are motivated by a desire to help England.
[430] See 'James Connolly: Irish Republican Leader and International Socialist.' In *The New Age* [Buffalo, NY], vol. 10, no. 492, 26 January, 1922. A general assortment of Irish and American politicians and socialists are mentioned, but Larkin is not even mentioned in passing.

been Larkin's virtual anti-nationalism. Compounding this is the fact that Patrick L. Quinlan was to become a close friend of Devoy's, and would continue to work with Devoy and not Larkin; and would eventually go on to work with Devoy in the *Gaelic American*. Larkin and Devoy had become bitter enemies, to the extent that Devoy wrote articles against Larkin that were used for propaganda purposes by William O'Brien in 1924 (see below). Letters from Quinlan to Devoy around this time show that he was a confidante of Devoy's, whom he referred to as a 'brother'.[431] Thus, in theory it could have been either Quinlan, the one who used the initial L and the one who did not; but the evidence above indicates that it was more likely to have been Pat Quinlan (without the initial L). Either way, the above investigation does not support O'Connor's thesis: that because Pat Quinlan was named on the FBI report, the Irish American plot to assassinate Larkin 'must be regarded as doubtful.' It is the contention of this thesis that the 'plot' to assassinate Larkin in order to keep him away from Sinn Fein was part of the same strategy employed by the Clan, when Clan members, who were former colleagues of Larkin's, pursued every avenue possible to ensure a conviction and a custodial sentence at his trial.

To a very real extent, death was a constant companion to radicals like Larkin. Indeed, a common refrain of Larkin's was that he was not afraid to die. This signified an acknowledgement on his part of the danger he lived under, and its consequences. It was often said that he had no concern at all for his own safety.[432] He had seen comrades die, and been at their graveside: James Nolan and Joe Hill; and there were others: Luxemburg and Liebknecht, Frank Little and Con Lehane. When Larkin had been pardoned by Governor Smith, he spoke at a meeting in Chicago on 4 February 1923. After speaking for 'two hours' (during which, in typical fashion, he lambasted Governor Smith), he told the meeting that he had been warned he may well be 'executed' when he returned to Ireland.[433] At a meeting on 10 February, at which he was introduced by Hanna Sheehy-Skeffington (whom he would later refer to pejoratively as a Sinn Féiner) as the only leader left to achieve a workers' republic in Ireland, he told the assembly that he had been invited to address a meeting in Clinton, Iowa, but that he had been forewarned by a friend that there was a plot to kill him: '[If] I accepted the invitation; I would be killed, for the sole purpose of preventing my going to Ireland. The invitation came to me just as he stated, and I am satisfied there is a conspiracy to put me out of the way[.]'[434]

[431] John Devoy papers, 18,000/6/3, NLI. Quinlan was also in touch with Thomas Foran at the height of the 'plot' in relation to matters concerning the ITGWU; see William O'Brien Papers, 15,679/3/8.
[432] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.56.
[433] FBI file, p.444.
[434] FBI file, pp.454-455.

Four months later, back in Dublin, Larkin addressed the No.1 Branch of the ITGWU, the report of the address said:

> The General President [Foran] had asked [the branch members] what they would do if [Larkin] died … He had got plenty threats against his life within the past week, but what did he care about them? He had been told that people with influence in the government would get him put out [of the union], but he cared nothing about that either.[435]

A very real precariousness attended the life of an influential, outspoken radical, like Larkin, as his life attests. Jack Carney maintained that the moving of Larkin to Clinton prison, Dannemora, from Sing Sing and putting him to work in the lint room, was an attempt to kill him. Certainly, we will see that it was not for any innocuous reason that Larkin was put in Dannemora; such as Sing Sing being unable to deal with Larkin's mail; or, that he was getting too many visitors (both of which have been proffered in the historiography). There is sufficient evidence to show that the individuals behind Larkin being moved to Dannemora were Edgar Hoover and Alexander Irwin Rorke, Clan member and confidante of Devoy. No doubt, Rorke considered it his duty to prevent a socialist and *troublemaker* like Larkin from getting to Ireland and using his influence against Sinn Féin. Considering the nationalist 'plot' to assassinate Larkin, it could be argued that Rorke was doing Larkin a favour in putting him out of harm's way.

In the run up to Larkin's trial, Alexander Rorke, Assistant District Attorney for the State of New York, and prosecuting attorney in Larkin's trial, was working closely with Special Assistant to the Attorney General Edgar Hoover, and the British authorities, to garner evidence to use against Larkin, and thereby ensure a conviction. Rorke had already opened up his prosecutorial strategy of adversarial fear-mongering in the hearing before Magistrate McAdoo. Similar to the defamatory claim by the *New York Times* that Larkin was advocating bomb-throwing in 1914, Rorke claimed (contrary to the *Left Wing Manifesto*) that Larkin was advocating that the American government should be changed 'by bullets and not ballots.' Larkin was no shrinking violet, and had suggested the use of staves by working men to protect themselves; and he had been instrumental in the founding of the Citizen Army, an armed force that was to protect workers against the brutality of the police, envisaged by Larkin as a revolutionary force.[436] However, his consistent strategy, which he vocalised, was that

[435] *Attempt to Smash,* pp.155-156. This was said just prior to Larkin being put out of the ITGWU; see chapter 9.
[436] See Keohane, L., *Captain Jack White: Imperialism, Anarchism & The Irish Citizen Army* (Kildare; Merrion Press: 2014) pp.100-101.

change must be brought about through being organised, socially, politically and most importantly, industrially, through industrial unions.

LARKIN AS BRITISH AGENT

Emmet O'Connor touches upon an interesting aspect of Rorke's intelligence on Larkin; that is, the claim that Larkin was a British agent. Whereas O'Connor writes that the authenticity of the *nationalist plot* to dispose of Larkin must be doubted, he does not dismiss Rorke's claim that the British were seeking 'leniency' for Larkin, and even his freedom. O'Connor sees the latter claim of Rorke's as 'equally mysterious, but more corroborated.'[437] This is now a tentative hypothesis in the Larkin historiography, and as this thesis is investigating whether or not the state was trying to marginalise Larkin and not set him at liberty, it is important that this issue be looked into closely. O'Connor writes:

> In February [1920] Scotland Yard enquired of … Alexander Rorke, if the charges against Larkin might be dropped to allow him to travel to South Africa for six months. The British consul in New York made repeated enquiries as to the case and the feasibility of leniency or an appeal. Rorke exploited the *requests* to blacken Larkin's name with Irish nationalists [my italics].[438]

However, the question is: are these *bona fide* 'requests'? We will look to see how substantial these *requests* were.

Another interesting aspect of the hypothesis, as O'Connor points out, is that Archie Crawford interceded in the issue. Crawford was president of the South African Federation of Labour, and had met Larkin in England in 1914. Crawford claimed he had had a conversation in March 1920 with someone of 'high authority' in the British government who would procure a passport for Larkin to travel to South Africa. The *New York Call* used Crawford's cable to write an article in support of Larkin. The Crawford intervention is interesting because it provides a link to Rorke's claim that the British wanted him to go to South Africa (analysed below). However, as O'Connor points out, one could understand that Crawford might want to help Larkin, but 'why the British would help Larkin or want him in a colony on the verge of major industrial conflict is less obvious.'[439] It should be pointed

[437] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.196.
[438] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.196.
[439] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.197

out that the charge against the British at this time was that they were keeping Larkin away from Ireland; and sending him to South Africa, where he could still end up in jail, would not get him any closer to Ireland.[440] The intervention of Crawford (who was a supporter of the 1914-18 war) in relation to the hypothesis that Larkin was a British agent is therefore problematic. Crawford may have made a request to someone in the British government, but it is highly unlikely the British would have wanted Larkin in South Africa (as pointed out by O'Connor). Therefore, the mysterious request that Larkin be allowed by the American authorities to proceed to South Africa is highly dubious.

As noted above, as it is the contention of this essay that the British and American states were attempting to suppress Larkin and not set him at liberty, it will therefore be necessary to analyse Rorke's *evidence*. We will have reason to ask if the evidence was perhaps fabricated, or at the very least exaggerated out of all proportion by Rorke, and used as a smear against Larkin. We will also ask if this was done for the purpose of deflecting criticism away from his own actions in his prosecution of Larkin, and from the wider Clan na Gael involvement. Rorke wrote a substantial letter to New York Governor Miller on 20 March 1922, a copy of which came into the hands of the Irish Provisional Government. Miller had been petitioned by supporters of Larkin for a pardon. The letter set out to correct (what Rorke claimed) was a series of inaccuracies set out in the petition which had been sent to Miller. These inaccuracies were in the main related to the alleged unfair treatment of Larkin at the hands of the court; and were also in relation to the question of British influence in the court's proceedings. In relation to the British, Rorke wrote to Miller:

> The petition and many articles circulated by various publications have directly and indirectly charged that the defendant was prosecuted in the United States at the behest of Great Britain, and that he was prevented from leaving the United States by Great Britain. These statements are absolutely false.[441]

Counteracting any such claim, Rorke states that six weeks prior to the commencement of Larkin's trial, in the last week of February, the British government contacted the American Embassy in London and requested that Larkin be released. This 'caused the following cable to be sent to the government of the United States':

> Information is desired from the Department of Justice as to whether, if the British authorities should arrange for James Larkin to proceed to South Africa via London, for a period of six months, he would be

[440] In fact, had Larkin been shipped to South Africa the British would have had more control over him.
[441] DT, S 2009, NA: Letter (11 pages) from Rorke to Miller 20 March 1922.

> allowed to leave the United States at once without further legal proceedings. This information is confidential and for Scotland Yard.[442]

What is immediately noticeable about this *report* of a telegram, which in the letter is quoted in inverted commas, is that there is no indication who the telegram was sent to, apart from the reference to the Justice Department. Nor is there any indication as to who sent it, apart from a reference to the embassy and Scotland Yard. This is far too vague, and very conveniently so: it makes it almost impossible to track down, and potentially, therefore, carries the hallmark of fabrication.[443] Another notable aspect of the telegram is that it is in the conditional form; that is, it posits: 'if the British government should arrange' for Larkin to go to South Africa, 'would [Larkin] be allowed to leave the United States at once without further legal proceedings.' This use of the conditional form is a strange choice for a telegram of such importance. If the telegram is authentic, one thing it does indicate is that the British and the American governments discussed privately what they would like to have done with their respective *undesirables*. This adds credence to the argument that the American government was in league with the British when it came to the management of Larkin; or at the very least, that such channels of communication were open to them.

There is another version of the telegram and its provenance, in a statement made by Devoy, which provides some additional information. Interestingly, William O'Brien was in possession of this document written by Devoy relating to Rorke's allegations about Larkin being an *agent provocateur* or British spy. The document is entitled: 'Statement Made By John Devoy About James Larkin On July 30th 1920.' Devoy wrote that he met Rorke accidentally and was asked by Rorke to accompany him to his office. Devoy was shown an *original* letter which contained within in it the text of a telegram: 'A cable has been received from London inquiring if the case against James Larkin under arrest in New York will be withdrawn and if Larkin will be allowed to proceed, via London, to South Africa for six months.' Scotland Yard were named as the interested party, and the request was made to the Justice Department. What is noticeable here is that in Devoy's own words, he had only been shown the text of a telegram within the body of a letter. Not the telegram itself, and not even a copy.

According to Rorke: 'The Department of Justice really had nothing to do with the case, Larkin having been arrested by the authorities of the State of New York and the prosecution having been conducted under the laws of the state.'[444] This particular claim of Rorke's is shown to be inaccurate

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[442] DT, S 2009, NA: Letter (11 pages) from Rorke to Miller 20 March 1922.
[443] We will see that it was not a case of Rorke trying to protect his sources.
[444] William O'Brien Papers, 15679/13, NLI. The statement claims that the American Embassy in London forwarded a copy of Larkin's birth certificate which showed that Larkin was born in Liverpool. It also states that Larkin had written to the British consulate in connection with a passport he was applying for, and referring to a

in view of the disclosures made in the FBI file (discussed below) in relation to the Justice Department and the Larkin case, where it is seen that the New York prosecutor and the Department of Justice worked hand in hand in the Larkin case. Devoy was then shown 'four or five letters' by Rorke from the British Consulate which inquired into the nature of the charges and the feasibility of an appeal. These letters are the 'repeated enquiries' referred to in the opening O'Connor quotation above.

It should be said that the statement by Devoy (July 1920) indicates some contradictory aspects. One, is that Rorke was 'of the opinion that the Lusk Committee [had] had a hand in the business.' The Lusk Committee had used *agent provocateurs* before. Rorke said he would go all the way to London in person to try and find out who was behind it. Yet, there is no indication in the statement that Rorke made an attempt to find out off any member of the Lusk Committee, a committee which Rorke deemed to be behind the request. And this, despite the fact that Rorke had recently been in contact with the Lusk Committee. Also, according to the Devoy statement, Rorke had received notice of the telegram over the phone (there is no evidence that he had a copy of the telegram, or had seen one). A name is provided at this point. Rorke had received a letter from a Major Strauss of the New York office of the 'American Intelligence Bureau'. Strauss wrote that his superior (name not given, but he was based in the Military Intelligence Bureau in Washington) had telephoned Strauss telling him that a cable had come from the British requesting that Larkin be allowed to proceed to South Africa. In order to find out who had sent the request and what interest Scotland Yard had in the business, Rorke wrote to the Military Intelligence Bureau in Washington. He was told that: 'no information beyond that in the previous letter' from the Bureau could be furnished to him. There is a significant inconsistency at this point, it was previously stated that the information from the Bureau came to Major Strauss in the form of a telephone call, not a letter. A look at the bigger picture here is instructive. Rorke's claim that he was unable to find out what was behind the alleged request is almost certainly misleading. Rorke was very close to J. Edgar Hoover, and they were in constant communication during the trial and appeals process. Hoover was Special Assistant to the Attorney General of the United States, Mitchell Palmer. This position gave Hoover access to all of the intelligence in the country. Further, Rorke and Hoover were themselves in touch with the British authorities in relation to intelligence on Larkin during his trial. It is very difficult to conceive why Rorke would be unable to find out who made the request, and why it had been made.

Other individuals were named as having seen the evidence. Devoy's statement claims that Judge Goff and Alfred J. Talley had seen the documents. Another individual who is said to have seen the

previous communication he had received in which DORA was cited against him, pointed out that he was the subject of a Special Order in Council.

documents was a member of Larkin's appeal team, Peter Lee. The Devoy statement concludes with: 'Rorke does not want anything published about the matter until he digs up more evidence.' Of the three individuals named in Devoy's Statement, apart from Devoy, to have seen the *evidence*, Peter Lee makes no allusions to it in his dealings with the appeal team in the Frank P. Walsh papers. Alfred J. Talley, Assistant District Attorney released a statement in the *New York Tribune* denying that Larkin had been 'convicted at the request of the English because of his "alleged activities on behalf of the Irish cause in Ireland."'[445] Talley said that Larkin's conviction was due solely to his activities against the American government. Talley made this statement because the LDC were convening meetings claiming American collusion with the British. If he had at this point been shown the *evidence*, Talley did not reveal any of it. Although, this may have been because Rorke had told him not to say anything for the present (as per the concluding sentence of the Devoy Statement, above).

Evidently, the heat from Rorke's persecution of Larkin became too much and Rorke was forced to go public. Doctor Norman Thomas (who referred to Rorke as the 'prosecutor of Jim Larkin')[446] declined to attend a joint meeting of the Clan and Friends of Irish Freedom (FOIF) in Jersey City because Rorke was due to speak. Rorke then made a statement to the *New York World* in which he said that far from the British wanting Larkin locked up, the British requested that Larkin be allowed to leave the United States without further legal proceedings against him. He then claimed that he was willing to prove beyond all doubt that the British wanted Larkin released. The often repeated claim that Larkin was being held in an American jail at the behest of the British was altogether false. He also claimed that the British request to have Larkin freed was turned down.[447]

It was a big claim to make, on Rorke's part, that he would prove beyond all question that Larkin's release was requested by the British. The *New York World* wrote that the 'rumours' did not get into the newspapers at the time.[448] In order to quash the rumour that Larkin was being convicted and held in America to keep him away from Ireland at this time, and in order to remove any suspicion that the Clan might be colluding in this process, Rorke had tried to make it look as if Larkin was an agent of the British. It is remarkable that there is not one known original, or one known copy of a

[445] 20 June 1920. Talley's statement concludes with what appears to be a falsehood: that Larkin had been moved to Dannemora due to the difficulty of dealing with the volume of his mail. See below for a critique of this.
[446] Norman Thomas was, like Larkin, a declared Christian, and had been an outspoken critic of the war (indeed, he would later protest against the Vietnam War), and was a prominent and long-time member of the SPA. See Gregory, R.F., *Norman Thomas: the Great Dissenter* (New York; Algora: 2008).
[447] *New York World*, 17 Oct 1920.
[448] Larkin, however, was not shy of making it known publicly. On 14 March, Larkin spoke at a meeting of the Roxbury James Connolly Club in Boston, Massachusetts, where he denounced the rich Irish in America, who, he said, were 'backing England' and trying to '[blaggard] him as a British secret service man.' FBI file, p.166; see fourth line down from the top: 'placard' is written instead of *blaggard*; blaggard is Irish slang for blackguard.

letter or telegram, out of all the alleged correspondence between the British government and the American Embassy in London; between the American Embassy in London and the Military Intelligence Division in New York; between Straus, his superior and Rorke; between the British Embassy in New York and the Department of Justice; and between Rorke and Michael Collins (who, apparently, took no further action in trying to secure Larkin's release when he heard Rorke's evidence).[449] As yet, the only evidence consists in there being a report of a telephone call about a telegram; and a reference only to 'four or five letters' from the British to the Justice Department. It is a reasonable assumption that had Larkin been an agent of the British, or that he was being used as an *agent provocateur*, this would be known at this stage. On the other hand, in support of Rorke's claim, there are a number of people named as having seen the documentary evidence (although they were not named publicly, and could not then be called upon to deny or confirm this). In a letter in 1923, Devoy wrote that individuals working within the District Attorney's office believed Rorke's claim.[450] It could be argued that Rorke's claim would have left him open to contradiction by the British. However, it would be highly unlikely, and in contravention of protocol, for the British government to comment contemporaneously on the covert dealings of its domestic and foreign departments; either to deny or confirm such an allegation.

Other evidence which has not been discussed in the historiography to date should help to elucidate the issue further. In John Devoy's papers, accompanying the 1920 Devoy Statement on Larkin is an unsigned, undated document. It relates that when Thomas Foran and Young Jim Larkin travelled to New York to visit Jim Larkin (in the latter half of 1920), Foran met up with Harry Boland. Boland told Foran that he had been 'very disturbed recently when he had been shown certain documents in the Dept. of Justice by a Clan na Gael man Alexander I. Rorke.' Boland persuaded Foran to go with him to see Rorke, whereupon Foran was shown letters and documents in which the British government is seen to ask if the case against Larkin could be dropped so that he could 'proceed on a tour to South Africa.'[451] However, the claim that Boland and Foran saw these documents, and/or were 'disturbed' by them, undermines the claim that Larkin was a British agent, or that the British interceded to have him set at liberty, for the following reasons. Firstly, Boland (who had already guaranteed the Devoy bail money) continued to work with Larkin's legal team, funding the cost of the appeals process, up until late 1922. If Boland (who was de Valera's right-hand man in America at this time) thought that Larkin was in anyway in cahoots with the British, he would have repudiated any support of Larkin. Secondly, if Foran had been witness to *bona fide* letters and documents, he would have used that

[449] O'Connor, E., *James Larkin* (Cork; CUP: 2002) pp.63-66. 'When [Michael] Collins [who had been asked to petition the American government on Larkin's behalf] heard Rorke's evidence he took no further action.'
[450] John Devoy Papers, 22,644, NLI. Letter to Frank Robbins, 21 September 1923.
[451] John Devoy Papers, 18, 113 (1), NLI.

information against Larkin when he and O'Brien were fighting tooth and nail to hold onto the Dublin membership in 1924, or even earlier. In fact, an opportune time to use such information would have been when Larkin had Foran *et al* suspended from the union in June 1923. Foran and O'Brien used propaganda on this British agent issue (that is, an editorial by Devoy in the *Gaelic American,* 31 May 1924) against Larkin in 1924, when copies of Devoy's editorial claiming Larkin was a servant of the British, were posted in ITGWU branch offices. But there is no record of Foran recounting his experiences with Boland and Rorke. Boland, and even Foran, may have been shown *something*; but the *bona fides* of that something were not affirmed at the time, and they have never been affirmed nor materialised in any form since.

Finally, the one person who claims to have seen the documents (technically, a letter about the documents), and to have spoken about them to others, was, of course, John Devoy. Devoy wrote his 'Statement' on 30 July 1920. Emmet O'Connor writes that after his meeting with Rorke, Devoy 'wrote a damning statement on what he'd seen.'[452] In fact, Devoy did not write a 'damning statement'; and for good reason: he simply did not accept Rorke's allegation. In his statement, Devoy gave an account of Rorke's claims, and wrote that he was shown the documents by Rorke. Again, as with Boland and Foran, there may have been documents but, again, they must have been suspect, because Devoy did not accept their *bona fides,* and he simply refused to believe Rorke's claim that the British had interceded on Larkin's behalf. This is seen in a letter to Frank Robbins in 1923, Devoy told Robbins that he and Rorke had had a falling out, and that he hadn't seen him for some time: Rorke 'was huffed because I refused to believe his story that the English Consul had asked that Larkin be treated leniently.'[453] This statement by Devoy completely undermines the credibility of the argument that there was anything substantial in Rorke's allegation that Larkin was being used by the British. There may have been some form of documentation, and there may have been no need for Rorke to fabricate the *evidence*, but Rorke had completely exaggerated its significance. Again, as argued above, Rorke had good reason to do this: it was a means of discrediting Larkin and taking the heat off himself and the Clan for their prosecution of Larkin; at this time, Rorke was being publicly attacked for his role in the prosecution of Larkin.

[452] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.196.
[453] John Devoy Papers, 22,644, NLI. Letter to Frank Robbins, 21 September 1923.

ALEXANDER RORKE, EDGAR HOOVER AND THE FBI FILE

In relation to his trial, much has been said about the unfair treatment Larkin received at the hands of the American judicial system.[454] We will now look to see how the Intelligence Bureau, and the Department of Justice dealt with Larkin internally in the persons of Edgar Hoover and Alexander Rorke, during the course of which we will make a final assessment of the charge that Larkin was a British 'secret service man.' Rorke and Hoover worked together closely on the Larkin case, with Hoover very keen to provide Rorke with as much material on Larkin as possible. In February 1920, Hoover sent Rorke a copy of W. P. Ryan's *The Irish Labour Movement*, which Rorke had requested, fastidiously pointing out the relevant chapters on Larkin's activities in Ireland. By March, Hoover had procured witnesses who would be able to testify as to the proceedings of the Communist Party and Communist Labor Party conventions held at Chicago in 1919. On 1 April 1920, George Lamb (Divisional Superintendent, FBI) wrote to the New York District Attorney, Edgar Swann, enclosing a summary of the FBI files concerning Larkin, this summary had been requested by the District Attorney's office and was for the attention of Rorke. Information on Larkin's activities and speeches while he was awaiting trial and out on bail was also furnished, including an analysis of a speech he made when speaking at a meeting of the Deportees' Defence Committee with Elizabeth Gurley-Flynn. Everything that was available was analysed, including, in a memorandum for Hoover, Larkin's mocking comments, at a meeting of the Communist Labor Party, to the officer who had subpoenaed him for the Lusk Committee.[455]

In March, Rorke told Hoover that he was particularly interested in the material which was scheduled to arrive from Britain. The British Consulate had been contacted and information on Larkin's activities prior to coming to America had been requested; the British being only too happy to oblige. On 29 March, with time running out, Hoover received the following memo:

> Rorke called on this instant and advised me that the case of JIM LARKIN has been called for trial on Monday, April 5th [1920]. Mr Rorke desires you to call him in regard to the foreign records which you are endeavouring to secure for him.[456]

On 5 April, Hoover contacted W.L. Hurley, Under Secretary at the Department of State:

[454] For example, see R. M. Fox, Emmet Larkin, and Manus O'Riordan.
[455] FBI file, p.174. Larkin had picked out the officer in the hall and told the crowd how he had told him that there used to be Black Hundreds in Russia until the revolution, when they went out of existence.
[456] FBI file, p.170.

> The date set for the commencement of this trial is, as you will note, April 5th 1920. It is, of course, impossible to receive by that time the certified copies desired, but Mr Rorke advises me that if the State Department would communicate with him or with this office, stating that the information requested is being forwarded by the Ambassador at London, that he would then be in a position to request the court for an adjournment until such time as the documents should arrive.[457]

On the 15 April Hoover told Rorke that the material on Larkin's birth certificate and two convictions was on a steamer which had departed Southampton on 12 April, and was expected within a week. Hoover assured Rorke that he would personally deliver the material to Rorke in New York.[458] On 22 April, Rorke sent a telegram to Hoover asking for 'the records of convictions,' as the case was just about to end; but Hoover informed Rorke that the ship had still not arrived: 'Every effort being made to expedite delivery of these upon receipt."[459]

Interestingly, the case was now coming to a close, and Rorke was still looking for material to use against Larkin. Eventually, the information was received at the State Department, and in the run up to 3 May, the date fixed for sentencing, Hoover wrote to Hurley (29 April) in the State Department enclosing two communications from Rorke seeking 'certain information' in connection with the Larkin case, stressing that it was a matter of urgency that Hurley send the material to Hoover so that he could get it to Rorke before sentencing took place.[460] Again, the nature of the 'certain information' is not disclosed. Hoover got the 'certain information' to Rorke by the 3 May.

In order to have a full record himself, Hoover wrote to Rorke saying that he would like copies of the birth certificate, and the two convictions. He also asked for copies of the 'material which the British [Consulate] on last Saturday supplied for your use in the Larkin case.' [461] Again, no details are divulged on the nature of this material. Rorke complied with Hoover's request. The final reference to the *certain material* is in a letter from Hoover to District Attorney Swan on 6 May:

> I am in receipt of your two communications of the 28 ultimo [April], referring to a certain document desired for use in the case of James Larkin. I take pleasure in enclosing herewith a Photostat copy of the

[457] FBI file, p.173.
[458] FBI file, p.178.
[459] FBI file, pp.184-185.
[460] FBI file, p.198.
[461] FBI file, p.204.

> communication received by me from the State Department, referring to the matter.[462]

Again, there is the oblique reference to 'a certain document' and an equally oblique reference to a communication by the State Department 'referring to the matter.' Fortunately, there is an indication from another communication in the FBI file as to what this 'certain information' might be. After Larkin had been convicted, friends and supporters formed a committee in his defence. Towards the end of May, the James Larkin Defence Committee issued a two-page appeal for funds, in which they briefly outline Larkin's life, his triumphs and tribulations, during the course of which the following information is found:

> The hand of the British was unmistakeably evident during Larkin's trial … After the jury brought in a verdict of guilty evidence was introduced—all the way from Dublin Castle—to prove that Jim was arrested thirty-four times in Ireland for anti-British activities. The prosecuting attorney [Rorke] who is a member of Irish organisations should know that to be arrested thirty-four times for anti-British activities is a record that any Irishman might well envy.[463]

It may be that the 'certain information' which arrived after the verdict and before the sentencing was this information from Dublin Castle detailing the thirty-four arrests; and it is probably the 'record of convictions' requested by Rorke on 22 April. At least, there is no indication of any other material that was to arrive late and prior to the sentencing in the file. If the 'certain information' was the record of convictions it was obviously not submitted as evidence, and may have been used, rather, by Rorke as another stick with which to beat Larkin's reputation before Judge Bartow Weeks before he delivered his sentence.[464] Although, in his defence, Rorke claimed that it was Larkin who first brought up the 34 arrests he had been subjected to by the British.[465] Although this material would indicate civil disobedience on Larkin's part, the fact that his disobedience was directed towards the British should have been seen as a positive thing in the eyes of Irish-Americans; and this is something Rorke seems to have miscalculated, in terms of the backlash against himself.

An analysis of the FBI file in relation to intelligence on Larkin being shared by the British with the State and Justice departments does not divulge anything in relation to a request by Scotland Yard for

[462] FBI file, p.205.
[463] FBI file, pp.230-231.
[464] The sentencing was due to be given on 3 May at 10.30 am. An analysis of all court transcripts would be required. The trial transcript runs to some 250,000 words.
[465] DT, S 2009, NA; see his letter to Governor Millar, 20 March 1920.

Larkin to travel to South Africa; or to use Larkin as an *agent provocateur*. In relation to the issue of Rorke not revealing his sources it is safe to say that this indicates that he is either protecting them, or that there are no sources, or at least, no *bona fide* sources. In his public statement, he stated that he would *prove it beyond question*. At the end of the Devoy Statement, Rorke said he would not publish anything until he had more evidence. However, by November 1920, when he went public with it, he still refused to disclose any sources. The fact that he never divulged them; and the documents have not been unearthed, indicates that there were no *bona fide* sources. Finally, Devoy's disclosure to Frank Robbins (he told Rorke he did not accept the allegations) completely undermines Rorke's case.

DEPORTATION OR INCARCERATION

One very interesting thing the FBI file reveals in the time around the trial, is that the deportation of Larkin—the normal method for dealing with undesirable aliens— was definitely being considered, right up to, and possibly even including, the day that sentencing took place on 3 May. On 28 January 1920. Hoover sent a memorandum to Mr Haynes in the Department of Justice:

> I would appreciate your completing for me at an early date, a brief upon the activities of James Larkin. This, of course, should be prepared *in the usual form for deportation*. I would suggest that possibly the Military Intelligence Files as well as the files of the State Department may be of help to you in this matter [my italics].[466]

Clearly, the American authorities are considering deportation, here; not necessarily as the only option, but at the very least it is being considered as a back-up in the event that they fail to get a conviction. After a conviction had been achieved, however, it would appear that deportation was still being considered. On 28 April, District Attorney Edward Swann wrote to Hoover:

> In the case of the People against James Larkin who will be sentenced here next Monday by Justice Bartow S Weeks [the following information is required]: (1) Copy of the rules and regulations at the British Consulate in New York City regarding British subjects in the United States desiring to return to Great Britain. (2) Copy of a letter from the defendant James Larkin to the British Consulate … (3) What provisions of the Defence of the Realm Act are referred to in the

[466] FBI file, p.147.

letter of the British Consul to James Larkin, dated December 11, 1919[?][467]

Here, the emphasis was very much on rules and regulations *outside* of the jurisdiction of the United States. These details were not required if the administration was only considering confining Larkin to a penitentiary. The native domicile of a convict would be irrelevant in this respect. What is particularly significant is that the provisions of DORA were to be scrutinised. Larkin had written to the consulate requesting a passport and asked what the details of the DORA prohibition against him were. If the court was considering deportation it would want to know how best to proceed; particularly as the deportee was being returned to a friendly nation and ally such as England.

In a report procured by the General Secretariat of the revolutionary Irish Government on 29 June 1920, it states: 'Under the immigration laws of [America] an alien, who subsequently to his entry here imbibes or makes profession of 'anarchy' is a proper person to be deported[.]'[468] Thus, according to the law, Larkin should have been deported. Following his conviction, Larkin could still be deported. If they were only going to consider incarceration, there was no need for so much (or any) consultation with the British, they could have just done Britain a good turn, and locked him up. The British were hardly going to object to this. Why Larkin was not deported is all the more intriguing when one considers that ultimately they were always going to deport Larkin, as they did in April 1923. Instead of simply deporting Larkin in the first instance, the American state, for some reason, decided to incarcerate him. When one considers the context back in Ireland of an Independence War, and the knowledge within the British administration that they were going to have to come to an accommodation with the Republican insurgents (Sinn Féin), it is quite probable that the reason why Larkin, potential disturber of any impending truce in Ireland, was incarcerated in America was because the British, friends and allies of America, requested it. It has also been seen that Clan members within the Department of Justice played a significant role in keeping Larkin away from Ireland at this time, particularly at the time of his trial.

It is certain that the British would have to come to an accommodation with the Republican insurgents, Sinn Fein. Any state of war incorporates within it a cessation of hostilities; although this can be outside the direct orbit of the government engaged in directing the war. Non-governmental bodies such as trade unions, the press in Britain, and the church are part of this wider context. The revolutionary Dáil had been declared in January 1919, with a massive electoral mandate. Realists within the British administration knew some form of talks were going to be required to achieve

[467] FBI file, p.195.
[468] JUS 8/676, NA.

stability. It is known that the Catholic Church was involved in early offers of a truce to Under Secretary James MacMahon in May-June 1920. After Chief Secretary John Anderson arrived in April 1920, MacMahon ('"the friend of every Catholic ecclesiastic in Ireland"') had as his principal job 'the cultivation of moderate (particularly clerical) opinion in the hope of preparing ground for a peace settlement.'[469] Also, the Catholic hierarchy had contacted the Archbishop of Canterbury with a view to initiating negotiations. Foreign Secretary Curzon made contact with the Vatican; and by 1 December 1920, Lloyd George put Archbishop Clune of Perth in touch with the insurgent leaders in the hope of securing a peace.[470]

The crucial question that needs to be addressed is: why was Larkin not deported? Related to this is that Larkin's appeals process (dealt with below) which lasted through the Treaty negotiations, the term of the Provisional Government and the establishment of the Free State, was virtually sabotaged by individuals within the Justice Department, determined to ensure as much as possible that Larkin was not released on appeal. There are a number of facts that can be adumbrated. The time of Larkin's trial (April-May 1920) was roughly halfway through the Irish War of Independence. The British did not want Larkin in Ireland and had instituted two orders under DORA against his entry into Ireland. These were put in force soon after the beginning of the World War in 1914, but they were never revoked upon the cessation of hostilities in 1918. In fact, the British did not lift the DORA Order until they had consulted the Irish government in 1923 (as friendly governments do). It was seen in chapter 4, that on 1 August 1919 the War Office wrote to the Dublin Castle administration and told them that in the event of Larkin returning from America, he would be interned, if required, rather than be allowed into Ireland. Another certainty is that Larkin's presence in Ireland would have complicated matters greatly. With the anti-Treatyite Larkin in charge of the ITGWU rather than the compliant O'Brien, who supported the Treaty, the full force of the labour movement could have been marshalled against the Treaty (it is known that Larkin had a sentimental attachment to Ulster).[471] Significantly, direct requests were made by the British to the American State Department seeking Larkin's continued incarceration after the war, in the crucial period leading up to the formation of the Free State. British government files uncovered by Paul McMahon reveal the intervention of the British on at least two occasions in order to hinder the release of Larkin, in March and May 1922. In March the Ambassador contacted the State Department requesting that Larkin not

[469] See DIB.
[470] Miller, D.W., *Church, State and Nation in Ireland 1898-1921* (Dublin; Gill & Macmillan: 1973) pp.452-476; noted by Lee, J.J., *Ireland 1912-1985: Politics and Society* (Cambridge; CUP: 1989) pp.42-43.
[471] Larkin seems to have got his sentimental attachment to Ulster from his mother. He also seems to believe fervently that he was born in Ulster. According to one account, his mother visited Ulster in 1876 and Larkin was born there. See Larkin, J., *In the Footsteps of Big Jim: A Family Portrait* (Dublin; Blackwater Press: [1995]) p.6.

be released. The next intervention in May was by one of the most significant politicians in Britain at the time, Winston Churchill. Churchill had been one of the leading figures in the drafting of the Treaty and its implementation. In May he telegrammed the British Ambassador in Washington warning that Larkin's presence in Ireland would turn the deteriorating situation in 'the direction of civil war'; at which point the Ambassador again contacted the State Department.[472] These interventions came at the time of a request to Governor Miller for a pardon for Larkin in March 1922; and when Larkin's legal team were looking to get bail for Larkin in May of the same year on foot of a Certificate of Reasonable Doubt (CRD). Significantly, the CRD granted to Larkin expired and the appeal was turned down; Larkin was returned to the state penitentiary at Comstock.

What is also significant is that at the trial and appeals process it is a fact that members of Clan na Gael, and confidants of its head-figure Devoy, such as Judge Cohalan and Assistant District Attorney Alexander I Rorke (assisted by non-Clan member J. Edgar Hoover), did everything they could to keep Larkin from getting to Ireland and turning labour against Sinn Féin (the appeals process is discussed below in chapters 7 and 8). It will be remembered that the 'nationalist plot' (uncovered by the FBI) to assassinate Larkin had as its objective the intention of stopping Larkin going to Ireland and turning labour against Sinn Fein. Once the Free State was established, Devoy and Cohalan would be welcomed by the Free State government to Ireland. Indeed, at its very inception Collins would maintain close contact with Cohalan.[473] It is a fact that the American government did not want him in America, and instituted deportation proceedings against him on a number of occasions; and significantly, deportation was being considered in August 1919, which was prior to his trial in November 1919.[474] The reason why deportation was not carried through at this time has not been addressed by the historiography.

A lot of claims were being made at the time that the American government was holding Larkin in America at the behest of Britain. Eventually, the America government was forced to publicly deny this and made a statement in the press on 20 June 1920 to that effect through the Justice Department.[475] Larkin, of course, was jailed by the American state on what turned out to be trumped up charges, for which he was eventually given a pardon. This pardon was granted in January 1923 well after the Irish Free State was established, and the anti-Treatyites were all but beaten and would

[472] McMahon. P., *British Spies and Irish Rebels* (Woodbridge; Boydell: 2008) p.123.

[473] Daniel F. Cohalan papers, 10/1 and 18/1, AIHS, New York. See Box 10, folder 1 for correspondence about his visit to Ireland with Devoy in 1924; see box 18 folder 1 for correspondence with Cosgrave on the boundary issue. For his close contact with Collins at the inception of the Free State, see Golway, T., *Irish Rebel: John Devoy and America's Fight for Ireland's Freedom* (Kildare; Merrion Press: 2015).

[474] See FBI file, p.124; or page 120 above.

[475] *Brooklyn Daily Eagle*, 20 June 1920.

shortly declare a truce. If Larkin was to be kept in jail, incarceration in Ireland was out of the question, as it was in Britain. Larkin would have been a public-relations powder keg in any jail of the United Kingdom. An American penitentiary, however, would work. It is known that he was moved upstate, to a less accessible prison: the notorious Clinton Prison in Dannemora. Here, it was feared by friends and supporters that the world might forget about him; or even worse, that he might not get out alive.

In this chapter, it was seen that Larkin was arrested by the forces of the state which moved to suppress radical elements who were agitating for fundamental social change. His conviction was ensured by Clan members Rorke and Bartow Weeks. Rorke, Hoover and the British state went to great lengths to ensure as much evidence as possible was available to use against him in the trial. Crucially, Larkin was not deported, the normal procedure for an alien. He was incarcerated by the American state, by Clan members within the judiciary and the Justice Department, in order to keep him away from any coming negotiations between the Sinn Fein insurgents and Britain. It was also seen that Winston Churchill personally intervened through the British Ambassador with the State Department to request that Larkin be kept away from the new Free State. The hypothesis that Larkin was a British agent was investigated and it was shown that this was not based on anything substantial; and it was argued that the origins and *bona fides* of this evidence were highly dubious. It was also argued that it was introduced as a ploy by the Clan as a way of deflecting criticism way from its members who had prosecuted Larkin. Significantly, John Devoy had not accepted Rorke's *evidence* that the British were intervening on Larkin's behalf. In the next chapter, we will see that Larkin's incarceration led to protests, and the formation of Larkin defence committees; including the Larkin Release Committee back in Ireland. We will look at the revolutionary Dáil government's response to Larkin's imprisonment; wherein, it will be seen that there was an element of collusion between Arthur Griffith and William O'Brien.

CHAPTER 6 RUMBLINGS IN DUBLIN

This chapter will look at the reaction to Larkin's arrest and the formation of Larkin defence committees around the world. It will also review the response of the revolutionary Dáil to Larkin's arrest. In the course of this review, collusion will be revealed between the emerging revolutionary state in the form of Arthur Griffith and the reformist *de facto* leader of the ITGWU, William O'Brien. The chapter will feature the activities of the Larkin Release Committee, spear-headed by Delia Larkin, sister of James Larkin and leader with P.T. Daly of the Larkinite faction in Dublin (see above chapter 4). Over the course of June and July 1920, protest events were organised, culminating in a one-day stoppage in Dublin, and a protest outside the American Consulate in Dublin, in support of Larkin. An evaluation of the purposes and the effects of militancy will be made, as will an evaluation of the response of the reformist leaders within the labour movement. The oppositional tendencies between militancy and reformism is an important dynamic within which to contextualise Larkin and Larkinism. The aims and objectives of reformism, which involve a cohabitation with capitalism, were eminently achievable. This cannot be said of Larkin's syndicalism, which incorporated revolutionary trade unionism at its heart.

As a result of Larkin's arrest and conviction, a number of Committees were formed in his defence. The Larkin Defence Committee (LDC) was formed in Chicago. John Fitzpatrick, head of the Chicago Federation of Labour and a close friend of Larkin's is credited with starting it.[476] It had offices at 254 West 34 Street, New York, and contained close allies of Larkin such as Emmet O'Reilly (Treasurer), Thomas O'Flaherty (Secretary), Eamonn MacAlpine and Jack Carney, as well as other important members within the Irish-American and labour communities. Emmet O'Reilly had a slightly romantic recollection of its genesis, based on the night Larkin was arrested: 'The committee was born just as the army of police, State troopers, and our edition of a "Black Maria" were moving from the cul-de-sac off Sixth Avenue called "Milligan Place," where Jim had a front parlour room that served as a combined bedroom, kitchen, office, and meeting place.'[477] By June 1920 the LDC was functioning publicly. The FBI had information on the LDC as early as 6 June; including information that the LDC were running a picket at the British Embassy in Washington. On 9 June it held a meeting in Bryant Hall, New York, at which Norman Thomas and Frank Harris spoke; the meeting collected over four hundred dollars.[478] In July, letters went out to prominent people who were involved, or

[476] Nevin, D., (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.293; O'Connor, E., *James Larkin* (Cork; CUP: 2002) pp.65-66.
[477] *The Workers' Republic,* 21 January 1922.
[478] *New York Tribune,* 9 June 1920.

had been involved, in progressive movements, in New York and across America.[479] The principal functions of the LDC were to provide awareness and to collect funds. Others were the Central Release Committee based at 53 Jane Street (which would make way for the LDC), New York; the Canadian Larkin Defence League based in the Transportation Building in Montreal, and the Larkin Correspondence Committee.[480] A notable one was the Larkin Release Committee organised by Larkin's capable sister Delia Larkin in Dublin (see below).

The revolutionary Dáil Eireann government of Sinn Féin needed to respond in some way to the Larkin case. Sinn Féin was certainly a revolutionary force when it came to Irish nationalism; and it was also quite radical in its Democratic Programme of 1919 (largely drawn up by Tom Johnson);[481] however, with people like Griffith at the helm, there would be no rush to demand Larkin's release. In fact, it will be seen that there was a marked difference in attitude between Griffith and de Valera when it came to Larkin. On 20 May 1920, President de Valera instructed the Irish Consul-General Joseph Connolly to cooperate with the LDC, 'in so far as it would be found possible' to do so.[482] It should be remembered that Sinn Féin's strategic goal was to get the American government to recognise the fledgling national government, and they would not wish to jeopardise this goal. A big name like Larkin might still be useful; and, in any case, he could not be ignored. The Consulate, due to America not recognising it, had its hands tied. Pursuant to de Valera's instructions, Irish Envoy Pat McCartan hired a member of the Irish and American bars, Mr McGrath, to make a report on the Larkin case.[483] This report was compiled on 29 June and copies were sent to the President and the Minister of Trade and Commerce. In the report, McGrath writes that there were no precedents, as far as he could establish, for a pardon in a criminal anarchy cases; but that New York Governor Smith could 'exercise his Executive Clemency by application of the prisoner's attorney, properly supported.' However, McGrath wrote, it was not at all clear who Larkin's attorney was. Walter Nelles was 'held forth as the prisoner's advocate' but John O'Leary, who also claimed to represent Larkin, stated that Nellis was not doing the required work. O'Leary said he was 'having some action taken this week to mitigate the prisoner's hardships at Dannemora Jail, where it would appear the authorities are none too kind to their charges.' O'Leary was of the opinion that a new trial would be granted, and in the event it

[479] JLM/NYPL, O'Flaherty to Walsh, 28 July 1920.
[480] see *The Workers' Republic,* 12 November 1921 for a self-important critique of the LCC.
[481] Johnson was leader of the Labour Party from 1917-1927; and a Teachta Dála from 1922-1927. Effectively, he was leader of the opposition. Johnson supported the Treaty, and was no revolutionary; but was quite vocal in the Dáil when it came to issues concerning the working class. See Gaughan, J.A., *Thomas Johnson, 1872-1963: First Leader of the Labour Party in D*áil Eireann* (Dublin: Kingdom Books; 1980).
[482] It would appear from the wording in the document that the LDC contacted the Dáil government in the first instance.
[483] JUS 8/676, NA, document titled 'Confidential Memorandum' by Fawsitt, attached to letter of 4 April 1922 from Joseph Connolly to Timothy Smiddy.

was granted, five to ten thousand dollars would be required to cover expenses. McGrath had interviewed Gertrude Kelly; Kelly was unable to say anything concrete about what her associates in the Friends of Irish Freedom and the Irish Progressive League would do. Her opinion was that the Irish representatives (the Consul and Envoy) should 'lie low and saw wood.' Irish organisations generally should engage in public action, thereby bringing pressure on Tammany Hall, and Governor Smith. The report finished with an explanation of the law concerning people who professed anarchy; that is, that deportation was the proper sanction (see above).[484]

On 20 August, Fawsitt received a communication from de Valera which said that the General Secretariat (of Dáil Eireann) requested another report on Larkin. Fawsitt's second report pointed out that no one had contacted the Consulate in relation to Larkin, before during or after the trial. He stressed that in any case due to the non-recognition of the Irish Consulate by America, there was little practical aid they could offer. In relation to the trial, Larkin claimed to be an Irish citizen but Judge Weeks did not respect this fact, in terms of any possible representations that could be made on Larkin's behalf. Fawsitt's investigator said that:

> A goodly number of Irish men and women attended and lent by their presence what moral aid was possible in an atmosphere that was assuredly not one-half of one percent pro-Irish. All spectators at the trial were compelled to give their names, addresses and occupations every day to the court officer … counsel for the State, a Mr. Rorke, exceeded all professional bounds in injecting a bitter personal and anti-Irish bias and in adducing the testimony of British emissaries against the accused[.][485]

The hostility reported here towards Larkin by the court and Rorke, in this confidential document, complements the accounts of R.M. Fox, Manus O'Riordan and the LDC (above). As to the state of play for Larkin at that point, the report stated:

> His case is now … in the hands of the Hon. Frank P. Walsh, whose services so far as I can learn are acceptable. Assisting Mr. Walsh are, I am given to understand, Mr. John O'Leary and Mr. Walter Nellis [Nelles] of the American Civil Liberties Bureau. They are hopeful of securing a new trial.[486]

[484] JUS 8/676, NA: document dated 29 June 1920 by D. McGrath.
[485] JUS 8/676, NA.
[486] JUS 8/676, NA.

Fawsitt finished the report by pointing out again, in response to the 'resolutions of public bodies in Ireland', that he was virtually powerless to do anything to help Larkin due to the 'non-recognition of our government by the U.S.'[487] Despite this report saying that Larkin, or any of his representatives, had not contacted the Consulate, and that the Consul was powerless to assist Larkin, Dáil government letters were later sent to various public bodies such as the Dublin County Council, claiming that the Consulate 'afforded Mr. Larkin all the assistance, during his trial, that he was entitled to[.]'[488] The reason for this misrepresentation is not clear.

RIPPLES OF COLLUSION: WILLIAM O'BRIEN, GRIFFITH AND COLLINS

Interestingly, the request for this report from Fawsitt may have originated with Delia Larkin, Secretary of the Dublin-based Larkin Release Committee (LRC). That is, it is quite likely that the resolution proposed at the meeting of the Dublin Corporation was proposed by a member of the LRC. On 24 September, Delia Larkin wrote to the Minister for Foreign Affairs requesting a copy of the report on Larkin's trial. She reminded the Minister that:

> [In] regard to the resolution proposed at the monthly meeting of the Dublin Corporation 7 June 1920, Councillor George Lyons said that a full report of the trial would be procured by the Minister of Foreign Affairs. And again in your letter of 13 July 1920 you state the Minister for Foreign Affairs has called for a complete report on the whole matter. The Larkin Release Committee would therefore be very glad to know if this report has come to hand.[489]

Dermot O'Hegarty, on behalf of the General Secretariat, wrote to Delia Larkin and told her that the report had 'not yet come to hand.' Dermot O'Hegarty wrote another letter in relation to the report, but this time he wrote to Acting President Arthur Griffith (de Valera was in America). O'Hegarty said: 'I enclose copy of report received from Mr. J L Fawsitt regarding the case of Mr James Larkin. *You wanted this copy to show privately to Mr O'Brien*. It was decided that it should not be published [my italics].[490]

[487] JUS 8/676, NA, document dated 28 August 1922, signed Fawsitt.
[488] *Freeman's Journal,* 26 July 1920.
[489] JUS 8/676, NA, letter dated 24 August 1920, to Minister for Foreign Affairs, signed Delia Larkin.
[490] JUS 8/676, NA, letter to Delia Larkin dated 4 September 1920, signed Hegarty; Letter dated 25 October, to Acting President, signed O'Hegarty.

Delia Larkin would not get to see the unpublished report, but interestingly, a copy of the report was given to William O'Brien. This means that Griffith (known critic of Larkin's trade unionism) and O'Brien (soon-to-be inveterate opponent of Larkin) were liaising behind the scenes in relation to Larkin. It is known that O'Brien went to great organisational lengths to prepare for Larkin's return, with administrative and rule changes that ostensibly set out to make the union more democratic (but were, arguably, put in place to secure, bureaucratically, his own place at the head of the union).[491] Doubtless, William O'Brien was very keen to know the date of Larkin's possible release or deportation, or the details of his incarceration in Sing Sing. To what extent Griffith (or anyone else) kept O'Brien informed on Larkin is difficult to know. By its very nature, it would be a secretive, below-stairs process. However, there is other evidence that Griffith and O'Brien colluded when it came to Larkin, and again Delia Larkin features.

Two years later, Delia Larkin would organise a leafletting campaign in an effort to get Larkin released in 1922 (at this time, Governor Miller was being petitioned to pardon Larkin; as it turned out, Miller declined to pardon him). Leaflets were circulated within the ITGWU to alert the membership to the Provisional Government's (alleged) intentions to ensure Larkin remained in jail. Amongst the papers of Minister for Foreign Affairs Desmond Fitzgerald there is correspondence with Arthur Griffith. This is in relation to the claim by Delia Larkin that the Irish government requested that Larkin not be released from jail in America. On 9 May 1922, Joe McGrath sent a minute to Michael Collins, enclosing the leaflet that was circulating in the ITGWU, claiming that Larkin was being kept in jail at the request of the Irish Provisional Government. Collins immediately sent a note to Griffith and asked him to refute it. Interestingly, William O'Brien features in a handwritten note (signed by George A. Lyons), attached to the correspondence in relation to the provenance of the leaflet: 'I have Alderman O'Brien's word that this handbill was issued by Delia Larkin & <u>he can submit proof</u>.'[492] Lyons deemed the offer of proof by O'Brien significant, and underlined it. Most likely, O'Brien had given cast-iron assurances of his information. Thus, here we have the *de facto* head of the ITGWU William O'Brien providing *proof* to the Free State government against a union activist who was campaigning for the release of the *de jure* leader of the ITGWU, James Larkin. These two incidents point towards a process of collusion between William O'Brien and the pro-capitalist Free State

[491] Arguably, O'Brien was just as undemocratic as Larkin. Larkin was certainly individualistic and he wanted things done his way. However, he did heed the will of the ITGWU executive on his departure to America in 1914 and allowed himself to be overruled in relation to the critical issue of whether it would be Daly or Connolly who would lead the union in his absence. It can be argued that the changes driven by O'Brien made the union less democratic when the ballot vote of the membership was removed and the rule governing amendments was interpreted in such a way that allowed the executive of the union to control the type of amendments that were proposed (discussed below when Larkin returns to Ireland).

[492] Desmond and Mabel Fitzgerald Papers, P80/332 (1) UCDA, Dublin.

government which we will return to when we look at the role that the Free State played in the battle for control of the union between Larkin and O'Brien when Larkin returned to Ireland in 1923.

THE LARKIN RELEASE COMMITTEE IN DUBLIN

On 29 June 1920, the *Irish Examiner* reported from America that James Larkin, Irish labour leader, had been moved from Sing Sing prison on 14 June to Clinton Prison at Dannemora, New York. The reason given for the move was that 'Larkin had been receiving so much Radical literature that it was necessary to add several workers to the prison post-office shop.' In fact, this was a move on the part of the American authorities to isolate Larkin from friends and supporters. Clinton Prison was *c*.200 miles due north of New York City, its regime was known to be much harsher, and rather than it being an issue for the prison post office, we will see that there was a much more sinister force at work behind Larkin's move (discussed below in an analysis of the Frank P. Walsh papers). This transfer of Larkin to Dannemora led to a surge of activity by the Dublin-based Larkin Release Committee.

On 4 July 1920 a large meeting was held under the auspices of the LRC, at St. Michan's Street, Dublin, in the vicinity of the markets. The meeting was presided over by Alderman Richard Corish, Mayor of Wexford, who, opening the meeting, said Larkin 'was the only possible man to lead the Irish labour movement with success, and he was wanted badly.' On a motion of Barney Conway, the meeting approved a cessation of work to take place the following day from 12 noon to 2 pm. This would allow workers to sign, at the City Hall, a petition to President Wilson demanding the release of James Larkin.[493] Mr McMullen (who spoke first in Irish) told the meeting that after 'Larkin's conviction and imprisonment several resolutions were passed by various labour bodies and councils throughout the country, and these resolutions had been forwarded to the American Consul in Dublin.'[494] However, the Consul had returned them, 'stating that as Mr. Larkin was a British subject, the proper course to take was to approach the British authorities regarding his case.'[495]

Needless to say, all the speakers spoke in high regard of Larkin. M.J. O'Connor of the Irish Automobile Drivers and Mechanics' Union, said 'Larkin was a man who had always the interest of the workingmen at heart, and it was up to the workingmen to see that Larkin was released.' P.T. Daly

[493] Wilson promptly handed over such petitions to the FBI; see FBI file, pp216-219.
[494] Baltinglass (No. 2) R.D.C. called for Mr. Larkin's immediate release. Limerick County Council supported the request to President Wilson for the release of Mr. James Larkin. Cashel Guardians adopted a resolution of protest against Larkin's imprisonment. Further public bodies who passed resolutions demanding Larkin's release were: Clonakilty R.D.C., Lismore Guardians and R.D.C., Letterkenny Guardians and R.D.C., and Nenagh Guardians, Carrick-on-Suir R.D.C.
[495] *Freeman's' Journal,* 5 July 1920.

representing the Dublin Trades Council was given a warm welcome. He spoke about the efforts of the DTC, and its deputation which went to London, to get the British Government to release Larkin, but that they had refused to do anything.[496] Daly was applauded when he said he 'was one of Larkin's first lieutenants in the fight he waged for the working man.' Then in a calculated broadside at the Liberty Hall caucus he said, 'as long as he lived he would continue to regard Larkin as his chief and to take his instructions from him.' In a further jibe, he said, 'In Ireland there were men who didn't want to see him back from exile.' Other speakers at the meeting included Delia Larkin, Capt. McGowan of the Citizen Army, and Mr Jock Wilson, who had been 'deported from Australia, in connection with the part he played in the anti-conscription crusade there.' In fact, although he had been active against conscription, Wilson had been deported under the Unlawful Associations Act for being an IWW member. Wilson had supported the Sidney Twelve, one of which was Peter Larkin, brother of James, and was known to be a 'witty speaker [whose] cynical humour would have appealed to a wide working-class audience.'[497]

Delia Larkin also spoke, and like Daly, used every opportunity to undermine the labour officialdom. She said letters had been sent to Thomas Farren, President of the Irish Trade Union Congress, and Thomas Foran, President of the ITGWU, inviting them to the meeting, 'but no answers had been received.' Letters of apology from notable people unable to attend were read out. The Lord Mayor of Dublin, Laurence O'Neill, had written, 'wishing the meeting every success, and stating that Larkin was one of the men he had met during his public career whom he had looked upon with a great deal of admiration and respect, both as a colleague in the Corporation and as one whose sole object in life was to better his fellow men.'[498]

On 5 July, the work stoppage went ahead and large numbers signed the petition for the release of Larkin. One of the first signatories was Countess Markievicz. On the docks, 'a strong contingent of dockers and workers in the brewery cross-Channel boats marched in procession from the North Wall to sign their names.' That day, P.T. Daly moved a resolution at the Dublin Corporation which called on the Minister for Foreign Affairs (of Dáil Eireann) to expedite the necessary measures to secure Larkin's release. At this point the meeting of the Corporation was told by Mr Lyons that he had been told the resolution of June last had not reached the Dáil Eireann government. The town clerk said his assistant had not known where to send it; the Dáil Eireann government being somewhat

[496] In fact, MacPherson had told the deputation categorically (see above) on 11 November 1919 that he 'would not bring any pressure to bear upon the American government in favour of Larkin.'
[497] Cain, F., *The Wobblies at War: a history of the IWW and the Great War in Australia* (Melbourne; Spectrum Publications: 1993) p.264. Unfortunately, the *Irish Examiner* did not record any of Wilson's speech on the day of the meeting in Dublin.
[498] *Freeman's Journal,* 5 July 1920; *Irish Independent,* 5 July 1920.

'hypothetical'. It was agreed that the address details would be ascertained, and that P.T. Daly would move the resolution again.[499] It seemed as if things had faltered somewhat, but soon plans were underway to make a more forceful statement; which would include an attempt to try and expose O'Brien *et al*.

On 24 April 1920, at a meeting of the General Executive Committee of the ITGWU, President Foran 'outlined the work and difficulties facing the present executive': the union's General Treasurer William O'Brien was in Wormwood Scrubs 'without charge or trial', and its General Secretary was in jail in New York on a 'faked charge of criminal anarchy[.]'[500] In fact, O'Brien, having given up his hunger strike, was convalescing in a nursing home. Whilst Larkin remained in jail, O'Brien was back in Dublin by May. Hamar Greenwood claimed he had got O'Brien released. He said that he 'had gone carefully into the case of Alderman Wm. O'Brien and had ordered his release.' Thomas Johnson pointed out that the British had tried to remove O'Brien from political life, by making him sign a parole pledge that he would not become active in politics.[501] Despite the fact that he did not sign the pledge, O'Brien was set at liberty.[502] On 10 July, the Delia Larkin LRC was discussed in full by the ITGWU executive; its personnel and activities. The executive decided to publish a statement concerning the LRC for the benefit of the members; and the resident committee members 'were authorised to act should the necessity arise.'[503]

On 11 July, the Larkin Release Committee held an open air meeting in Beresford Place, with Barney Conway in the chair, and demanded the release of Larkin. Delia Larkin said 'Larkin had been thrown into an American dungeon at the behest of the capitalist class,' and she appealed to the 'workers who some time ago had raised their voices on behalf of men who were dying in Mountjoy Prison to raise their voices now on behalf of Jim Larkin.' P.T. Daly and others spoke about the need of the workers to right the wrong that had been done to Larkin in the highly prejudicial trial in New York. The meeting was shadowed by a substantial force of police who were placed on duty in the vicinity of the meeting. Later that day, a meeting of the LRC was held in the Irish Workers' Hall at 10 Langrishe Place, with Barney Conway (chair), Delia Larkin (secretary), Michael Connolly (treasurer), Seamus McGowan, and Michael Mullen, amongst others, present. Subscriptions to the Larkin

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[499] *Irish Independent,* 6 July 1920.
[500] ITGWU Resident Executive Committee/Executive Meeting Minutes 1920-1923, p.16; in SIPTU Archive, Liberty Hall, Dublin.
[501] *Freeman's Journal,* 6 May 1920.
[502] Murphy, W., *Political Imprisonment and the Irish: 1912- 1921* (Oxford; OUP: 2014) p.162; Edward Troupe, Permanent Under-Secretary at the Home office advised that as O'Brien was claiming to be a labour man, rather than a Sinn Feiner, it would be better if he were freed. *Freeman's Journal,* 6, 13 May 1920; *Irish Independent,* 6 July 1920 for comments on O'Brien by Greenwood and Johnson.
[503] ITGWU Resident Executive Committee/Executive Meeting Minutes 1920-1923, p.45; in SIPTU Archive, Dublin

Release Fund from several Labour bodies in England and Scotland were dealt with, as was a communication from the Larkin Release Committee in New York. Delia Larkin revealed that over 5000 people had signed the petition on Monday. Finally, the committee publicly thanked those who had responded to the call on behalf of Larkin.[504] Of course, this was mostly about taking the opportunity to publicly not extend thanks to Liberty Hall and the Labour Party. The next day, the LRC met again at Langrishe Place and adopted the following resolution:

> Whereas the various local governing authorities in Ireland, corporations, county urban and rural councils, town commissioners, etc., have called for the release of Jim Larkin, the acknowledged leader of the Irish Labour Movement … we call upon the National Executive of the Irish Labour Party to declare a National stoppage of work on Wednesday, 21st July, to still further emphasise that demand, and to afford the workers of Ireland an opportunity of signing the [petition], to the President of the United States on behalf of Jim Larkin.[505]

Copies of the resolution were forwarded to the Secretary of the Irish Labour Party, and to the General President of the ITGWU; copies were also sent to the secretaries of various Trades Councils around Ireland and to the newspapers. On the 14 July, the Trades' Hall in Capel Street was open until 9.30 in the evening to enable women workers to sign the petition. The LRC responded to criticism of its methods and objectives (the petition and threatened strike) in the press: 'The paralysis of the business of the community for one day is only a minor concern of the workers. What does concern us is that Jim Larkin is in Sing-Sing prison.' The statement continued: petitions and resolutions were one thing, but they did not stop people from using direct methods. The notion that the LRC was trying to smash the Irish labour movement was not worthy of comment; and anyone who did not support the campaign was a scab.[506]

On 18 July, the LRC arranged a meeting of workers at Beresford Place to endorse the resolution, which called upon the national executive of the Irish Labour Party to declare a national stoppage of work on Wednesday July 21, which they had adopted at their meeting of the 12 July in Langrishe Place. Delia Larkin read the resolution, which was proposed by J.P. Neary, Secretary of the National League of the Blind, to the meeting. Delia Larkin had personally delivered copies of the resolution to

[504] *Freeman's Journal*, 12 July 1920.
[505] *Freeman's Journal*, 13 July 1920.
[506] *Freeman's Journal*, 16 July 1920.

the offices of the secretary of the Irish Labour Party, and to the acting secretary, James Hughes, of the ITGWU. She told the meeting that no replies had been received. M.J. O'Connor, Secretary of the Irish Auto Drivers' and Mechanics' Union, said, 'it was strange that no acknowledgement had been forthcoming from the Labour Party or from the Union of which Jim Larkin was General Secretary.' There were the usual speakers who called for the liberation and return of Larkin, with P.T. Daly again eulogizing the absent secretary. Wednesday's campaign would begin with mass picketing that would be conducted from 8am to 11am. A procession of workers would then march through the streets to sign the petition at the City Hall. Those involved in the delivery of milk and the morning papers would not be asked to support the strike. A cable was sent to Larkin, informing him of the planned stoppage.[507]

The day before the planned strike, on the 20 July, the ITGWU Resident Committee, met to discuss the LRC campaign. Present were Foran, O'Brien, Thomas Kennedy, Mick McCarthy and Paul Stafford. The 'one day strike called for by the Larkin Release Committee was discussed at considerable length.' It is difficult to tell if there was any dissension from what would have been, certainly, at least O'Brien's position of non-compliance; but the fact that it was discussed at length may indicate that there was some talk of engaging with the LRC, if only in a token way. The minutes record, 'It was ultimately decided that no action be taken in the direction of complying[.]' In order to pre-empt anything unexpected, and as a statement of *non-solidarity*, 'Liberty Hall and its offices therein [would not be] open for business during the day [of the stoppage].'[508]

On the morning of the strike, the *Irish Independent* said that there would be no stoppage of work in response to the call of the LRC: the resolution calling for the strike may have been endorsed by the Dublin Trades Council, but it had not received the official approval of the Irish Labour Party and Trade Union Congress, and it was not supported by the ITGWU. The paper pointed out that the ITGWU had a membership of around twenty-five thousand members in Dublin, which had received no instruction to strike. The dockers, however, were expected to 'take the holiday[.]' According to the *Irish Independent*, Foran said that the ITGWU would take 'no official action, as the stoppage would do no good towards securing Mr. Larkin's release.' The LRC issued a reply: 'the ITGWU have not alone failed to assist, but have hindered every effort to secure the release of Mr. J. Larkin.' Clearly, this is not true considering the role that Foran and O'Brien played in the campaign of the DTC in November 1919, with Foran using the threat of a general strike to accompany the demand to the British for Larkin to be issued with a passport. What is interesting at this juncture is why Foran had

[507] *Freeman's Journal* 19 July 1920.
[508] ITGWU Resident Executive Committee/Executive Meeting Minutes 1920-1923, p.46; in SIPTU archive, Dublin.

abandoned that position some eight months later. There were some significant differences. Up to 8 November 1919, Larkin had not been arrested, and the protest was in relation to the refusal of the British to issue a passport to Larkin. By April 1920, Larkin was now convicted and jailed by the American state, under its laws. However, Foran was being somewhat disingenuous when he claimed that a stoppage 'would do no good towards securing Mr. Larkin's release.' Nobody was claiming that a one-day strike in Dublin would free Larkin. The LRC people would argue that it was about raising awareness of the issue and building momentum. The LRC and James Larkin wanted strikes in Britain and America, but they could not rely on labour officialdom in either England, America or Ireland to organise mass strikes, and therefore appealed to the rank and file.

> The committee, therefore, is forced to the view that nothing whatever was done, is being done, or will be done by Liberty Hall officialdom, or by the officials of the Irish Labour Party to secure Jim Larkin's release, and calls on the rank and file of the Labour movement to observe Wednesday as Larkin Day.[509]

Militant syndicalists who conceived that the strike was the ultimate weapon in a commodity-driven society, where such power was wielded at the point of production, could visualise the workers realising their power on the back of mass action. But putting mass action into effect and having the objective conditions available to ensure its success, was an altogether different thing to an aspiration to do so. In a letter to the *Irish Independent*, the motives of P.T. Daly *et al* are again called into question.

> I am certain that there are very few trades unionists who will dispute the fact that Larkin has done a great deal for the Dublin workers … [If Larkin] was confined in an Irish or a British prison, it would be far more effective, under such circumstances, to strike for his release … I believe that the name of Larkin is only being used in this manner by some of the officials of the Trades Union movement to try and win a victory in some of their petty personal problems.[510]

Certainly, there is a strong element of truth here; and a large part of their campaign must be seen in the context of using it to undermine the Liberty Hall caucus. Although they would undoubtedly have

[509] *Freeman's Journal* and *Irish Independent*, 20 July 1920.
[510] *Irish Independent,* 21 July 1920; letter by William Davin; Davin was a very popular TD for Leix-Offaly, returned regularly for over thirty years, until his death in 1956. He was Parliamentary Secretary (Local Government) in the second Inter-Party government, 1954-1957.

wanted Larkin freed, their ultimate aims are patently unrealisable, at this time. This is not to say that mass general strikes would not have freed Larkin, but as mentioned above, the necessary objective conditions were not present. The moderate British trade union leaders were not making any such overtures on Larkin's behalf; and they had already had enough of Larkin by 1914. Even if Foran and O'Brien were militant syndicalists, they would not have been able to galvanise the support of the British, let alone the American workers. Realising this, they had sent a request to the American Federation of Labour (AFL) convention in Montreal, Canada.[511] Samuel Gompers, the President of the American Federation of Labour was not a man who would encourage militants; and neither was he concerned with using unions to change society. In fact, whereas in 1917 and 1918 Larkin was agitating against the war in America (and being arrested for it), Gompers was being seconded onto a war-time committee by the government. The trade union bureaucracy which controlled the rank and file was an objective condition which P.T. Daly *et al* would not be able to surmount; and, in truth, they were unable to comprehend that their day was over. Militant syndicalism was on the retreat, and had been for years. It was finished in America, stymied in Britain (and in the Dominions), and when Larkin returned in 1923, the denouement of its Irish variant would be played out.

The reformists acted in accordance with how they saw the world; but it was a rearguard action, a conservative, self-protective stratagem, that pushed capitalism but never threatened to overthrow it. Reformists were quite good at using revolutionary rhetoric in their propaganda, but generally failed to come up with a strategy to put the rhetoric into action. However, it is not as if they did nothing. As seen above, the ITGWU executive had sent a resolution requesting support for Larkin to the AFL; and the ITGWU had been vociferous prior to Larkin's arrest. At the annual ITUC in august 1919, Foran moved a motion condemning the British and American governments for not providing Larkin with a passport to return to Ireland. We saw earlier that on the eve of Larkin's arrest (chap. 4), Foran had moved the motion at the DTC conference on 4 November 1919 that the necessity of a passport for Larkin be urged on the British government by a DTC deputation in London. Foran seems to have taken the lead at the meetings of the ITGWU executive committee in relation to the arrest and trial. Foran considered it important that the union 'should take on the responsibility of [Larkin's] defense, and not leave it to outsiders to deal with.'[512] Emmet O'Connor is correct to say that Foran was genuinely concerned; he visited the LDC in New York and told them that the union would cover the legal costs.[513]

[511] FBI file, p.78.
[512] *Attempt to Smash*, pp.137-138.
[513] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* p.203.

Despite the absence of official labour recognition for the stoppage, the LRC were determined to make a success of the day. The streets were placarded overnight with 'cease work' notices. In the morning 'large pickets sporting red rosettes' went about the town, holding up tradesmen and labourers who were on their way to work. The press reported that in the majority of the cases 'the workmen went on their way, and proceeded with their tasks.' The pickets also stopped drivers of vehicles in their attempt to bring the city to a halt; the Strike Committee visited factories and yards; but again, according to the press, they did not meet with much success.

The press, however, were able to report on the more sensational aspects of the strike. One caption read: AMAZING INCIDENTS:

> It was in the Corporation Fruit and Vegetable Markets that the first sensational incident connected with the strike occurred. A small party of pickets armed with revolvers succeeded in holding up and closing the markets, the keys being taken from the watchman, while workers and small vendors were ordered out at the revolver point.[514]

In fact, the closing of the markets would have been quite a coup for the Strike Committee (in solidarity certainly, not at the point of a revolver). Of course, just because the press, antagonistic to the aims of labour, and particularly militant labour, reported the use of guns does not mean that guns were used. In the afternoon the market workers returned to the markets, 'in accordance with an arrangement entered into … the keys which had been taken from the watchmen in the morning were handed to the market's superintendent.' It seems that the 'sensational incident' at the markets went from armed coercion to an amicable enough finale.

It was reported that a 'picket also visited the premises of Sir John Irwin, the paper maker, in Upper Abbey Street' and warned him that they would be back 'in half an hour' to check on the premises again. When they returned the picket numbered over fifty. When Irwin refused to close the premises down, 'one of the men covered him with a revolver. By this time the employees, many of whom were women, had become afraid and left the works, which were [then] closed down.' Sensational stuff indeed. *If* the pickets were having to use guns to get workers to strike in solidarity with James Larkin, then there was something fundamentally wrong with the aims and objectives of the LRC.

[514] *Irish Examiner*, 22 July 1920.

The highlight of the day came at noon when a large procession of strikers was formed in Beresford Place:

> About noon a considerable procession of strikers was formed in Beresford Place, headed by pipers and a car bearing a pictorial representation of Jim Larkin in convict uniform and guarded by a United States soldier and warder. Miss Delia Larkin was among those leading the procession, which went to the North Wall. As the various shipping stores were reached the men working there were called upon to join the strikers, and many did so. All the dockers were out, and it was claimed that as a result of the procession practically all work on the quays was suspended for the rest of the day.[515]

The strikers then set off to a meeting in the City Hall, where hundreds more signed the petition to the United States Government for the release of Larkin. On their way to the City Hall, a demonstration was held outside the American Consulate by the procession.

That night, a meeting of the LRC members and strikers took place at Beresford Place. Many present, including Sean McLoughlin[516] and Capt. James McGown, denied that there had been any guns used, claiming Larkinism was an *idea* that did not require the use of guns. Barney Conway, who presided, said that those who had accused them of being 'tools and agents of the British government' were only enemies of the Release Committee, within the labour movement (in other words, O'Brien *et al*). To great applause, Sean McLoughlin called for the 'establishment of an Irish Workers' Soviet Republic.' Delia Larkin finished the proceedings, saying, 'James would be proud of the Dublin workers today.'[517]

The possible effects of the LRC campaign are seen in that it helped to keep Larkin in the public eye. A number of resolutions were passed. But in effect, very little was achieved. On 26 July, the *Freeman's Journal* reported:

> At the meeting of the Co. Dublin Co. Council on Saturday … a letter was read … stating that the Consul-General of the Republic at New

[515] *Irish Examiner*, 22 July 1920; *Freeman's Journal,* 22 July 1920.
[516] McLoughlin became a member of the WUI; he was Branch Secretary at Inchicore during the strike there in 1924.When Larkin returned from Russia at the end of August, he appears to have treated McLoughlin harshly, whom he blamed for the loss of the strike, even accusing him of embezzlement. See McGuire, C., 'The strike that "never should have taken place"? The Inchicore rail dispute of 1924.' *History Ireland*, vol.17, no.2 (Mar/Apr 2009) 44-48; and O'Connor, E., *Reds and the Green: Ireland, Russia and the Communist Internationals 1919-1943* (Dublin; UCD: 2004) pp.100-101.
[517] *Freeman's Journal,* 22 July 1920.

> York, at the direction of the President, afforded Mr. Larkin all the assistance, during his trial that a Consul was entitled to give to a citizen of the country he represented. 'The Minister of Foreign Affairs,' [added] the letter, 'has called for a complete report upon the whole matter; and pending the receipt of this report, no further action can be taken by the Government.'[518]

Of course, the Consulate was not entitled to give any assistance (it not being recognised by the US), and Larkin had not looked for any, at least not directly from the Consulate. Harry Boland would make assurances of money for the trial to Larkin's legal team, and he was to keep his word. Another development was that the Dublin Trades Council would move for 'the creation of a fund for propaganda to secure the release of James Larkin.' The ITGWU made a public statement demanding his immediate release, and called on American 'labour organisations to work in that direction.'[519] At the ILPTUC on 3 August the question of James Larkin's imprisonment was brought up, and the Transport Union were given permission to move the following resolution:

> That this Congress declares the arrest and imprisonment of James Larkin … in New York on a charge of criminal anarchy to be a gross outrage of every principle of justice … [we demand] that the American government release Larkin immediately. And we call upon the labour and working class organisations in America, and especially they of Irish birth or decent, to use their power and influence to undo this gave wrong. [520]

The resolution was proposed by Thomas Foran, and supported by Cathal O'Shannon; the Larkinite's strategy to discommode the labour leadership was without any success. However, Delia Larkin's Release Committee had at least helped to keep the issue of Larkin's imprisonment to the fore in the Irish public arena, and would in some small way have reached American workers. The Dublin strike was reported in the American papers. In December a meeting of the Central Trades and Labour Council of Greater New York took place. Present were '1000 delegates, representing 600 unions and 700,000 workingmen' of Greater New York. It was addressed by Samuel Gompers of the AFL. One of the first things on the order of business was the passing of a resolution demanding the release of

[518] *Freeman's Journal,* 26 July 1920.
[519] *Irish Independent,* 26 July 1920.
[520] *Irish Independent,* 4 August 1920.

Larkin.[521] Gompers would be associated with a call for Larkin's release, but he would do nothing to mobilise the American workers to effect his release.

In this chapter, it was seen that there was a strong public outcry against Larkin's imprisonment, and many organisations were formed in his defense. However, there was no success in organising any mass strikes in America to put pressure on the government to release him. Strategically, it was a master stroke to imprison Larkin in America, where the conservative union leaders would not countenance any such action on Larkin's behalf. Had Larkin been imprisoned in Britain or Ireland, it would have been very difficult for the British and Irish union leaders to resist what surely would have been a demand by the rank and file for his release. It was seen that the ITGWU leaders could ignore the efforts of the Larkin Release Committee in Dublin simply because they could claim such action would not have any effect (a narrative propagated *ad infinitum* in the newspaper medium). It was seen that the goals of the reformists were very achievable: the passing of resolutions, and the forwarding of letters to various bodies. The Larkinite faction, led by the resourceful Delia Larkin, did what they could, but as was seen above, their appeal to the rank and file was largely a failure, as no more than three thousand workers struck out of an ITGWU Dublin membership of twenty-five thousand. Putting mass action into effect, and having the objective conditions available to ensure its success, was altogether different from an aspiration to do so. Nevertheless, it was seen that a well organised campaign at least kept Larkin to the fore in the public eye, and the activities of the LRC were reported in the newspapers as far away as America. The reaction of the Dáil government was somewhat ambiguous. The official response (initiated by de Valera) appears to have been a genuine one. However, there were strong signs of collusion between Arthur Griffith and William O'Brien, which indicates something underhand was at work in the new relationships that were forming in the period up to the establishment of the Free State, between certain individuals in the labour movement and the nationalist Dáil. In chapter 9, the importance of these relations will be seen when Larkin returned to re-establish his authority within the ITGWU. In the next chapter, we will look at aspects of Larkin's time in prison, particularly in Clinton prison, Dannemora, where Larkin was transferred, and where he would be subjected to a much harsher regime than in Sing Sing.

[521] *New York Tribune*, 17 December 1910.

SECTION THREE

CHAPTER 7 LARKIN IN 'CRUEL DANNEMORA'

The first aim of this chapter will be to introduce the principal players in Larkin's legal team, beginning with Frank P. Walsh. We will see that the infighting within the legal team and of others associated with his defence were not always propitious to Larkin's best interests. Walter Nelles, Larkin's longest serving member on his legal team, will be seen to be somewhat neglectful, and often criticised by others members of the team. It will also be seen that there was infighting within the Larkin Defence Committee, and charges of embezzlement: Thomas O'Flaherty, secretary of the LDC, was to resign. Another aim of the chapter will be to review Larkin's time in Dannemora, what it was like, and why he was there. It will be seen that Larkin was put in Dannemora in order to isolate him. This was done by needlessly moving him upstate away from New York City; by suppressing his mail, and by restricting his contact with those visitors who made the trek up north to visit him. Once in Dannemora, Larkin was given the worst job in the prison, in the cotton shop. There were also threats against his life. It will also be seen that the FBI continued to monitor Larkin closely, even though he was in prison. Rorke became aware through Hoover that Larkin was still communicating with the outside world in relation to the direction the struggle for Irish emancipation should take; and Hoover and Rorke continued to work together in their efforts to silence him. The topic of the nature of the capitalist state will be revisited, where it will be argued that individuals like Larkin were suppressed by the natural everyday operations of the state because they were inimical to the interests of the state (which were capitalistic); and were not suppressed as the result of any conspiracy theory.

We will now look at events in the period from December 1919, shortly after the arraignment of Larkin up to December 1920. Frank P. Walsh was the senior member of Larkin's legal team, and he was head-hunted personally by Larkin for his defence. Walsh was a distinguished labour lawyer and advocate of progressive causes. As the leading figure on the American Commission on Industrial Relations (1913-1915), Walsh became known nationally (and internationally) for standing up to, and exposing, the anti-union activity of John D. Rockefeller Jr. Walsh featured on the front page of the IWW's paper *Solidarity,* and on the front page of the *United Mine Workers Journal*, and continued working as a labour lawyer up until the time of his death in 1939. Walsh was also close to de Valera,

being an important figure in the American Commission for Irish Independence, and he worked with de Valera when the latter came to America in 1919 seeking recognition for the Irish Republic.[522]

On 31 December 1919, Larkin wrote to Walsh and asked him for his 'legal assistance … in the case now pending in the Supreme Court, state of New York.' Larkin told Walsh that he understood friends of his had already been in communication with Walsh in relation to the matter, but that they had received nothing definite as to Walsh's plans. He assured Walsh that there was sufficient funding available:

> During the past week I have been notified from Dublin that my Union is sending its president Mr. Thomas Foran, who I believe you met on your visit recently, for the purpose of assisting me and is bringing with him authority to pay whatever expenses may be incurred … I would be glad if you could see your way to accept the brief in the case[.][523]

Although Walsh was known for not taking payment for his work on labour causes, Larkin may have thought Walsh's reticence was due to the costs of running a trial and possible appeals, which could be considerable, even when the legal team (apart from Walter Nelles, in this case) was working for nothing.

Walsh wrote back on 9 January 1920, thanking Larkin for his confidence in him, but said it would be impossible for him to take the case. Walsh was working full-time in Kansas, where the Governor was attempting to push through the 'most vicious piece of anti-labor legislation' that Walsh had ever seen. However, after Larkin's conviction in April, overtures were again made to Walsh. Possibly fearing the worst, with Larkin recently sent to Dannemora, John Fitzpatrick had renewed contact with Walsh around the middle of July.[524] Leonora O'Reilly, writing on behalf of herself and Gertrude Kelly, both Irish-Americans and associated with the LDC, also wrote to Walsh.[525] Walsh (who now had more time on his hands) wrote back, 'If it is satisfactory to Mr. Larkin [and the rest of the legal team] it will give me great pleasure … to do my utmost to save Larkin.'[526]

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[522] For some discussion of his relations with de Valera, see Hannigan, D., *De Valera in America: The Rebel President and the Making of Irish Independence* (New York; Palgrave Macmillan: 2010).
[523] JLM/NYPL, Larkin to Walsh 31 December 1919.
[524] JLM/NYPL, Walsh to Larkin 3 August 1920
[525] JLM/NYPL, O'Reilly to Walsh 26 July 1920.
[526] JLM/NYPL. Walsh to O'Reilly 28 July 1920. Interestingly, the date of this letter is 28 July, 1920. In June 1920, the FBI already had intelligence that Walsh had been 'engaged to represent Larkin in his appeal for a new trial.' This is an instance of unreliable information.

Walter Nelles, a founding member of the American Civil Liberties Union, played something of an erratic role throughout the appeals process (see below). He had been with Larkin from the beginning. It is generally assumed that Larkin's legal adviser at this time was Jeremiah O'Leary. In his biography of Larkin, Emmet Larkin says that Larkin was advised privately by Jeremiah O'Leary.[527] However, according to a letter by Larkin to Frank Walsh, it was Nelles who was advising him, certainly at the start of the process. Larkin said he spoke 'in the presence of Nelles and in words phrased to his satisfaction'; although it is not clear how long this continued, and may only have occurred at the hearing.[528] Of course, this does not mean that he did not receive advice from Jeremiah O'Leary privately, in addition to Nelles. Interestingly, the Walsh papers, which detail Larkin's legal team, do not name Jeremiah O'Leary until the final phase of the appeals process in February 1922 (and then only in passing).[529]

LARKIN JAILED

Larkin's trial, in which all would agree he was treated particularly harshly, has been given considerable coverage; particularly by R.M. Fox, Manus O'Riordan and Emmet Larkin.[530] The accounts of the trial depict Larkin as being treated harshly by both Assistant DA Rorke and Judge Bartow S. Weeks (whatever the excuse of the judge, Rorke was doing what a prosecuting attorney was supposed to do); and Larkin was continually hampered, interrupted and harassed. Less emphasis has been put on the fact that Larkin seems to have taken a certain amount of enjoyment in playing defence attorney and defendant simultaneously; and there was a certain defiance in his manner, and in his response to the prosecution. He had the floor for a considerable summation, which has been described by Emmet Larkin as 'one of those remarkable virtuoso performances of which he was so capable.'[531]

[527] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) pp.216-217.
[528] JLM/NYPL, Larkin letter to Walsh dated 31 August 1920.
[529] John O'Leary and Jeremiah O'Leary worked in the same office at 21 Park Row, Barclay; and both visited Larkin in prison, see FBI file, p.389.
[530] Fox, R.M. *James Larkin: Study of the Underman* (London; Lawrence and Wishart: 1957); O'Riordan, M., 'Larkin in America.' *Saothar*: *Journal of the Irish Labour History Society*, vol. 4 (1976), 50-53; O'Riordan, M., in Nevin D., (ed.) James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998) 64-73; O'Riordan M., *The American Trial Of Big Jim Larkin, April 1920* (Belfast; Athol: 1976); Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965).
[531] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; New English Library: 1968) p.217.

THE STATE: POLITICAL AND CIVIL

The American state, through its departments of State, Labor and Justice, jailed Larkin, and gave him five to ten years for a theoretical articulation printed in the *Revolutionary Age*. It can be argued that he was unjustly jailed for making a statement of his beliefs (to use Governor Smith's words). However, the State was not concerned with the minutiae of the principle of free speech; it was simply using any pretext to rid society of individuals, like Larkin, who wanted to fundamentally change the nature of the state. The state was essentially protecting a status quo. The state is not against socialism *per se*. It is simply a conservative response to change. State structures evolve, with individuals, and policies, that are resistant to change (although not impervious to change). Structures are put in place to endure, not to encourage their abolition. When a capitalist state becomes socialist (for example, Russia)[532] it becomes equally resistant to change (but not imperviously so).

Larkin's natural propensity to be revolutionary rather than reformist was bound to make him a target of the state, which operates naturally in accordance with its systems and structures. The state can appear to be a vast impersonal monolith, but it is comprised of individuals who work within certain structures and constraints; and the state is nothing without these individuals. Antonio Gramsci took up Marx's idea of the state (the 'superstructure'), and he elaborated on the binary model therein: the state being a combination of the apparatus of government and the apparatus of civil society.[533] The apparatus of government is comprised of elites (presidents, etc), the judiciary, the police, and so on; the apparatus of civil society is comprised of teachers, doctors, manual workers, the newspaper medium, cultural institutions, and so on. It is from this mutually inclusive aspect of the state that Gramsci derives his idea of *cultural hegemony*. Hegemony takes place when the individuals and institutions of civil society consent to being ruled; that is, when the general populace participates freely in the form of governance without being coerced (although coercion is always active to some degree; such as government police acting as strike-breakers, for example). Interestingly, this is essentially the principle underlying the social contract theory. For the social contract to work, cultural hegemony must be secured. In their book on democracy in Latin America, Barton and Tedesco write:

> [I]n the case of the modern capitalist state, a dominant value that underpins the specific social contract is the defence of private property. State institutions are therefore orientated in this direction,

[532] There are always nuances and qualifications, of course; feudal aspects cohabited alongside large industrial centres in Russia. China exemplifies the state's propensity to protect the status quo: it is virtually capitalistic but retains communistic state control by always retaining a 51 per cent share of all property and resources.
[533] Forgacs, D., *The Gramsci Reader: selected writings 1916-1935* (New York; NYUP: 2000) pp.233-234.

> through the activity of the security forces, the judiciary and the bureaucracy.[534]

Hegemony and the legitimacy of state institutions are integral to the operation of the whole. For Gramsci, 'The institutions of the capitalist state are organized for the ends of free competition[.]'[535] Therefore, those values, narratives and political philosophies which protect the interests of capitalism (the prevailing status quo in America at this time) come to the fore naturally and form the intellectual bedrock which hegemony is founded on. An *–ism* such as Larkinism (or socialism) which does not subscribe to this hegemony is therefore tacitly proscribed. Michael Mann makes a further refinement of the state at the elite, or governmental level, and in his variation the location of power can be clearly seen to lie with the functionaries of the state. He writes, 'capitalist democracies are despotically weak but infra-structurally strong.'[536] Thus, a president cannot impose a form of rule, but the bureaucracy naturally perpetuates the prevailing form of rule. Individuals within the bureaucracy, and in civil society, perform certain functions which are prescribed in conformity with the ethos of the state.

Individuals will make their mark, and influence policy and aims but there is no national or international conspiracy against individuals like Larkin, or movements like socialism. Such is the efficacy of the conservative nature of the state, there does not need to be. Individuals can effect conspiracy but that is all. This is illustrated by what happened to Larkin. Devoy, Rorke and Hoover were at liberty to conspire against Larkin for their own personal reasons: Hoover because of his horror of socialism; Devoy and Rorke because of their concerns about the labour question and Sinn Féin. However, their conspiracy would not bear fruit if the American state was not enforcing the status quo. The state and its individuals work together in a process that is self-perpetuating. That this process is beset with all sorts of internal contradictions means that there will be ruptures, and fundamental change, as seen throughout history. Studies show that prehistoric peoples had forms of society and rituals (a state) that were put in place to endure.[537] Throughout all the changes that have occurred in the form of the state in its historical evolution, the *impulse to resist* change has never withered away (as some revolutionists and theorists conceived). Thus, the revolutionist's aims and objectives (Larkinism) were much more likely to be unsuccessful than those who sought only relative

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[534] Barton J., and Tedesco, L., *The State of Democracy in Latin America: post-transitional conflict in Argentina and Chile* (New York; Routledge: 2004) pp.22-23.

[535] Gramsci, A., 'The Conquest Of The State.' In *L'Ordine Nuovo*, 12 July 1919; trans. by Michael Carney. www.marxist.org; accessed 01/05/2016.

[536] Mann, M., 'The Autonomous Power of the State: its origins, mechanisms and results.' European Journal of Sociology, vol. 25, issue 2, (November 1984) 185-213.

[537] For examples, see Mallory, J.P., *The Origins of the Irish* (London; Thames & Hudson: 2013); and, Miles, D., *The Tribes of Britain* (London; Weidenfeld & Nicholson: 2005).

change, such as the reformers within the labour movement.[538] From this context, it can be deduced that there were objective conditions that determined whether or not Larkin would be successful. These objective conditions are both antecedent and primary to issues of *personality*; Larkin's personality has tended to be the focus of the historiography in relation to his successes and failures. This thesis views Larkin's personality as secondary, and the objective conditions as primary.

The jailing of Larkin in America, rather than his deportation (which was the standard sanction), clearly suited the British state. If Larkin was jailed in England or Ireland, he would have been a beacon for strike action to free him; whereas, Larkin being jailed in America was a situation that could be contained. We saw earlier that the British State was certainly in close communication with the American state in the run up to and during his trial and conviction. We also saw that Alexander Rorke, Irish-American nationalist and close associate of Devoy's, was very determined to ensure a conviction, because Larkin was seen as a threat to Sinn Féin's nationalist objectives. The next thing that was done to Larkin by the state system was to move him to Clinton Prison, Dannemora. Interestingly, Hoover and Alexander Rorke played a role in having Larkin transferred to Dannemora.

After Larkin had been sent to Sing Sing on 3 May, the FBI kept a close watch on any activities and individuals that were seen to be supporting, or contacting him. By 6 June they already had photostats of LDC material, including the names of those (redacted) who were active in supporting the LDC, and the name of an organisation (redacted) which was supplying funds to pickets who were active at the British Embassy in Washington. At this stage, they also knew that Frank P. Walsh had joined Larkin's legal team. Prior to 14 June 1920 (while Larkin was still in Sing Sing), Hoover was informed that Rorke had been given certain information 'immediately' it came to hand. Clearly, Rorke had put a communication line in place between himself and another agency; and this in relation to Larkin's activity in Sing Sing. Hoover was told that upon receipt of the information, Rorke had 'immediately' telephoned the warden at Sing Sing, telling him to be 'on the lookout for any papers that [name redacted] might attempt to smuggle to Larkin.'[539] As a result of Rorke's intervention, Larkin was then moved to Clinton Prison, Dannemora on 14 June.[540] Whilst in Sing Sing

[538] Much Later in 1943, when another War was ravishing the world, Larkin could at least express the hope, if ultimately a forlorn one, that the young workers in Ireland would be inspired by Connolly's work. See *The New Leader,* 14 August 1943.
[539] FBI file, p.225.
[540] Larkin was accompanied by Gitlow and Winistsky. *The Sun and the New York Herald,* 15 June 1920, reported that on 14 June Larkin and 69 other prisoners were transferred to Dannemora; *New York Tribune* 15 June reported that on 14 June Larkin and 20 others were transferred to Dannemora; the *Tribune* also reported that the prison authorities said it was because of the overworked prison mail office.

Larkin was receiving material related to Irish affairs, and that is why Rorke continued to pursue Larkin in jail.

On 27 July, Nelles visited Larkin in Dannemora.[541] Whilst there, Nelles asked Long, the Assistant Superintendent for Prisons, who was at Dannemora that day, what the policy was for transferring political prisoners to Dannemora. Long insisted that there was no such policy, and said: 'the political prisoners [were] at Dannemora simply because it was necessary in adjusting the prison population that some prisoners [were] sent there.' Nelles, though, told Walsh:

> I have been told, however, that a draft of prisoners of the class usually thought of as belonging at Dannemora was transferred from that prison to Sing Sing at about the same time that the political prisoners were transferred from Sing Sing to Dannemora.[542]

In his letter to Walsh, Nelles does not say where he got his information, but if this is correct information, it enhances the theory that Larkin was moved for political purposes; and that room was made for him and others at Dannemora by moving prisoners to Sing Sing. It should be kept in mind here that Nelles is not propagandising, this is rational discussion in private between counsellors. Further augmenting this theory is the fact that Rorke, with the aid of Hoover, continued to keep a close eye on Larkin while he was in Dannemora. On 8 September, Hoover wrote to Rorke:

> I have just come across the enclosed clipping dealing with James Larkin whose pernicious influences you so successfully curbed; however, he seems to be engaging again behind prison walls in his usual propaganda. I thought the same would be of personal interest to you.[543]

The clipping was an article from the *New York Call* of the 4 September 1920. Secretary of the LDC, O'Flaherty had visited Larkin in Dannemora, and Larkin was quoted liberally by O'Flaherty in an article about labour protests to free Terence MacSwiney by longshore men; Larkin said:

> Every British ship from Portland, Maine to Galveston, Texas should be tied up in port until England surrenders. It is the only way to bring

[541] On the basis of this visit, Nelles compiled a memorandum which was to be used by the ACLU as the basis of a request to the prison authority that the 'political' prisoners Gitlow, Alonen, Winitsky, and Larkin were to be treated the same as the 'professional' prisoners. Parts of Nelles memo were used in *The Toiler* 17 September 1920. The memorandum was attached to a letter to Walsh 12 August 1920 (see below).
[542] JLM/NYPL, Nelles to Walsh 12 August 1920; it was to this letter that the memorandum of 27 July was attached.
[543] FBI file, p.234

> about the freedom of Ireland … The American workers have it in their power to free Ireland and take the Irish question out of American politics by strangling England's hold on commerce … The Free Ireland Labor Union Committee [FILUC] should be called to action … until that robber Empire bites the dust.[544]

It was not envisioned by Rorke, and other senior members of the Clan, that the Irish question would be taken out of American politics by the Larkin-backed FILUC. It would be unfathomable as to why Rorke was pursuing Larkin, if it was not because of Larkin's interference in Irish American politics, and the undermining of Sinn Féin by the labour issue. Clan member and confidante of Devoy, Rorke would have considered it his duty to prevent a socialist and *troublemaker* like Larkin from using his influence against Sinn Féin. To that end, Rorke had pursued Larkin in court, and continued to pursue him in jail.

'CRUEL DANNEMORA'

The American state sent him to Clinton prison, Dannemora. We will have a look to see what type of a *correctional* facility it was. Agnes Smedley, journalist of the *New York Call*, alerted the world to the conditions Larkin was facing. Smedley set out to present Larkin's situation in the worst possible light. This is not to say that the portrait is fabricated. The article is simply propagandising, rather than conveying a rounded reality. The heading of the article (in capitals) reads: 'Larkin Ageing Fast In Cruel Dannemora … Visitor [Smedley] Was Not Allowed To Speak To Him, Sees Him Sad And Lone At Untouched Meal.'[545] The article continues, Dannemora is a prison to which 'the worst types of convicts are transferred from other prisons'; and here Larkin is to 'spend his dreary days.' Larkin's 'hair is now entirely white. And he is very pale.' He had been assigned to the 'worst type of work … the cotton shop, where the lint and dust always fill the air and break the health of men … the life of a cotton worker is short.' Physically, it was a foreboding building; the walls were reported as fifty feet high, the entire prison was 'medieval, old, and apparently unsanitary.' The cells were dank, dark and very cramped, and if one was over six foot, as Larkin was, one had to stoop inside them. Cells that were condemned were still in use, and the overall impression was one of 'depression and despair.' The head guard was presented as an over-weight man with 'thin, cruel lips' and 'glaring' eyes, who sadistically enjoyed having 'all the prisoners … at his mercy.' According to 'orders', Larkin 'is to get all that is coming to him.' The men, treated like brutes, acted like brutes. The younger, usually first time

[544] *New York Call*, 4 September 1920.
[545] *New York Call*, 25 July 1920.

offenders, mere boys, were subjected to rampant sexual assault, and when they became compliant they were referred to as 'wives'. A stack of newly made coffins was visible from one of the prison windows. When the men walked, they 'shambled along … [full of] fear.'

Smedley observed Larkin at lunch:

> Jim Larkin sat in the last row at the table. He was entirely unaware of my presence, or of the presence of any other person, except the guards … [He] did not touch the food before him. He glanced distractedly at the men eating and talking about him, ran his hands through his white hair, then dropped his head in his hands, and sat that way throughout the meal.[546]

Smedley has depicted what is obviously a very grim place, and Clinton prison was generally acknowledged to be one of the most notorious prisons in America at that time (in fact, a few years after Larkin left Dannemora, several prisoners were shot dead by the guards during disturbances).[547] There is no doubt that Larkin, who may have suffered from bouts of depression, would have found himself depressed at times in such a place. Smedley's propagandistic portrait served its function and the world came to know of Larkin's plight. On foot of the article, there would have been a genuine concern abroad that Larkin may not come out of Dannemora alive. However, there is another account of Larkin in Dannemora which, whilst compatible with Smedley's in many regards, depicts Larkin as more defiant, than depressed.

On 27 July 1920, Walter Nelles visited Larkin in Dannemora and sent an account in the form of a memorandum of this visit to Walsh. This account, being private between Larkin's counsellors, did not set out to serve any propaganda function specifically in relation to Larkin, and therefore can be viewed as reliable. He wrote, 'The prison is not so bad … as [he] had been led to suppose.' A new regime had recently been instituted which brought in some reforms. 'The four political prisoners [Larkin, Gitlow, Winitsky and Alonen] … do not have such favours or privileges as may be easily obtained by professional criminals of depravity and standing.' Such men become a 'trusty' and could have private visits in a hut 'outside the gate' for hours. The political prisoners, on the other hand, had no privacy:

> When a visitor (other than counsel) comes, the prisoner is led into a little grilled pen. The visitor is led into another grilled pen. [The grilled

[546] *New York Call*, 25 July 1920.
[547] Three prisoners were shot on 22 July 1929; see The New York Correction History Society at www.correctionhistory.org (accessed 31 August 2015).

> pens are separated] by an aisle two or three feet wide. A "screw" guard stands in the aisle between prisoner and guest. He censors the subject matter of the conversation and forbids the use of any language other than English.[548]

Despite the fact that the visiting experience for the 'politicals' was clearly very restricted, most of Larkin's visitors had not even been 'allowed to see him through the grill.' Also, reading material was restricted for the 'politicals' and letters were frequently detained. Damningly, 'Important and confidential letters between Larkin and me, relating to the conduct of his case on appeal, were entirely suppressed.' Here, it is seen that the restrictions placed upon Larkin in terms of visiting rights and access to his mail show that he was being singled out by the American state's penal system in order to isolate him.

Nelles' memo continued: the other political prisoners were trying to make the best of a bad situation, 'Larkin, on the other hand, is a man of terrific vitality, who lives intensely, in prison or out.' Clearly, Nelles does not get any sense of Larkin being depressed. However, Larkin was treated more harshly than the other prisoners:

> His cell is in the old insect-ridden 'east hall.' His job is in the cotton shop—the worst [job] in the prison—winding cotton thread on spools or bobbins, breathing air full of cotton fluff. Most of the people who work in that shop have been sent there as a punishment … He has been told that unless he conducts himself to the satisfaction of certain officials, he will not get out of the prison alive. Larkin replied with dignity that he was at Dannemora not to curry favour but to serve a certain term of imprisonment.[549]

Larkin's refusal to 'curry favour' and maintain his personal and political dignity reveals a defiant Larkin, rather than the depressed and subdued portrait of Larkin by Smedley. Nelles, being Larkin's counsel, had had an hour-long private conversation with him. Nelles had found the prison staff courteous. However, as per his memo, among the prison staff 'there are still guards bred in the old school of man-breaking savagery.'

During his visit on the 27 July, Nelles questioned the Warden, a Mr Kaiser, about the suppression of Larkin's letters. Kaiser denied that there was any such discrimination against political prisoners as

[548] JLM/NYPL, Nelles to Larkin 12 August 1920, enclosing Nelles memorandum on Larkin in Dannemora 27 July 1920.
[549] JLM/NYPL, Nelles memorandum of 27 July 1920.

regards their mail; and assured Nelles that he would immediately instruct the censor to release any letters that may have been held up. Over two weeks later, Nelles wrote to Walsh and told him that Kaiser had not kept to his promise and Larkin's letters were still being withheld. Walsh wrote back (19 August 1920): 'It seems incredible that the prison officials would hold letters written to a man by his counsel[.]'[550] Walsh would later write to Larkin informing him of his rights, and to the prison authority. Finally, in relation to the issue of Larkin's correspondence; the state system, here the prison authorities, had put out a story that Larkin was receiving too much mail as the reason for moving him to Dannemora. This is hardly plausible in view of the fact they could in reality do what they wished with his mail, as seen above, suppress parts of it, or suppress it entirely. Thus, the state system had targeted Larkin in putting him in jail, it had further targeted him in placing him in Dannemora (with the assistance of Hoover and Rorke), and he was being further targeted by the withholding of his confidential legal correspondence.

As secretary of the LDC, O'Flaherty seems to have gotten through a lot of work. In July 1920 he wrote to prominent people in public life who were associated with progressive causes and asked for letters of commendation in support of Larkin and the work he had done for the Irish people, with a view to publishing same. He also compiled a record of the trial, listing its extremities and prejudices towards Larkin.[551] O'Flaherty also kept the ITGWU informed of LDC activities, and as to how Larkin was coping in jail. On 14 September, he wrote to Foran asking him for a statement for publication which would say that Larkin enjoyed the full support and sympathy of the ITGWU, with a resumé of what Larkin had done for the union, particularly in its early days.[552]According to the *New York Call*, as well as visits to Larkin in Dannemora, O'Flaherty had visited industrial centres throughout New York. He had campaigned across a number of cities, and branches of the LDC had been started in twelve cities he had visited, including a joint branch of the LDC formed in Albany by the local Clan na Gael and the Ancient Order of the Hibernians. In Schenectady, O'Flaherty had succeeded in getting the local branch of the FOIF to form a committee to fund raise for the LDC. The Schenectady Socialist Party branch, and the Padraic Pearse Club had likewise come on board for fund-raising purposes.[553]

Unfortunately, in typical fashion, personalities, ambition and petty jealousies were wont to get in the way of the best laid plans; and neither the LDC nor the extensive legal team behind Larkin were immune to this particular debilitating condition. There was conflict within each group and conflict between them. This conflict ultimately led to Larkin being unable to work out who was looking out

[550] JLM/NYPL, Nelles to Walsh 12 August, Walsh to Nelles 19 August 1920.
[551] JLM/NYPL letter to Walsh dated 28 July, signed O'Flaherty.
[552] William O'Brien Papers, 15,678/1, NLI.
[553] *New York Call,* 4 September 1920.

for his best interests. When Walsh joined Larkin's legal team, Nelles wrote to him on 30 July 1920, welcoming him aboard, and informing Walsh that he was 'Larkin's attorney.' Nelles had been with Larkin in Dannemora on Tuesday 27 July, and he and Larkin had discussed Walsh, with Larkin instructing Nelles to ensure the services of Walsh. However, Nelles told Walsh that he and Larkin were unaware that the LDC 'was proceeding independently in the matter.' He wrote: 'On my return from Dannemora a representative of that Defence Committee called upon me with a somewhat triumphant notification that you were retained and I eliminated.' He wrote:

> This episode reflects an unfortunate situation which exists between me and some of those interested in Larkin's defence. I shall not bother you with the details, unless you think it material to know them. I do not myself fully know, nor am I curious to investigate, the persons, motives and interests desirous of getting me out of the case.[554]

Nelles said that his responsibility was to Larkin and not the LDC, and as long as Larkin wanted Nelles to represent him, he would continue to do so.[555] Unfortunately, the person who called upon Nelles is not named; this person would seem to be one of those driving to have Nelles dislodged. What is also of interest here is that we know Leonora O'Reilly and John Fitzpatrick had contacted Walsh prior to 30 July (although it is not certain Larkin was aware of this until Walsh wrote to him on 3 August—see above). What is particularly significant here is that individuals within the LDC were trying to undermine Nelles, who had Larkin's confidence. We know that Larkin approved of Nelles from a number of sources, not least in a letter he himself wrote to Walsh on 31 August, in which he said:

> Walter Nelles proved to be the "man in the gap" and assisted by his law partner Swinburne Hales, stood by me. I never renege a friend, whatever other faults I may be charged with. Walter Nelles was a friend in addition to being my Attorney[.][556]

The reason Nelles is referred to as the *man in the middle* is because Larkin had written to both Walsh and Bourke Cochrane in December 1919 asking if either of them would be able to represent him in the court trial pending April 1920 (both were occupied elsewhere at the time).[557] Thus, we have

[554] JLM/NYPL, letter from Nelles to Walsh dated 30 July 1920.
[555] JLM/NYPL, letter from Nelles to Walsh dated 30 July 1920.
[556] JLM/NYPL, Larkin to Walsh 31 August 1920.
[557] JLM/NYPL, Larkin to Walsh 31 December 1919.

Nelles, who had been with Larkin from the start, and who would continue to enjoy the confidence of Larkin, being undermined by individuals within the LDC.

Nelles' associate Swinburn Hales wrote to Walsh, expressing his delight that Walsh was coming on board. He also said, 'I have just learned that there is a certain amount of politics playing behind the Jim Larkin case':

> We are ready at any time to do anything about the handling of the case that both you *and* Larkin want … we want to be sure that both you and Larkin want it, instead of having vague and contradictory instructions from different quarters.[558]

Clearly, Hales wants to establish that Nelles, Walsh, Larkin and himself are on the same side, and that there would be no undue interference from the LDC. Walsh wrote back and told Hales that he was agreeable to working within the team, and as there had 'evidently been quite a mix up' he had written to Larkin [3 August] outlining the 'whole proposition, and asking for his approval or disapproval promptly.' The 'proposition' being that John J. O'Leary and William H. Daly would attend to the detail and Walter Nelles [and Hale] would stay on as counsel.[559] Larkin responded affirmatively to Walsh, 'if you, O'Leary and Daly can see your way clear to cooperating with Nelles … my appreciation cannot be expressed in words.'[560]

A number of factors converged to hamper Larkin's appeals process. One of these was Walter Nelles, Larkin's *friend and attorney*. The negative effect of Nelles is seen in two areas: his relationship with the LDC, and his relationship with other members of the legal team. On 3 September Nelles wrote a letter to Walsh outlining what direction he thought the team should go as regards the appeal. We can see from the letter (and subsequent ones) that two of Nelles' abiding concerns were getting paid for his services, and his complaint that he was being over-worked. Some months prior to Walsh coming on board, Nelles contacted Emmet O'Reilly (LDC Treasurer) asking for funds to cover costs and asked that he be paid 'something on account of services.' This money did not materialise, and important work such as the printing of the trial minutes was not done. Consequently, a complete term in court had been missed. This was a spectacular disaster. Larkin was sitting in jail and nothing was being done. Nelles framed this as if it is O'Reilly's fault. He went on to say that he was disinclined to undertake heavy work unless he knew when he was going to be paid. Difficulties between the LDC and the legal team were centred on Nelles, and became verbalised:

[558] JLM/NYPL, Hales to Walsh 6 August 1920.
[559] JLM/NYPL, Walsh to Hales 9 August 1920.
[560] JLM/NYPL, Larkin to Walsh 31 August 1920.

> Mr. O'Reilly is apparently the paymaster. He has been (and I understand is) loud and insistent in condemnation of me—presumably for not financing the case out of my own pocket. I therefore feel that I must in this case protect myself as to compensation.[561]

Nelles was the only member of the team who was being paid, and he had already received money at this stage (although he did say that he would leave the amount of his remuneration up to Larkin). O'Reilly had subsequently told Nelles that Walsh would have to sign off on Nelles' financial requirements, and this was one of the reasons the letter was written to Walsh. However, Nelles should not be held entirely responsible. There was plenty of money coming into the LDC fund, and O'Reilly should not have allowed a term of court to pass by because he did not want to give monies to Nelles, and O'Reilly, therefore, should shoulder some of the responsibility.

On 10 September 1920, John O'Leary (member of the Larkin legal team) wrote to Walsh, highly critical of Nelles' tardiness. Walsh found himself in the centre trying to keep things from breaking down. He wrote to Nelles on 11 October: 'I do wish that you would take up … matters of detail with Mr. O'Leary, wherever possible, so that we may be in harmony in all that we do[.]' Walsh received another in which O'Leary said that as Nelles was getting paid, he should do his side of the work, and not pass it off on other people. Nelles had 'dumped the whole job' on him. Exasperated, he wrote: 'I cannot understand why, if Nelles is so busy, he does not permit someone else [in his office] to do the work.'[562] On 25 October, Walsh told Nelles that O'Leary was unable to do the work Nelles had asked him to do. Walsh knew that Nelles' office was particularly *au fait* with this particular type of material (reading the court record for errors, and locating where on the folio reversals should be sought), and said: 'I'm sure that Mr. Larkin's anxiety to keep you in the case was largely due to the fact that he was depending on you to attend to such matters as this.'[563] This tardiness on Nelles' part continued throughout the appeals process right up until June 1922. At times, Nelles was not returning letters or phone calls. When he was not found to be at his office, one complainant interjected that 'nobody [in his office] seemed to know anything about the case.'[564] In respect of his frequent requests for money, Patrick Lee wrote to Walsh, 'I believe you will save Nelles from a stroke of apoplexy if you would send him something on account of his services[.]'[565]

[561] JLM/NYPL, Nelles to Walsh 3 September 1920.
[562] JLM/NYPL, O'Leary to Walsh 22 October 1920.
[563] JLM/NYPL, Walsh to Nelles 25 October 1920.
[564] JLM/NYPL, Letter to Walsh 8 June 1921.
[565] JLM/NYPL, Lee to Walsh 2 December 1921.

Another issue that caused trouble was Nelles handling of the Clan na Gael money; particularly in relation to costs incurred by him in Devoy's successful litigation against Nelles to recover the money. Whether the five thousand dollars for Larkin's bail came through Devoy directly or indirectly, the court found for Devoy because it came out of his personal funds (guaranteed by Boland). In September 1921, Nelles told Walsh that as a result of his attempt to 'interplead' between the two claimants on the money, he had incurred costs against him of $350.00, as yet unpaid. He told Walsh he thought the LDC funds should be used to pay the money outstanding to Devoy. Walsh said that he knew nothing of the matter but it seemed to him that the adverse claimants (Quinlan *et al*) should have to pay. A month later, Nelles told Walsh that Devoy had begun supplementary proceedings against him, and suggested halting work on the Larkin case until the LDC paid his costs. Walsh sympathised with Nelles but advised him against using 'coercion' against the LDC, and not to hold up the Larkin case under any circumstances.

In an interesting development in the Larkin case, Harry Boland (Envoy of the Irish Mission in America), on the instructions of de Valera most likely, *circa* October 1921, offered to put up the required money for the remaining costs in the Larkin case (which were estimated by Walsh at fifteen hundred dollars). When Boland got whiff of the Devoy controversy, he told the Walsh legal team that he was not concerned in any way with the issue between Devoy and Nelles, and that the Irish Mission, and its funds, would not be 'responsible for any judgements against Nelles in the matter.'[566] In November, Walsh informed Lee that he had received the cheque for fifteen hundred dollars, but was not going to hand over all of it to Nelles. He told Lee that Nelles was 'mixing up' the Devoy issue with the Larkin case, and that if Nelles had taken his advice months ago the matter would not have turned into a lawsuit. He said he thought that a payment of 1000 dollars was 'a corking good fee' for Nelles' services. Lee agreed with Walsh that the fee was a good one, and added that he thought Nelles 'should be left to stew in his own juice[.]'[567]

Another factor that undermined Larkin's appeal process was the in-fighting that was taking place within the LDC. This ranged from petty squabbling about names being published with receipts, and 'ill-feeling' between members,[568] to serious mismanagement of the LDC funds. In early 1921, the legal team made efforts to contact LDC treasurer O'Reilly, requesting funds without success. LDC Secretary O'Flaherty twice told the legal team that he knew where some money was and would personally see to it that monies would be forwarded to the team. Normally speaking, it would be

[566] JLM/NYPL, Lee to Walsh 1 November 1921.
[567] JLM/NYPL, Nelles to Walsh 28 September 1921; Nelles to Walsh 27 October 1921; Walsh to Nelles 29 October 1921; Lee to Walsh 1 November 1921; Walsh to Lee 9 November 1921; Lee to Walsh 17 November 1921.
[568] JLM/NYPL, Lee memo to Walsh October 1920.

unusual for a secretary to have access to funds, and/or not involve the treasurer in the process. The last payment from O'Reilly (recorded in the Walsh Papers) was a cheque for three hundred dollars on 10 May 1921. In the first week of June, O'Flaherty told the legal team that Boland would be paying the expenses of the Larkin case when the LDC funds ran out.

In November, Lee wrote to O'Flaherty telling him that the 'Irish Mission' (that is, The Diplomatic Mission of the Irish Republic to the United States, of which Boland was Envoy) had contacted him and would be paying the remaining expenses in the Larkin case. He asked for any outstanding monies of the LDC fund to be forwarded. O'Flaherty told Lee that he was 'out of it' and that O'Reilly was now in charge.[569] On 22 November, O'Reilly wrote to Lee (in response to a letter Lee had written to him on 16 November) with barely disguised anger. He told Lee that he was surprised to hear from his office, as he had contacted Lee's office on numerous occasions, but that no one had been able to assist him, particularly in decisions which were being taken in the case. He told Lee that he was in charge of the LDC funds and that, 'If at any time you were informed that the Committee would cease to collect money for [this] case, your informant [O'Flaherty] was in error.' O'Reilly acknowledged that there had been periods when very little work was done, however 'this was due to the neglect on the part of the former secretary [O'Flaherty].' He then made a damning accusation against O'Flaherty: '[To] further complicate matters, this same worthy [O'Flaherty] delivered into the hands of the State Prison Authorities the accounts book of the Committee.'[570]

This was a very serious accusation. The accounts book would have all the names of the individuals who had contributed to the LDC fund. As to why O'Flaherty had handed in the books to the prison authorities, it can only be presumed that Larkin had asked to see the books (Larkin would later claim that O'Flaherty had stolen thousands from his defence fund). [571] It is hardly conceivable that O'Flaherty would have handed over the accounts book out of any malicious intent. When Walsh made an effort to get these books back from the prison, he was told that all the books were forwarded to Emmet O'Reilly on 30 November. On 10 December, O'Reilly told Walsh that he had received a box of books but the accounts book was not included. If the prison authorities had received the accounts book they would certainly have informed the DA's office (we saw earlier how closely they worked together), and a copy would probably have been made. It is unlikely that they would have held onto the book itself, when all they would want was a copy of the details. If the prison did not receive the book, then the only other two realistic options are that either O'Flaherty got rid of the book prior to handing in the books to the prison, or O'Reilly got rid of it when he

[569] JLM/NYPL, Lee to Walsh 17 November 1921.
[570] JLM/NYPL, O'Reilly to Lee 22 November 1921.
[571] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.66.

received the box of books from the prison. Larkin's claim that O'Flaherty had stolen money from the LDC funds was probably based on hearsay, and possibly confirmed in Larkin's mind if O'Flaherty had failed to furnish the accounts book.

On 5 December 1921, Lee wrote to O'Reilly saying that O'Flaherty had come into Lee's office and told him that O'Reilly had '$850' in the LDC account (O'Reilly had previously told Lee that all he had was '$150'), and the legal team would like to be in receipt of it. On the morning of 7 December, O'Reilly turned up at Lee's office 'with blood in his eye, "all het up" and wanted to know what [Lee] meant by insinuating he was a crook[.]' Lee managed to calm O'Reilly down, assuring him that he was only interested in getting Larkin out of jail, and to that end he was trying to get in all the available monies to help with the appeal. O'Reilly then handed over a 100 dollar cheque and a 'long statement of expenses[.]'[572] The coda to this particular aspect of the LDC activities is forked. On 28 January 1922, a Mrs Margaret Hickey wrote to Walsh and asked him did he know that a meeting had been held for Larkin, 'last night in N.Y. at which over $600 was collected?' She said that O'Reilly was in charge of this money, and in charge of money from other sources. She wanted to know what he was doing with it; and if Walsh was in receipt of any of it. If there was money available, she said she would not feel obliged to send Larkin money and food parcels (she also had to pay the fare of the person delivering the food parcels): 'My friend who called on Larkin last week found him depressed, without money or tobacco or tea. It does not look as though he got much from O'Reilly.' Hickey finished on a conspiratorial tone: if Walsh did not want to discuss this matter in writing, she would call in to see him in his office. Hickey's letter appears to be one that is grinding the edge of its axe on both sides. For his part, O'Reilly wrote a rejoinder to a letter which was critical of the LDC in *The Workers' Republic* in which he castigates O'Flaherty, without naming him. He wrote: the LDC had decided to pay a full time organiser to move things forward. Being 'afflicted with the scribbling itch, [O'Flaherty] thought Larkin could be best served by a weekly paper.' As editor, O'Flaherty both ruined the circulation of the paper, and increased the number of Larkin's enemies, due to the paper's 'senseless and illiterate attacks on the Church, the rank and file of Irish organisations, and individuals who were, according to their lights, working for Jim's release.' On top of this, the paper was draining the funds of the LDC, and it was decided that the editor would be dismissed. The dismissal of the editor resulted in a series of accusations about the character of O'Reilly, accusations which have 'reached to Dublin and on to Moscow.'[573] It is not surprising that in early December

[572] JLM/NYPL, Lee to Walsh 7 December 1921.
[573] *The Workers' Republic,* 21 January 1922; the earlier letter is in the 10 December 1921 edition.

1921, in a letter to Walsh, Patrick Lee was to exclaim: 'Larkin may well cry out, "Save me from my friends."'[574]

Frank Walsh had expressed surprise at the prison authorities withholdinging Larkin's mail (see above). This seems to have improved after Walsh started flagging Larkin's rights, but there is evidence that letters were being held up for as long as two weeks, and that enclosures were being withheld as late as February, 1922.[575] It is not surprising that the prison would continue to do this. History provides us with plenty of examples of agitators and revolutionaries who were incarcerated; and of those who never made it out of the state prison system alive.[576] The prison authority would work with the Department of Justice to ensure that people like Larkin, who were deemed to be a threat to the stability of the state, were marginalised whenever possible. Every activity, every communication and every visitor would have been recorded for state security purposes. For example, Charles Rattigan, Superintendent of the New York Prison Department, provided the FBI with a comprehensive list of individuals who had visited Larkin in prison.[577]

In this chapter, two aspects relating to Larkin's time in America at this time were looked at. The first objective of the chapter was to introduce the principal players in Larkin's legal team. It was seen that there was friction between certain individuals, centred on Walter Nelles; this resulted in a whole term of court-sitting being missed without important and appropriate legal work being carried out. It was also seen that there was friction within the main organisation formed to defend Larkin, the Larkin Defence Committee. This resulted in Larkin being without money for basics such as 'tea and tobacco'; and it caused the accounts book of the LDC to end up in the hands of the prison authorities. This chapter also revealed that Clan member Rorke, aided by Hoover, continued to contain Larkin, and was instrumental in having him moved to Dannemora. Larkin was also being monitored in relation to any Irish activity, particularly his connection with the FILUC. Another principal objective of this chapter was to show the treatment of Larkin by the state through its penal system. It was seen that Larkin was sent to Sing Sing in the first instance (unjustly, as the 1923 pardon showed). He was then transferred rather quickly (June 1920) to Clinton Prison, Dannemora. Walter Nelles discovered that prisoners had been taken out of Clinton Prison in order to make room for Larkin and the other 'politicals'. The regime at Dannemora was a more brutal regime than at Sing Sing; Larkin was put in a life-threatening situation when he was placed in the grim confinement of

[574] JLM/NYPL, Lee to Walsh 7 December 1921.
[575] JLM/NYPL, Larkin to Walsh 31 August 1920; Larkin to Walsh 23 February 1922.
[576] For examples, Steve Biko the South African militant murdered by the Apartheid State forces; Cornelius Lehane jailed in Hartford, Connecticut, was either dumped outside the prison walls with double pneumonia; or, sent to hospital when almost dead from pneumonia.
[577] FBI file, pp.389-390; unfortunately, many of the names have been redacted.

the cotton-shop. It was the ‘worst job’ in the prison; here, the cotton lint was a serious health hazard. A threat was also made by prison staff that he would not get of the prison alive. His mail was withheld, including correspondence from his legal team; and Superintendent Rattigan supplied the FBI with a list of all those who had visited him. These are strong-arm tactics by the institutions of the state. The nature of the capitalist state was revisited, and it was argued that individuals like Larkin were suppressed by the natural operations of the state through its functionaries because they were inimical to the interests of the capitalist state; rather than as the result of any conspiracy between individuals. In the next chapter, we will look at Larkin’s remaining time in America.

CHAPTER 8 LARKIN'S 'HOPE' FINALLY MATERIALISES

In this chapter, we will look at Larkin's remaining time in America, up to his deportation in April 1923. The appeals process will be reviewed and the final part of the appeals process will be scrutinised, up to the loss of the final appeal in 1922. It will be seen that the Justice Department, in the form of the District Attorney's office, continued to be fully involved in using every means possible to slow down the appeals process; and, when Larkin sought bail, by demanding unfeasibly high levels of bail money. Of interest will be a look at the relationship between Larkin and de Valera; particularly Larkin's hopes in De Valera's American Association for the Recognition of the Irish Republic, the organisation which supplanted Devoy's Friends Of Irish Freedom. Larkin hoped, forlornly, that de Valera's organisation would lobby for his release. Larkin's correspondence with Frank P. Walsh at this time will be looked at. Larkin's letters will show that he was convinced that he was in jail, unable to get bail, and unsuccessful in appeal, because of Clan members (whom he names) within the judiciary and DA's office. In the second part of the chapter, we will look at the period leading up to Larkin's temporary release in May 1922. It will be seen that New York State Governor Miller refused Larkin a pardon in March (as expected); and that Rorke, the LDC and the Walsh legal team played an unhelpful role in the matter. It will be seen that in June 1922, Larkin sacked the Walsh legal team, principally because there was friction, misunderstanding and a lack of communication between the Walsh team and the LDC. Before returning to jail at the expiration of his temporary release, Larkin publicly denounced the Irish Free State, and the reformist labour leaders back in Ireland distanced themselves from this denunciation. Finally, it will be seen that towards the end of this period, Larkin would be shadowed simultaneously by the FBI, the British, and the Irish Free State right up until his deportation in April 1923.

A REVIEW OF THE LEGAL PROCESS

At this juncture, a review of the legal process pertaining to Larkin will be useful. In the first phase, Larkin had been arrested and charged in November 1919 and indicted by a Grand Jury in December 1919. He was tried from 7 April until 27 April 1920 and was found guilty of criminal anarchy, and on 3 May 1920 he was sentenced to between five to ten years. Immediately following the conviction, his counsel Nelles moved for a mistrial and a quashing of the conviction but this was denied. A Certificate of Reasonable Doubt (CRD) was then applied for but was refused. These are the significant legal junctures in the first phase of the arrest, trial and appeals process. In the second phase of this process, as will be seen, Larkin's counsel made notice of appeal, and then applied for a

CRD on 15 November 1920, or shortly thereafter, but this was refused the following month. His case was appealed to the Appellate Division and was eventually given a date in court on 10 January 1922. On the 21 January 1922, the Appellate Division rejected the appeal and affirmed the original sentence of five to ten years from April 1920. These are the significant legal junctures in the second phase of the trial and appeals process.[578]

What will be of particular interest in this period, will be the prolonged and strenuous efforts at delay on the part of the prosecutor Rorke. Rorke, as noted, was a Clan member and confidante of Devoy's. Devoy was a foe of de Valera, and supporter of the Treaty. This delaying strategy of Rorke's to keep Larkin in jail covered virtually all of the very unstable period from the First Dáil, through the transition of the Treaty and the lifetime of the Provisional Government back in Ireland. It will be worth asking if Devoy was using the apparatus of the state (through Rorke) to keep Larkin away from Irish affairs. It will be interesting to note that the judges who presided over the continued incarceration of Larkin refused to justify their decisions by way of written opinion (to write an opinion of the legal issues pertaining to the case was the standard practice). This indicates a level of collusion at the highest strata of the judiciary, a collusion that was to the detriment of Larkin.

We saw earlier that Nelles' tardiness and the squabbling that was taking place both within and between the LDC and the legal team was delaying aspects of the legal process. Another factor that ensured Larkin stayed in jail for as long as possible was the delaying tactics of the District Attorney's office. In September 1920 Walsh, Nelles and O'Leary conferred on how to proceed in the case. On O'Leary's suggestion, it was agreed that they would make an application for a CRD. Nelles had the record ready for the printer, and Walsh would make sure he was available to argue the application.[579] The case record would have to be printed (which was an expensive procedure) and certified for the courts before the application could be made. A CRD is issued by a trial or Appellate Division judge (the Appellate Division being a branch of the New York Supreme Court). The granting of a Certificate would not mean that Larkin's conviction would be overturned; only, that it was reasonable to assume a criminal conviction may be overturned on appeal, thus the defendant could be released on bail pending the result of the appeal.[580]

One of the tactics employed by legal teams was in deciding on which Judge might best serve their interests, in terms of his/her past record on similar cases; this applied to both defence and the prosecution. On 7 October 1920 Nelles warned Walsh about the timing of the motion for the CRD

[578] For these dates see Frank P. Walsh Papers, JLM/NYPL; *Brooklyn Daily Eagle;* and *New York Times*.
[579] JLM/NYPL, Walsh memo 21 September 1920.
[580] Shapiro, I., *The New Dictionary of Legal Terms* (New York; Looseleaf Law Publications: 2005) p.31.

because a certain Judge McAvoy had ruled against a motion for a CRD in the Ben Gitlow case, and he would be commencing a two-week sitting of the Court on 18 October. If they moved for a Certificate at this time, the DA would, naturally, apply for an adjournment in order to have the Larkin motion coincide with McAvoy's sitting, and they would be almost sure to lose it. Again, early in November, a Judge Geigerich was deemed not favourable; it was decided to move notice of the motion on 15 November when Judge Gavegan would be sitting.[581] At the end of November, the District Attorney's office (that is, Rorke) was looking for an adjournment. Nelles wrote to Walsh, 'Some time ago a gentleman in the District Attorney's Appeals Bureau asked me if I would not give more than the statutory notice in this case and I said that I would try to.' The statutory notice was two days. Nelles, for reasons not given, though presumably he was trying to curry favour with the DA, promptly granted a thirteen-day notice of motion. He reminded the DA's office of this generous thirteen-day notice of motion when it requested the adjournment.[582] By December, the DA's office was deliberately slowing down an agreement on the statement of exhibits in order to ensure the Larkin record would not be complete, and thereby make this the basis for an adjournment.[583] It was a game of cat and mouse, and Rorke had the upper hand. Eventually, the application for a CRD was turned down by none other than Clan-member Judge Daniel F. Cohalan, one time ally of Larkin in the nationalist cause.[584]

LARKIN, THE WAR OF INDEPENDENCE, AND A CRY FROM THE HEART

Throughout this period, Larkin remained in jail. Back in Ireland, the War of Independence was gathering momentum, and in 1920 the Black and Tans were introduced into the fray, followed by the Auxiliaries in August.[585] Larkin would have been aware of the war back in Ireland. On 31 August 1920, he wrote to Walsh:

> Your kind enquiries as to my health and comfort I appreciate, but you must understand, that my discomfort, or the discomfort and peril of a million better men than I matter not at this tragic hour. The hour I have worked and wearied for is at hand and I body bound

[581] JLM/NYPL, Walsh memo 10 November.
[582] JLM/NYPL, Nelles to Walsh; 29 November 1920.
[583] JLM/NYPL, Nelles to Walsh 5 December 1920.
[584] O'Connor, E., *Big Jim Larkin: Hero of Wrecker?* (Cork; CUP: 2015) p.201.
[585] Foster, R., *Modern Ireland: 1600-1972* (London; Penguin: 1988) pp.461-494.

> [incarcerated], Oh! the shame of it[,] bound by those who dare to claim kinship with me and mine.[586]

These words show that Larkin was aware of how precarious the situation was at home, and they also indicate how unhappy he was at this time. What would have galled Larkin was that Sinn Féin was likely to get all the plaudits, and reap any rewards that might accrue. Labour was in danger of being marginalised again, as in the 1918 elections, by a movement that was solely nationalist.[587] Before Larkin had been sentenced in May 1920, Carney reported from a meeting in the Chelsea Casino, New York, that Larkin was busy getting the American labour movement behind the Free Ireland Union Labour Committee that called on 'the British labour movement to stand square upon its announced sympathy for the self-determination of Ireland.' Emmet O'Reilly claimed this was the most effective movement in America for Irish freedom. A small number of unions were listed as signing up; and it was claimed that the Chicago Federation of Labour, and the Central Federation of Unions were being enlisted. The hoped-for strategy was that the labour movement of the British dominions would unite world-wide in the cause of labour and assist Ireland to achieve independence. At the meeting, Larkin spoke of William O'Brien's treatment in being allowed to 'commit suicide if he so chose,' by the British government, while in jail there. He said Bonar Law had been forced to free O'Brien due to the force of the British labour movement. In fact, this was not the case, but it made good propaganda.[588] There had also been the strike against conscription at the end of the war, and the two-day strike to free Irish prisoners in April 1920; Labour was putting its head above the parapet.[589] Larkin would have been aware of this, and being 'body bound' he was physically unable to get back to Ireland.

In the letter to Walsh, when Larkin writes of the 'tragic hour' and being 'body bound' it reveals a genuinely distressed call from the heart; indicating a deep sense of frustration on Larkin's part at not being able to take part in the potential opportunities presenting themselves back in Ireland. Another thing the letter reveals is whom Larkin believed to be responsible for his imprisonment: 'those who dare to claim kinship with me and mine.' In other words, according to Larkin's suspicions, the Irish-Americans: Judge Bartow Weeks and Assistant District Attorney Rorke, with Cohalan and Devoy in the background. Larkin harboured a romantic, even fanciful notion of being able to control the

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[586] JLM/NYPL, Larkin to Walsh 31 August 1920

[587] Arguably, as two of his principal biographers (Emmet Larkin and Emmet O'Connor) would say, Larkin's *problem* was that he was not leading the movement at home; this was said specifically in relation to the 1916 Rising.

[588] For details on FILUC and Chelsea Casino meeting see *The Watchword of Labour,* 8 May 1920; for O'Brien's hunger strike see Morrisey, T.J., William O'Brien: 1881-1968 (Four Courts Press: Dublin 2007) pp.186-189; and Greaves, C.D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) pp.263-269.

[589] See Greaves, C. D., *The Irish Transport and General Workers' Union: The Formative Years 1909-1923* (Dublin, Gill and Macmillan: 1982) pp.211-220, and pp.263-268.

situation in Ireland through the labour movement. Rorke *et al* had their own idea about what needed to be done to ensure that Larkin was kept away from Sinn Fein. At the commencement of the appeals process, Alexander Rorke, as we have seen, was doing everything he could to delay the process, and he would continue to do so.

As mentioned, Larkin's initial application for a CRD was also refused by none other than Judge Daniel F. Cohalan. Larkin's legal team, thought it was best to dispose of a motion for appeal in the Appellate Division before the summer, so that they could move the case forward to the Court of Appeals in the autumn of 1921. For whatever reason, Burr sat on the decision for a CRD for many weeks, and finally decided against it on the 11 April 1921.[590] One could be forgiven for suspecting more delaying tactics were devised by the District Attorney's office, here. One of the most damning indictments of the judicial treatment of Larkin, was the fact that after the motion was denied by Burr, he did not produce a written opinion. A written opinion is a standard legal document produced by the presiding judge, or judges; and is a published statement of the legal issues pertaining in the case, particularly their legal probity. We will return to this question of a lack of written opinion when we consider the outcome of the appeal in the Appellate Division.

More delays were to follow. On 24 May 1921, Nelles wrote to Walsh and told him that the Appellate Division was going to suspend for the summer (that is, cease their term) on the 10 June instead of 17 June. Compounding this, the clerk of the court would not guarantee the certification of the case record by 31 May (certification was required by this date before the session ceased on 10 June). This meant that it would be impossible to argue the case in the Appellate Division until October. The District Attorney's office would not cooperate in moving the case without argument, which was the only option left to get a slot in the summer term. Nelles called directly on DA Myers and was told that the Larkin case would be 'more seriously considered in the Appellate Division than the other criminal anarchy cases, and he therefore [wanted] more time to brief it.' Considering the thirteen-day notice of motion that was granted by Nelles to the DA office when the statutory requirement was two days, there seemed to be no sense of *quid pro quo* when it came to the needs of Larkin's team. On 26 May, with Walsh unwell in a sanatorium in Baltimore, Lee wrote to Nelles and told him that Walsh would definitely not be available before the 10 June and, as per the problems outlined in Nelles' letter of 24 May to Walsh, they would have to settle for a postponement of the case until October. It is interesting to note that DA Myers stated that Larkin's case was to be 'more seriously considered than the other criminal anarchy cases'; there was no reason why this should be the case, and no explanation was given. However, if the hypothesis that Irish-Americans operating within the

[590] JLM/NYPL, Nelles to Walsh 8 April 1921; Walsh to Hickey 26 January 1922.

District Attorney's office were hampering Larkin's release, then this comment by DA Myers arguably supports the hypothesis.

In August, there was still a serious hold-up in the certification of the case record. Clerk William Benke told Nelles that he was unable to certify the record until October. This meant that they would not be able to notice the appeal for argument at the beginning of the October term. On 22 August, Nelles asked Walsh if he could send an aide down to see Benke, with a view to expediting the proceedings. On 23 August, Lee went to see Benke and Benke said he would 'expedite it as much as possible' and would hope to have it ready for notice in November. On 28 November, Nelles told Walsh that he had filed for certification in May, and it was inexplicable that it was still not certified: 'Perhaps it is unjust to suspect that anyone's animus against Larkin is behind this [delay]. I cannot help feeling, however, that an influential professional criminal might get better speed.' Nelles advised that someone from Walsh's office should keep the issue of the delay in the certification of the case record in hand.

Joseph Connolly, Consul General, as instructed by the General Secretariat, kept in touch with Walsh in relation to Larkin's case.[591] On 29 December 1921, Walsh replied and told Connolly that on Harry Boland's suggestion, he had argued the case before Justice Burr, and the motion (for CRD) was denied. The case was set for the 10 January 1922 in the Appellate Division of the Supreme Court. Walsh felt certain that due to the lack of dispassionate and objective treatment by the courts the appeal to the Appellate Division was likely to fail, the only worthwhile recourse then was to appeal to the clemency of the Governor of New York. On 21 January Walsh received a telegram from Nelles which said that the Law Journal announced the Appellate Division had affirmed Larkin's case *without* written opinion. He told Walsh he would 'proceed with the appeal to the Court of Appeals.' Walsh wrote again to Connolly, criticising the judicial system surrounding Larkin's case. Walsh was adamant that in the points he raised, they were 'justly and legally entitled to a reversal, [or] at least a new trial.' He told Connolly that as 'Boland advised me it was the wish of your government to do everything humanly possible' for Larkin, he would prepare an appeal to the New York Court of Appeals:

> I am free to say that I have very little hope of a favourable result from that tribunal. Many of the rulings of the lower court in this case, as well as the conduct of both Judge and District Attorney, were so palpably erroneous and prejudicial to the defendant, that I do not

[591] JLM/NYPL, Connolly wrote to Walsh on 27 December 1921, three weeks after the signing of the Treaty on 6 December.

> believe any court could write an opinion which would justify [the rulings].[592]

Clearly, no written opinion was given by either Justice Burr when he denied the CRD, nor by the Justice(s) in the appeal of the case, denied 21 January 1922, because no opinion could be written that would stand up to scrutiny. In a letter to Hickey, Walsh said that he believed 'no court could write an opinion in the case, which would not have exposed errors and injustices in Mr. Larkin's original trial[.]'[593]

In the first instance, Walsh wrote to Larkin, telling him of the court's decision; he also told him that Joseph Connolly had stayed in communication. Larkin wrote back on 23 February 1922 from Comstock prison (he had been moved back to Sing Sing from Dannemora, probably as a result of the public outcry, and then to Comstock). In this letter Larkin seemed to be quite resigned to his fate, but he still had a few caustic remarks reserved for certain individuals:

> I fully concur with your opinion as to the legal errors committed, and non-judicial conduct on the part of the Trial Judge [Bartow Weeks] (who I see by the papers departed this life recently; may perpetual light shine in, on and all about him for all eternity) and that militant member of the C. Na. G. [Clan na Gael] Dis. Att. Rorke. I disagree with your reference to the word Justice and its application.[594]

Walsh had said in his letter he thought that in justice to Larkin another effort should be made at arguing an appeal. Larkin seems to read too much into Walsh's use of the word *justice*; even if he is entitled to elaborate upon his own use of it. Larkin sees *justice* in relation to himself only in a religious context. Earthly justice, he seems to suggest, is merely the exercise of power:

> I think however that those who control the mechanics (if I may put it that way) of Power! should have the good sense, in their own future interest, to observe the forms. They wilfully, and with malice, outraged their own procedure. So much for them. The inconvenience suffered by myself and the other unlucky ones is all

[592] JLM/NYPL, Walsh to Connolly 25 January 1922.
[593] JLM/NYPL, Walsh to Hickey 26 January 1922.
[594] JLM/NYPL, Larkin letter to Walsh, 23 February 1922. I have corrected substantial punctuation and grammatical errors in this short passage without indicating same, for clarity's sake.

> in the day's work. We shall e'en endure. They! will recollect that we remember in our day.[595]

Larkin seems to be harbouring a sense of revenge, when he envisages coming to power 'in our day'; clearly, he sees his type (the revolutionist) and the vision of a classless society vindicating his life's work. His stoicism, 'We shall e'en endure', seems to be derived from this sense of historical deliverance. His belief in a higher authority, the Christian god, supersedes all man-made forms of justice (here, the justice system), which are, by postlapsarian definition, inherently corruptible: 'They wilfully, and with malice, outraged their own procedure.'

His sense of aloofness from the wheels of upper-echelon societal power does not relieve him of the need he seems to feel to oil his comments on *the fallen* with derision: 'I see my former colleague and friend? Judge Cohalan delivered a most touching! and eloquent? eulogy on the learned? and upright Judge Bartow S Weeks.' Indicating, perhaps, that Larkin's demons would continue to smoulder without the Christian sense of true forgiveness (which presumably, Larkin would subscribe to). He then says, in relation to Cohalan's eulogy: 'This item of news explains many things.' The foremost issue that Larkin was pointing to here (and in his earlier letter), was that Bartow S. Weeks, Rorke and Cohalan worked in tandem to have him incarcerated (Weeks was also a Clan member); this is clearly his view throughout.

He had some kinder words for Joseph Connolly, if not for the *Free Staters* more generally:

> I thank Joseph Connolly for his good wishes. I want nothing from our Consul General! Or any official supporter or member of the Ratters. The clique who betrayed the dead, and who now masquerade as a provisional government … Joe Connolly of Belfast had the reputation of a good man and true in the days that are gone, I earnestly hope he has not become a sane politician.[596]

Corruption is a condition Larkin seems to loathe above all else; that is, the lust for power, money and title, regardless of the cost to individual or community. [597] For Larkin, nothing seemed to epitomise the corruptible side of our being more than the politician. In the atmosphere of politics, a person is apt to 'lose his soul!':

[595] JLM/NYPL, Larkin letter to Walsh, 23 February 1922.
[596] JLM/NYPL, Larkin letter to Walsh, 23 February 1922.
[597] Of course, his critics would say he coveted power; arguably, he would therefore loathe it in himself.

> What doth it profit a man to become a successful politician and suffer the loss of his youthful idealism? Bourke Cochran told me in the presence of Fitzpatrick, John will remember! Year 1917, place Blackstone Hotel, Chicago, that he, Cochran, had been thirty-nine years in political life and never knew one honest politician and this dictum applied to himself. One of the few truthful sayings that could be charged to his account.[598]

Larkin had already made his views known on the Irish Free State: in the papers he referred to it as a 'ghastly joke.' Back in Ireland, he denounced the Treaty in an article in the *Voice of Labour,* from which O'Brien *et al* distanced themselves.[599]

LARKIN DECLARES HE LOST HOPE

In the letter of 23 February 1922 to Walsh, Larkin then said something that suggested he had invested his hopes in de Valera, and had been let down. He had, he said, effectively given up all hope in May 1921. Before we look at this comment more closely, it will be necessary to quickly review Larkin's relationship with de Valera up to this point, in the context of what both of them were doing in America. De Valera was in America for eighteen months between June 1919 and December 1920. He was present, therefore, when Larkin was arrested, and in Dannemora. De Valera had gone to America to work with (and hopefully, control) the Irish-American movement, primarily to raise funds (to finance the struggle back home) and to gain recognition for the nascent Irish Republic. The two biggest political parts of the Irish-American movement were the Clan na Gael (Clan) and Friends of Irish Freedom (FOIF). Devoy and Judge Cohalan were the principal individuals within these organisations, particularly in New York (with McGarrity in Philadelphia). The FOIF was established at the first 'great' Race Convention in March 1916, and was controlled by Cohalan. De Valera, principally there to raise funds, initiated the Bond drive, with a target of ten million dollars. Devoy and Cohalan became increasingly wary of de Valera's ambitions. Tensions were evident in a letter de Valera wrote to Arthur Griffith at the end of 1919, in which he said that as big as America was, it was not big enough to hold both Cohalan and himself. In February 1920, when de Valera proposed his Cuban initiative, Cohalan and Devoy seized upon the opportunity to attack de Valera, and the split became a chasm. Cohalan, in league with Devoy, accused de Valera of not being cognisant of the country in which he was sojourning. De Valera already had control of the American Commission on

[598] JLM/NYPL, Larkin letter to Walsh, 23 February 1922.
[599] 7 January, 1922

Irish Independence, with F. P. Walsh and Harry Boland as Chairman and Secretary, respectively. To circumvent the Clan and FOIF, de Valera made the bold move to establish the American Association for the Recognition of the Irish Republic (AARIR) in November 1920, one month before he left for Ireland. Established as the political opposition to the Clan and FOIF, the AARIR would raise money, be politically active, and, importantly, be under the control of Irish leaders. The FOIF membership collapsed, as branches defected wholesale to the AARIR.[600] We will return to the AARIR shortly, in the context of Larkin's hopes to be freed by Irish-American public pressure.

The relationship between Larkin and de Valera was beset with problems, but was at times conciliatory. To put it plainly, the problem was that de Valera was only interested in Irish independence, and Larkin, whilst interested also in Irish independence, was only interested in achieving independence, on the whole, through the working class (his speeches from 1917 to 1922 are littered with this consistent theme), and ultimately they would clash on the 'labour question.' However, from the outset, there were attractions. Larkin was in America, and had worked with Devoy and furthered the nationalist cause. Such a 'big noise' would not be dismissed out of hand by de Valera, who made no bones about using labour for the aims of nationalism. Indeed, at this time, de Valera even went as far as to acknowledge that Labour 'would probably have a majority' in the 1919 Dáil had they not stood aside for the cause of Irish nationalism.[601] For his part, Larkin viewed de Valera as one of the leaders of Sinn Féin closest to his own pursuits (by no means a socialist, de Valera was, arguably, channelled into identifying with the working class in Ireland, as Fianna Fáil showed when it became the opposition in the Dáil). It must be remembered also, as we saw above, on 20 May 1920, the month of Larkin's sentencing, de Valera instructed the Irish Consular-General Fawsitt to work with the LDC; and he most likely instructed Harry Boland to guarantee the Devoy bail money.

On the other hand, Larkin frequently made speeches that were critical of Sinn Féin, and even of nationalism. At his trial, Rorke *proved* that he was anti-Sinn Féin and an internationalist (that is, a communist and opponent of nationalism); Rorke pointed out that Larkin approved a juror who condemned de Valera.[602] Equally, de Valera was critical of Larkin. Jack Carney claimed that de Valera had said in Butte, Montana, that Larkin 'was an English man' and that he had sent Irish children to

[600] Cronin, S., *The McGarrity Papers* (Kerry; Anvil: 1972) pp.73-100; Coogan, T. P., *De Valera: Long Fellow, Long Shadow* (London; Arrow Books: 1995) pp.156-196; McGough, E., *Diarmuid Lynch: A Forgotten Irish Patriot* (Cork; Mercier Press: 2013) p.145; Carroll, F. M., *American Opinion and the Irish Question* (Dublin; Gill & Macmillan: 1978) pp.156-176; Devoy, J., *Recollections of an Irish Rebel* (Shannon: Irish University Press: 1969) p.449, pp.463-471. Hannigan, D., *De Valera In America: The Rebel President and the Making of Irish Independence* (New York; Palgrave Macmillan: 2010) pp.204-207.
[601] *Butte Daily Bulletin*, 29 July 1919.
[602] *Freeman's Journal*, 8 November 1920.

England during the Lockout 'for the purpose of undermining their faith.'[603] De Valera had been in Butte twice in 1919; and he addressed a mass meeting of workers in July. Referring to Larkin (but not by name), he said, there is a certain 'labor writer [claiming] that the rebellion in Ireland was a social rebellion.'[604] Larkin had been claiming in speeches and in articles that the revolt in 1916 was a workers' revolt. De Valera was in Butte again on 8 and 9 November 1919. He was warned (not that he needed reminding) that because of people like Larkin, the cause of Ireland was commonly thought to be 'tainted with Bolshevism and IWWism.'[605] It may have been at this time, with reports of Larkin arrested, that de Valera, allegedly, besmirched Larkin as Carney claimed in his letter to Foran (above). But perhaps the biggest blow to Larkin was what occurred in April 1921 at the AARIR convention.

In his letter to Walsh of 23 February 1922 from Comstock prison (above), Larkin thanked Walsh, and said, in relation to the Appellate Division denying his appeal: 'My interest in this matter came to an end, May 1921. It was an interesting and long drawn out interlude.'[606] This is almost certainly linked to the first Convention of the AARIR in Chicago, in the latter half of April 1921. At this first National Convention, a resolution in support of Larkin was put forward to the committee on resolutions. Initially, the committee accepted the resolution. However, certain people then objected to the resolution claiming that it would be divisive. Clearly, Larkin being a militant communist, locked up for criminal anarchy, was looked at askance by an emerging nationalist organisation, whose fundamental sympathies lay elsewhere. The sponsors of the resolution were asked to withdraw it, 'for the sake of the cause as they were told.'[607] T.J. O'Flaherty (LDC) informed Walsh of this on 6 May, and would have either written to Larkin around the same time, or have visited him. It is most likely that Larkin had invested a lot of hope in getting the support of de Valera's burgeoning organisation, and through it, securing his release. This would not only have given Larkin his freedom, but it would have been quite a *coup d'état* politically *vis á vis* the Clan. After his experiences with the leading figures in the Clan, and their role in his conviction and imprisonment, the emergence of the AARIR must have seemed like a light on the Western bank of the Hellespont to Larkin.

Larkin was still in jail, but he was not forgotten. On 19 January 1922, John Kenny of the Kevin Barry Club, Hartford, Connecticut, sent a cheque for Larkin with the best wishes of the organisation. Replying, Walsh told Kenny that he would send the money directly to Larkin as he was 'suffering

[603] William O'Brien Papers, 15,678/1, NLI; letter to Foran, 18 September 1920.
[604] *Butte Daily Bulletin,* 29 July 1919.
[605] Emmons, D., *The Butte Irish: Class and Ethnicity in an American Mining Town, 1875-1925* (Urbana; Illinois University Press: 1989) p.374.
[606] JLM/NYPL, Larkin to Walsh, 23 February 1921.
[607] JLM/NYPL, O'Flaherty to Walsh, 6 May 1921.

from [a lack of] many little necessities in prison.' Margaret Hickey had told Walsh previously that Larkin had no tobacco or tea. Walsh, obviously an admirer of Larkin's, concluded, 'He is a noble self-sacrificing soul, who has done much for mankind [and] … for the freedom of his country.'[608] Walsh was in receipt of a number of enquiries about Larkin in the final phase running up to his release on a CRD; including from Irish Consul Connolly on 21 April 1922. Also, Sean Nunan, Clerk of the Dáil, had forwarded enquiries to Walsh on 9 February 1922. Walsh responded optimistically to such enquiries, saying that a lot of interest was being rekindled in Larkin's case, and that the American labour movement was forming various committees to assist him in whatever way they could.

Above, it was seen, in the first phase of Larkin's trial and the appeals process, Larkin had been convicted on 3 May 1920 and sentenced to between five to ten years. Following the conviction, in the second phase, his counsel made notice of appeal, and applied for a CRD (probably on 15 November 1920, or shortly thereafter). This was eventually refused by Justice Burr on 11 April 1921. His case was then appealed to the Appellate Division and was eventually given a date on 10 January 1922. On the 21 January 1922, the Appellate Division affirmed the original sentence of five to ten years. In the third and final phase of the legal process from February 1922 up to Larkin being recommitted to Sing Sing on 31 August 1922, the following legal steps will be seen. Walsh prepared argument for a final appeal to the Court of Appeals. A CRD was again applied for pending the result of the appeal to the Court of Appeals. Judge Cordoza granted Larkin a CRD on 6 May 1922 (to run up until 24 August 1922) pending the result of the appeal to the Court of Appeals. In July 1922, the appeal to the Court of Appeals was denied and the original conviction of 3 May 1920 was again affirmed. On 24 August 1922, Larkin was granted one more week of liberty (until 31 August) on the CRD to consult counsel. On 31 August, he was recommitted to Sing Sing.[609] We will now look at this third phase more closely.

To some extent, the Walsh Papers clarify what was deemed to have been the fault of Walsh, in this second phase of the appeals process, when Larkin failed to achieve a grant of pardon from New York Governor Miller. Emmet Larkin writes that Mina Carney applied to Miller in the 'fall' of 1922 for a pardon, but because an appeal was lodged by Walsh the petition became disqualified automatically. He says that prior to this Miller had rejected an appeal in March.[610] However, as will be seen, the

[608] JLM/NYPL, Walsh to Kenny, 2 February 1922.
[609] For these dates, see JLM/NYPL. The reason I have clarified these dates is because there are a number of minor errors in the historiography in relation to the dates of Larkin's trial, his appeals process and imprisonment.
[610] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.222. A mistake was made with a news report, assigning it to the autumn, when it should have been in the spring; this is not to impugn Emmet Larkin's masterful biography of Larkin. The news report is from *New York Tribune,* 28 March 1922, now eminently available at www.chroniclingamerica.local.gov.

concurrency of the appeal and petition took place in the early part of the year, February and March 1922; and the only people to submit any form of appeal in the latter half of 1922 were Larkin's legal-team *minus Walsh and Nelles*, after Larkin had peremptorily sacked them both in June 1922.

PETITION TO GOVERNOR MILLER 1922

On 21 February 1922, Mina Carney, Secretary of the LDC, wrote to Walsh and told him that the LDC was moving to petition Governor Miller of New York for a pardon. Everything was 'in readiness to formally present the petition.' The LDC were to meet on 24 February, and Walsh was invited along. Among the individuals listed in the letter [LDC executive?] were John O'Leary and Jeremiah A. O'Leary [spelt Jeremira O'Leary in letter]. John O'Leary had been on Larkin's legal team since Walsh joined it in August 1920. Jeremiah O'Leary worked in the same office as John O'Leary; there is no indication how he became seconded onto the team in Walsh's papers. Presumably, John O'Leary had been sufficiently critical of Nelles to Larkin, and this opened the door for Jeremiah O'Leary. He had worked with James McGuire, whom Larkin had dealt with when he went into Mexico when dealing with the Germans. He was editor of the anti-British periodical *Bull*; and was one of the 'foremost Anglophobes in the country.'[611]

Mina Carney may have misjudged Governor Miller (or perhaps she was simply gambling on his need for votes in the upcoming election) because the LDC had already had discussions with Miller about a pardon for Larkin in 1920. His reply, according to O'Flaherty, was that '[Miller] would rather release the meanest criminal in the state than release Jim Larkin: "He is only a damn anarchist, anyhow" was [Miller's] final word.'[612] Nelles wrote to Walsh on 21 February 1922 and told him that he found it hard to fathom the seriousness of the attempt by the LDC to achieve a pardon, because 'a pardon is never granted during the pendency of an appeal.' Walsh agreed with Nelles about the pendency rule:

> My understanding is that both of the O'Learys were helping Mrs. Carney. This committee is evidently proceeding without any reference to the rule to which you called my attention in your letter,

[611] Carroll, F. M., *American Opinion and the Irish Question* (Dublin; Gill & Macmillan: 1978) p.202 for details on Jeremiah O'Leary. O'Leary was to be the Chairman of the Larkin Amnesty Committee, and would make the opening plea on behalf of Larkin to Governor Al Smith on 9 January 1923. See FBI file, p.429.
[612] William O'Brien Papers, 15678/1, NLI.

> i.e., that a pardon is never granted during the [pendency] of an appeal.[613]

Walsh had understood that the case was proceeding as determined after the Appellate Division judgement of 25 January; and by February the appeal was almost complete for notice to the Court of Appeals. If the appeal was not successful, the LDC would seek a pardon (throughout the second phase, Walsh thought the appeals process was doomed but that, ultimately, commutation of the sentence was highly likely).[614]

On 24 February Walsh wrote to Larkin and told him that Mrs Carney had just left his office. The LDC had got a hearing with Miller on Sunday 26 February, and he had been asked to attend, and would do so.[615]At this point, there appears to have been a total hiatus in communication between the legal team and the LDC in relation to both the appeal and the petition.[616] A month later, Mina Carney, who at this point seemed to be shouldering all the work of the LDC, sent a series of telegrams, trying to arrange a meeting with Walsh. Meanwhile, sometime between 15 and 25 March Nelles filed the appeal to the Court of Appeals (the last court of appeal). On the 23 March 1922, Mina Carney telegraphed Walsh: 'Was petition filed. Very important.'[617] Filed or not, something had gone spectacularly wrong, and it would seem that the blame should lie with Nelles and Walsh.

Five days after Mina Carney had asked Walsh if the petition had been filed, the *New York Tribune*[618] reported that Governor Millar refused to pardon James Larkin. Miller made public a letter he had received from Alexander Rorke, in which Rorke attests that Larkin had had a fair trial. In denying the application for pardon, Governor Miller:

> Did not enter into the merits of the case, but maintained that the petition for clemency was premature, in that it was predicated on the allegation that he did not receive a fair trial. This ground the Governor held to be untimely, because there [was] an appeal now pending from the verdict before the Court of Appeals.'[619]

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[613] JLM/NYPL, Walsh to Nelles, 4 March 1922.
[614] JLM/NYPL, letters are 2 February to John Kenny; 14 February to Mary Donovan.
[615] Unfortunately, the details of this meeting, which may have been cancelled (Miller did cancel at least one meeting) are not in the Walsh Papers; and there is virtually nothing in the Walsh Papers about the deliberations on the part of the LDC about the petition at this crucial time.
[616] Of course, the paperwork may be elsewhere.
[617] JLM/NYPL, Carney to Walsh, 23 March 1922.
[618] 28 March 1922. *The Evening World* led with a small report on the 27 March; interestingly this was released by Louis Healy from offices in Brooklyn, claiming to be Larkin's lawyer. He said Larkin was needed at home to unite the factions of de Valera and Collins.
[619] This is the automatic disqualification that Emmet Larkin writes of (see footnote above).

As seen above, both Nelles and Walsh knew that when an appeal and a petition for clemency were filed concurrently the petition would be disqualified. As they were in control of both (Mina Carney had asked if the petition had been filed by Walsh, which indicates he was responsible for the filing of it), it begs the question as to how this occurred. Although, in his defence, as Walsh said in his letter to Nelles on 4 March (above), the first thing he knew about the petition was Mina Carney's letter of the 21 February (above). This suggests that the LDC and the Nelles-Walsh side of the legal team were not communicating; and may even have been at variance on the issue. If Walsh did not know whether or not Nelles had filed the appeal to the Court of Appeals, then this means they were not communicating very well at this critical time, either.

After the failure to achieve clemency with Miller, it would seem that the LDC were of the opinion that the appeals process was not likely to succeed; and if they were going to re-petition Miller, the appeal (to the Court of Appeals) would have to be withdrawn. In April, Mina Carney told Walsh that she felt the best thing to do was to withdraw the appeal. She said that she had discussed it with Larkin[620] and that Larkin had said he would leave it up to 'his friends.' There is a strong note of urgency in her telegrams at this time, in one she said, 'Please do not fail me.'[621] This indicates a certain anxiety, and the anxiety may be rooted in a lack of confidence Carney had in her dealings with Walsh and Nelles. In relation to the confusion in the historiography about the concurrency of appeal and petition for clemency in the 'fall' of 1922 (see Emmet Larkin above), the appeal instituted by Walsh to the Court of Appeal was rejected in July 1922. This was the last appeal moved by the Walsh-Nelles side of Larkin's legal team, and therefore could not have been concurrent with any appeal to clemency in the 'fall' of 1922. In relation to Governor Miller, the LDC seemed to be investing a lot of hope in his clemency. Yet, it was obvious from the remark to O'Flaherty that Miller 'would rather release the meanest criminal in the state than release Jim Larkin' (seen above) that there was little hope of any clemency. The Larkin FBI file reveals that the Secretary of the Parole Board in Miller's office had informed the FBI that Miller 'had not considered for one moment' granting a hearing or pardon to Larkin, and was not likely he would do so in the future.[622]

[620] JLM/NYPL, Telegram from Carney to Walsh 11 April 1922; unfortunately, Carney did not elaborate on what exactly she had discussed with Larkin.
[621] JLM/NYPL, see telegrams 1, 7, 11 April 1922.
[622] FBI file, p.254.

THE APPEAL TO THE COURT OF APPEALS

On 11 April Nelles informed Walsh the appeal to the Court of Appeals had been filed, as agreed. In view of the pardon-appeal fiasco, he was now being 'blamed both ways.' Walsh told Nelles that under the circumstances, his position was 'entirely correct.'[623] Now that the notice for appeal to the Court of Appeals had been served, they could now apply for another CRD. In the application, there were forty-three grounds listed for reasonable doubt. Many were based on the general hostility of Rorke towards Larkin and witnesses; and for the improper introduction of testimony and evidence (all were listed with the relevant folio details). The conduct of Judge Weeks was also raised. Weeks had read a confidential document to the court that Larkin had given him accidentally. Another ground was that Weeks claimed the defendant had promulgated the message of the manifesto of the *Revolutionary Age* at a public meeting when there was no evidence; and it had not been specified in the indictment. Another ground for retrial was that when Larkin had applied for a mistrial he had not been allowed to state the grounds for such a mistrial. A blatant example of prejudice followed Larkin's removal from the court:

> There is reasonable doubt as to whether there was not prejudicial error in the court requiring the defendant to open his defence in the late afternoon of April 22, 1920, the defendant being without his papers and not prepared by reason of having been committed to custody at noon of that day[.][624]

Larkin had been removed for contempt of court, and then brought back to the court because it was deemed 'useless' by the court to punish him for contempt. It must be remembered that the trial judge has the discretion to allow Larkin leave, in such an instance, to retrieve his papers, or simply adjourn until the next day. Another significant reasonable doubt which was raised was the following:

> There is reasonable doubt as to whether there was not prejudicial error in the court repeatedly interrogating the defendant in his summing up whereas, the District Attorney was permitted the improprieties which have been referred to, and was not restrained from abuse and vituperation in the following passages of his summing up [folio references listed].[625]

[623] JLM/NYPL, see letters and telegram between Walsh and Nelles 11, 12 and 17 April 1922.
[624] JLM/NYPL, This document has no heading or date but it is an easily identifiable document within the Larkin folders due to it being a 52-page document bound at the header.
[625] JLM/NYPL, 52-page document bound at the header.

Needless to say, the summing up is a crucial part of the trial, and Weeks deliberately allowed the impact of Larkin's summing up to the jury to be hampered by interruptions. All of the above grounds for reasonable doubt were accompanied by detailed references to the court transcript folio. The fact that there was nothing vague, and all grounds were very specific, indicates confidence on the part of the applicants as to the weight of their application for a CRD.[626]

On 22 April, Nelles argued the case for a CRD for Larkin before Judge Cordoza. Cordoza had just granted CRDs for Ben Gitlow, Charles Ruthenberg and Isaac Ferguson, admitting them to bail, and he indicated that he would grant a CRD for Larkin on the following Saturday. The District Attorney objected, however, and said he 'had information that Larkin intended to jump bail and go to Ireland.' This information, or fear, would have been provided by Rorke, or close associates within the Clan. This fear that Larkin would go to Ireland, and turn labour against Sinn Fein, had been a consistent issue for the Clan organisation, since the FBI SAC uncovered the nationalist plot to assassinate Larkin in December 1919. Nelles told Cordoza that he would personally see Larkin and seek assurances that Larkin had no intentions of jumping his bail. Nelles set off for Comstock the same day to question Larkin and prepare a statement to submit to Cordoza.[627]

Cordoza was sufficiently placated by Nelles statement of Larkin's assurances and moved to grant the CRD. However, there was a hitch in the form of the amount of bail demanded by the District Attorney. Pursuing Larkin to the end, the District Attorney's office stipulated that bail be set at no lower than $15,000 ($20,000 was the initial demand). This meant that Larkin's bail was set at up to three times the rate of Gitlow *et al*. Nelles had told O'Leary that there was no need to inform Larkin of this differential in the bail amounts. O'Leary, however informed Larkin of the differentials and Larkin announced that he would not accept the terms of the bail and would remain in prison.[628] Nelles told Walsh, 'I am by no means free of the suspicion that the matter was handled in such a way as to lead Larkin into the position which he is reported to have taken.' The solution for Nelles was to have the bail paid regardless of what Larkin said, and he would be put out of prison by the warden. Nelles thought there was no discriminatory malice on the part of Cordoza towards Larkin, and it may have been that Larkin was simply seen as the *big name*. However, in relation to the demand for such a high bail, he said, 'It may be that the District Attorney was influenced by some Irish or other faction in asking for high bail for Larkin while consenting to low bail for the others[.]' Nelles adds, there is 'absolutely no way of proving it.'[629] It is very interesting that Nelles chose to specify the possibility of

[626] JLM/NYPL, 52-page document bound at the header.
[627] JLM/NYPL, Nelles to Walsh, 22 April 1922.
[628] There is a remote possibility that Jeremiah O'Leary, who was an extreme nationalist, was actually working against Larkin, and hampering his release, and only fronted the Larkin Amnesty Committee as a smokescreen.
[629] JLM/NYPL, Nelles to Walsh, 3 May 1922.

an *Irish faction*, rather than just leave it open as *some faction or other*. Nelles' hunch, or information, supports the argument that the Clan in the person of Rorke through the office of the District Attorney continued to frustrate Larkin's attempts to get out of prison.

Certainly, Nelles work on the CRD (finding grounds for doubt) revealed the sheer determination on Rorke's part to have Larkin convicted. Rorke was to appear at both suits to clemency (Miller in 1922, and Smith in 1923), despite continually blocking Larkin at virtually every stage of the appeals process, if not in person, through the office of the District Attorney. The historiography has been far too uncritical towards Rorke's passing comment in 1922 that he favoured Larkin's release. The appeal to Miller was based on Larkin not getting a fair trial. In Rorke's submission, he supplied Miller with a multi-page document that, with detailed references to the court transcript and quotations from it, set out to convince Miller that Larkin had, in fact, received a fair trial. Saying within the body of this document that he thought Larkin had served enough time, was misleading. Also, Rorke would have known that the appeal for clemency was disqualified due to it running concurrently with the appeal to the Court of Appeals. If Rorke really felt that Larkin had sufficiently atoned, there is an incongruity in the office of the District Attorney pursuing Larkin to the very last day of his liberty and blocking his attempt to remain at liberty prior to being returned to prison at the end of the appeals process on 31 August 1922 (see below). Rorke, however, seemed to make a genuine plea for Larkin's release in January 1923 before Governor Smith. By that stage the Irish Free State was established, and Rorke, who held no personal animosity towards Larkin, had been successful in keeping Larkin away from its formation.[630]

The CRD was granted on 29 April and after some fractious discussion between Nelles and Jeremiah O'Leary on where and how to set the bail (which created more division within the legal team), Larkin was released from Great Meadows Prison, Comstock on 6 May 1922. Bail was paid by a Mrs Charles Brookes. Larkin was arrested as soon as he was released from Comstock by an NYPD officer (operating under the instructions of Special Agent Brennan of the FBI) who had travelled up from New York City for that purpose. In the company of the arresting officer and accompanied by O'Leary, Larkin was taken to New York City police headquarters where he was booked on a warrant that was issued on foot of an indictment of 26 November 1919 by the New York Supreme Court. Nelles representative Brodsky met O'Leary and Larkin at the police station (O'Leary doled out a 'considerable amount of vituperation' upon Brodsky, who suffered it vicariously for Nelles). Larkin was then sent to the Tombs. There were two other warrants, both of which were federal warrants issued by the Department of Labour, one for criminal anarchy and the other for violating the

[630] See FBI file, p.429-432 for Rorke and others before Governor Smith.

immigration laws. The federal warrants were to be used if Larkin got bail on the Supreme Court warrant. However, he was suddenly granted parole, by order of a Supreme Court judge at 2.00 am on Sunday 7 May. He was released into Nelles' custody on the untried state indictment (issued in January 1919) at 3.00 am. On 8 May, he was told by the Ellis Island deportation authorities that the bail of $15,000 would also cover the federal charges against him.[631] At this point there was a major rupture between Larkin and the Nelles-Walsh side of the legal team. Larkin went to 53 Jane Street, New York, where the LDC was now based, and where the Secretary-Treasurer of the LDC was now Peter Larkin, his brother.

LARKIN SACKS THE WALSH LEGAL TEAM

On 8 May, Nelles wrote to Walsh: 'Larkin is physically in the possession of the O'Leary bunch, with his head full of resentments, which, I imagine, are being fanned [by Jeremiah O'Leary against us].' Nevertheless they continued to work on the brief for his appeal; and on 1 June Walsh wrote to the Clerk of the Courts to establish the date for Larkin's appeal in the Court of Appeals. The following day, 2 June, Larkin wrote to Walsh, effectively dismissing him from his service, 'I would thank you to deliver to my representative Mr A. Hickland all documents, minutes etc., relating to my case—now in your possession.' Larkin then listed three questions which related to the principal decisions in the appeals process: 'First, who instructed you to enter motion in Appellate Division? Second, who instructed you to enter motion in Court of Appeals? Third, who instructed you to move for a Certificate of Reasonable Doubt in my case?' Larkin also requested a full statement of accounts.[632]

Walsh replied that the answer to all three questions was that the decisions were taken with Larkin's authority, and he listed a letter, telegram and conversation at Sing Sing as the relevant points of communication. Nelles, who received the same letter, likewise said the decisions were done in accordance with Larkin's authority. As regards the statement of accounts, Nelles listed where he had not been paid in full; where he had been out of pocket personally (Nelles was still feeling hard done by over the Devoy claim); and where he had given Larkin cash in prison, for which he had no record. Walsh, enclosing a statement of accounts, told Larkin that he expected no remuneration, and that he would give the case 'no further attention.'[633] Larkin, himself, must have known the answers to the three questions. It may be that the team now behind Larkin were looking for official clarification on

[631] JLM/NYPL, correspondence between Walsh and Nelles, 2, 6, 8 and 17 May 1922; also see 'Memo for Larkin Case'. *New York Times,* 30 April 1922; *New York Tribune* 7 May 1922; FBI file, pp282-283.
[632] JLM/NYPL, Larkin to Walsh 2 June 1922.
[633] JLM/NYPL, Walsh to Larkin 3 June 1922, and Nelles to Larkin 2 June 1922.

decisions made. Nelles was the recipient of quite a lot of criticism, from both within the legal team and the LDC. Certainly, Nelles deserved some of the criticism. It may be that the animosity harboured against Nelles was inevitably going to rub off on Walsh, in some way, at some stage. Larkin may even have been harbouring a suspicion that Walsh (who was close to de Valera's organisations the American Commission on Irish Independence, of which he was chairperson, and the AARIR) played a role in having the resolution in support of Larkin withdrawn from the convention of the AARIR in April 1921. This rumour, or fact, was generated by a Mr Nockels, secretary of the Chicago Federation of Labour who told the LDC that he was in possession of a letter from Walsh suggesting that the resolution before the AARIR be withdrawn.[634] Also, Peter Larkin had been writing letters saying that it was Walsh who was responsible for the appeal running concurrently with the petition. He also accused Walsh of claiming he was working for nothing whilst pocketing the fifteen hundred dollars that Boland had provided.[635] Certainly, Larkin was culpable in not convening a round-table conference, which would have presented the opportunity to hammer out the issues. However, Larkin was expected to be on his way back to jail soon. It was not the easiest circumstances upon which to decide on the merits or demerits of one's legal team (notwithstanding that the impending return to prison was also a good reason to be sure of one's legal team). In the end, it did not matter who was on his legal team. Larkin would not get back to Ireland without gubernatorial clemency.

The appeal began in the Court of Appeals on 6 June, and as expected the conviction from 1920 was re-affirmed in July 1922. In May, the FBI extended their surveillance of Larkin from prison to his movements once he was at liberty on foot of the CRD. Now that Larkin was at liberty, his deportation was very much to the fore in what the FBI had in store for Larkin. The meetings he attended and what he said were again recorded. At meetings in this period (May to August 1922), he denounced the Free State: 'I stand with the dead—for in their death there is life. But they who have accepted this mess of pottage, have no part with the dead, and the living will "Redmondise" them.' Not surprisingly, Larkin also talked about working with (the increasingly-marginalised) de Valera 'for a true republic.'[636] De Valera's anti-Treaty Sinn Féin were beaten in the June election and the Civil War was about to erupt in a blaze of public records.[637]

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[634] JLM/NYPL, 6 May 1921 T J O'Flaherty to Walsh.
[635] William O'Brien Papers, 15678/1, NLI.
[636] FBI file, p.372.
[637] See Garvin, T., *1922: the Birth of Irish Democracy* (Dublin; Gill & Macmillan: 1996) for a positive representation of the Treatyites; and see Regan, J.A., *The Irish Counter-Revolution 1921-1936* (Dublin; Gill & Macmillan: 1999) for a robust critique of the Treatyites. Also see Hopkinson, M., *Green Against Green: the Irish Civil War* (Dublin; Gill & Macmillan: 1988); and Kissane, B., *The Politics of the Irish Civil War* (Oxford; OUP: 2005).

The FBI were also keeping a close eye on the waterways, in case Larkin would leave Ireland un-deported; he was evidently not to be allowed back (once a person was deported from a country, they could not regain entry). Another interesting aspect of the FBI intelligence in this period was the subject of the ITGWU and Larkin's relationship to it. A report for 18 May compiled by an agent of the Boston office of the FBI states that Hoover had been sent an article by a *Boston Sunday Globe* writer Charles Merrill back in February. According to Merrill's article, Larkin was 'denounced in Ireland on all sides as a violent agitator, disturber of the peace, and one whose presence is not desired there.' In respect to the ITGWU:

> This organisation, which is the largest labour union in Ireland, has a paid up membership of 120,000 … While it is reported that at the present time Larkin is secretary of this union, the leadership is, however, in the hands of cautious officers who are not in sympathy with Larkin's ideas.[638]

Another report from the Pennsylvanian office of the FBI in June, quoted an article from the *Industrial Worker* (December 1921), which stated that Larkin was still secretary of the largest labour union in Ireland, which had a 'membership of over 100,000 … organised on an industrial basis.' It is quite remarkable that the FBI were in any way whatsoever recording details of Larkin's position in the ITGWU *vis á vis* the 'cautious officers' (that is, O'Brien *et al*).[639]

As Larkin's appeal had failed, he would be going back to Great Meadows Prison, Comstock. The CRD expired on 24 August. On request, Larkin was granted another week so that his counsel could approach the courts for another hearing. On 31 August, the DA's office then opposed an application to remain on bail on a writ of error filed with the Supreme Court.[640] On 1 September Larkin was back in prison, but his confinement to what must have felt like a burning lake of inactivity was coming to an end. By November, Alfred Smith had been elected governor, and on 17 January 1923, Larkin was pardoned—only to be delivered into a state of limbo—he was at liberty, but unable to return to Ireland.[641] In reality Larkin had wanted to get out of America for some time. On 26 March 1919 at a meeting of the Philadelphia Socialist Society, Larkin had 'upbraided President Wilson'; said that no 'true Irishman' would remain in America, and that the 'red flag' would soon fly over America. He

[638] FBI file, p.340.
[639] FBI file, p.360.
[640] FBI file, p.388; and see *Evening World,* 31 August 1922.
[641] The DORA Order was still in force. A number of prominent individuals had been at the hearing before Governor Smith on 9 January, including Rorke; and a Father Dooley who testified that Larkin could not be an anarchist as his Catholic upbringing precluded it. A telegram representing forty thousand workers from the American Federation of Labour was handed in. See FBI file, pp.429-432.

then said, 'I hope they deport me for this speech.' Even before he was imprisoned, he suspected the Irish-Americans would do nothing to get him released, and said so at a meeting to commemorate the death of Con Lehane, 'If I went to jail in America, as I may go tomorrow, or tonight, there is not an Irishman here who would help me but there are millions who would say "It serves the son of a so and so right."'[642] As it turned out, as seen above, Larkin's hoped for deportation did not happen, and he was kept away from the events in Ireland leading up to and surrounding the Treaty, and the establishment of the Free State. By January 1923, the anti-Treaty forces had been beaten; there were some thirteen thousand republican prisoners in jail, and more than fifty had been executed, including high-ranking prisoners such as Liam Mellows and Rory O'Connor. Liam Lynch was to fight on, but de Valera knew the game was up. On 15 December, he had written to Liam Lynch pointing out the 'impossibility of military victory.'[643] If Devoy, as it would appear above, had set out to keep Larkin away from events in Ireland, his strategy had worked. Devoy's strategy assumed the connivance of the British and American states. But it also assumed the compliance of the Irish labour movement. William O'Brien (and Tom Johnson) had kept the labour movement behind the Treaty, and Devoy was to later support O'Brien in his struggle with Larkin, upon the latter's return in 1923.

The much-vaunted, or to be more accurate, the much-hoped for international revolution had been a spectacular flop in America, and Connolly's words that the American workers were the most conservative of workers had come back to haunt Larkin. The departments of the state had been supremely effective at removing the head from the socialist leviathan. Larkin and his partners in crime, despite their inspiring oratory, could not convince the masses of their historical mission to overthrow capitalism. The Irish 'mission' to achieve a united Irish republic had also been an abject failure. Instead of a unified Ireland, Britain put into action the age-old strategy of imperialism: *divide et impera*; and a dis-united Ireland was cemented into place with the obdurate mortar of the Treaty. This was a politically inspired cultural division by Britain which would pass the test of time, and arguably make a mockery of the desultory 'freedom to achieve more freedom.' [644] When Larkin was set at liberty by gubernatorial pardon, the FBI continued to monitor him; this included the monitoring of phone calls he made, which were tapped and transcribed. The FBI also had the waterways watched; and they had ships searched and passenger lists scrutinised.[645] It was at this

[642] FBI file, p.94, and p.59.
[643] This is a paraphrase, not a direct quote from the letter. See Coogan, T.P., *De Valera: Long Fellow, Long Shadow* (London; Arrow Books: 1995) p.344, and footnote 64 for details on the letter.
[644] Polls consistently show that Northern Ireland voters would vote to remain in the UK; see, for example, the bbc.com at http://www.bbc.com/news/uk-northern-ireland-21345997 (accessed 30 May 2015); which is not to say that this would never change. Kevin O'Higgins had envisioned a plebiscite being held in the North to end partition, but he did not hold out much hope that the plebiscite would be carried; see Kevin O'Higgins papers, P197/135 (1), UCDA.
[645] FBI file, pp.433-473; and JUS 8/676 for Bomb Squad report.

time that J. Edgar Hoover moved against Larkin to get him deported.[646] Hoover, Bureau Director Burns, Special Agent in Charge Edward Brennan and various other officials within the Departments of State, Labour and Immigration effectively conspired to have him deported (although it is not clear that there was any necessity for the conspiracy). On 19 April he was apprehended at 3.50 pm by FBI agents and members of the New York Bomb Squad on a deportation warrant issued by the Secretary of Labour James Davis in 1922. He was then brought to headquarters and handed over to Immigration for deportation.[647]

THE FREE STATE SHADOWS LARKIN

The FBI were not the only ones interested in Larkin's movements at this time. The Free State government were also gathering intelligence on Larkin, particularly as regards his relations with the Irregulars, in terms of gun-running, and a possible pact with de Valera. Larkin had been making overtures to de Valera. In February, at a meeting of the Irish-American Labour League in Chicago, Larkin was reported to have said, 'as long as de Valera is for the Republic of Ireland … [I am] willing to work with him.'[648] The situation facing the government of the Free State, as they saw it, was that if Larkin and de Valera united forces, even at this late stage, then the combination of Irregular and labour forces would pose a real threat to their authority. The key figures gathering and processing the intelligence on Larkin were Desmond Fitzgerald and T.A. Smiddy.[649] Fitzgerald would operate under the code-name Estero, and Smiddy would operate under the code-name Sinbad, Larkin was designated the code-name £229/3s/6d.[650] During a review of British Intelligence in Chapter 1 (above), it was seen that as well as its concerns in Ireland, the British SIS also became concerned about communism, both at home and in its overseas territories. Irish Republican and labour elements were a potential breeding ground for communistic ideas. In the run up to the cessation of

[646] See Culleton, C., 'James Larkin and J. Edgar Hoover: Irish politics and an American conspiracy.' In *Eire-Ireland*, vol. 35, (3/4) (Fall/Winter 2000/1), 238-254. Culleton graphs the chicanery of Hoover and state officials to *furnish* evidence to get Larkin deported.
[647] FBI file, 452-476 for the relevant documents. See JLM/NYPL, letter from the Department of Labor to Walsh advising him that a warrant for deportation has been issued and Larkin will be deported upon release from prison (27 April 1921; also see 15 April 1921). See my Digital Component for copies of these letters.
[648] FBI file, pp.444-445.
[649] Fitzgerald was a staunch Treatyite, and one of the senior members of the Free State government, serving as Minister for Foreign Affairs, and later as Minister of Defence. His papers in UCDA reveal the extent of state surveillance on the Left; see Regan, J.A., *The Irish Counter-Revolution 1921-1936* (Dublin; Gill & Macmillan: 1999) pp.279-280. Smiddy was a close friend of Collins; he had been an economic adviser to the Treaty deputation, and was then given the first official external appointment as a diplomatic envoy by the new government (see DIB).
[650] The significance of this designation is not clear; it is the symbols of the money used prior to decimalisation: pounds, shillings and pence.

hostilities in the War of Independence in July 1921, plans were being put in place to centralise all security and intelligence under military command. In time, however, The Anglo-Irish Treaty was to create a situation where there would be a considerable amount of cooperation between the British and the Irish Provisional Government in relation to intelligence; generally in relation to the Anti-Treatyites, and in particular with Larkin.[651] The central source of intelligence gathering in America for the British was the British Consulate. Gloster Armstrong (who had considerable success tracking Republican arms shipments), was the Consul. T.A. Smiddy had been suggested by Michael Collins as the Free State Representative in America, and by March 1922 he was ensconced in an office in the Munsey Building, Washington D.C.[652] At the time that Smiddy was appointed, the division between the pro- and anti-Treatyites was growing, and there were now two sets of structures in place between separatist Ireland and America. On one side there was Collins-Griffith, Smiddy and Devoy; and in the other there was de Valera, Harry Boland and Joseph McGarrity (leader of the Philadelphia side of the Clan; Devoy and Cohalan controlled the New York Clan). Eventually the Free State side would supplant the dignitaries and functionaries of the revolutionary Dáil.

One of the first things that Smiddy did in America was to gather up all the available information on Larkin, including the reports on Larkin's trial that had previously been requested by the revolutionary Dáil's secretariat. Smiddy stressed the need for a properly organised and financed intelligence service to Fitzgerald, but the impecunious Irish government (which spent little and insisted on receipted accounts) preferred to operate on a more impromptu basis, and supplement their own intelligence with intelligence from the American and British services. On 3 December 1922, Smiddy wrote to Fitzgerald giving him intelligence on the gun-running activities of the Irregulars; and information that Larkin's supporters on the docks were willing to smuggle guns to Ireland. Smiddy had spoken to a detective in the W.M.J. Burns detective agency, who told Smiddy that 'Larkin and his clique [were] in league with the Irregulars.'[653] Smiddy told Fitzgerald that the Irregulars, headed by Mrs MacSwiney, were the ones putting pressure on Governor Smith to release Larkin. When Larkin was released, Smiddy sent Fitzgerald a telegram: 'Estero Dublin £229/6/3 pardoned without condition. Sinbad', and from this point on the relations between Larkin and the anti-Treatyites would be scrutinised back in Ireland. British despatches reported that Larkin was returning to Dublin not as a politician but as a labour leader.[654] The marriage of Labour and the Irregulars was a match made in

[651] This was not without its difficulties; particularly with the activities by the IRA in the North, which had been sanctioned by Michael Collins. See McMahon, P., *British Spies and Irish Rebels: British Intelligence and Ireland 1916-1945* (Woodbridge; Boydell Press: 2011).
[652] DT, TAOIS/1/1/1, NA.
[653] Desmond and Mabel Fitzgerald Papers, P80/385 (C1), UCDA, Dublin.
[654] JUS 8/676, NA.

hell as far as the pro-Treatyites were concerned. The anti-Treaty IRA were seen by the Left generally in Ireland as the 'best vehicle for socialist republicanism' in the 1920s.[655]

On 15 January 1923, Smiddy had written to Fitzgerald saying that he had employed 'the most efficient Secret Service agents in New York.' Larkin was now an honourable member of the Moscow Soviet:

> It is quite obvious that the Russian communists will utilise the Irregulars to endeavour to establish in Ireland a Soviet form of Government, while the Irregulars will willingly accept their aid to destroy the Free State.[656]

The Free State and the British, however, would work in tandem. The day after Larkin's release, on 18 January, the British Consul in New York told British Ambassador Geddes in Washington D.C. that Larkin wanted to go to Ireland (Armstrong would tell Larkin in April that he would only be able to apply for a passport to England). He told Geddes that in his opinion, this would be bad for the Free State. The best course of action would be to bring him directly to an English port and then 'decide, in conjunction with the Free State, whether he should be admitted to Ireland or not.'[657]

Smiddy's special agents were beginning to pay dividends, and they were to provide welcome news to the members of the Irish government. Special New York Investigator Z-25 had inveigled his way into 53 Jane Street, New York, home of Ms McFadden, and home until recently to James and Peter Larkin. On 5 April, he called to see McFadden and after some pleasantries, he probed her on recent events. Reminding him that 'all this is confidential' (to which agent Z-25 readily concurred) McFadden told agent Z-25 that there was a lot of trouble within the movement, with different factions pulling different ways, 'but the labour question has become the worst, especially since Jim Larkin got out of jail. As I told you before, Jim wanted to run things his own way[.]' Larkin had said a lot of 'nasty things' about bourgeois middle class property owners. He was only tolerated because they were expecting him to fall into line behind President de Valera, instead of which:

> Jim went out of his way to practically declare personal war on both the Free State and upon de Valera, saying in a letter to de Valera, that even if the Free State were defeated and driven out of office tomorrow, the Republicans would at once be confronted with the Labour question; and that he could see no difference between

[655] Grant, A., *Irish Socialist Republicanism, 1909-36* (Four Courts, Dublin: 2012).
[656] DT, S 2009, NA.
[657] DT, S 2009, NA.

> English, Free State or Republican bourgeois, so far as the working classes were concerned[.][658]

Larkin said that it would be better for de Valera to adjust his programme 'in harmony with Labour's demands' before getting rid of the Free State. McFadden said that this 'greatly distressed' de Valera and he wrote to Larkin 'pleading against anything that might cause further dissension on this side of the Atlantic; but Larkin would not give way an inch and insisted on his rule or ruin policy.' Larkin was also using funds and not accounting for them: 'devoting it to the Labour cause … instead of to Ireland's cause.' McFadden impressed upon agent Z-25 the need to conceal the split between Larkin and the Irregulars from their enemies in the Free State. Shortly after, agent Z-25 left 53 Jane Street and upon arriving at his base of operations, wrote up his report on the split between Larkin and the Irregulars for Irish Free State Representative Smiddy.[659]

The British Colonial Office contacted the Irish Ministry of Home Affairs wanting to know if there was 'any objection' to granting a passport to Larkin. All Ministries of the Free State were to discuss the issue of Larkin's passport and submit their opinions. It was generally felt that the refusal of a passport would have been met with stiff opposition in Ireland. It was now also known that Larkin and the Irregulars had split over the labour question. On 16 February, the Ministry of Home Affairs (Kevin O'Higgins was minister in charge of Home Affairs, and when it became the Justice Department) made it known that there were no legal grounds that could be used to refuse Larkin a passport. If Larkin were to join the Irregulars, 'he could be dealt with in an obvious way.'[660] In other words, incarceration, or worse. The Central Intelligence Department (CID) agreed that, for practical reasons, Larkin should be given a passport. On 21 April Sinbad sent Estero a telegram: 'Larkin deported today. Sailed Majestic.'[661]

In this chapter, it was seen that the legal apparatus of the state was used to delay every aspect of Larkin's appeal process. Also, despite the fact that there were substantial grounds for a quashing of the conviction of April 1920, or at the very least the granting of a retrial, the judiciary failed to see the injustice in the American legal system's treatment of Larkin. Significantly, judges disregarded best practice and failed to provide written opinions of key decisions. It was also seen that Larkin was not served particularly well by his legal representatives, with confusing and conflicting decisions being made. Understandably, when Larkin was released on a CRD, he did not know quite who to trust; and, again understandably, seemed to accept his brother's advice. After he had been released,

[658] JUS 8/676, NA.
[659] JUS 8/676, NA.
[660] DT, S 2009, NA.
[661] DT, S 2009, NA.

the FBI continued to monitor Larkin, ensuring that he would not leave without being deported. Eventually, he was deported, on trumped up charges commensurate with the charges for which he had been awarded a pardon by Governor Smith. The British and Irish states were also monitoring Larkin (particularly in relation to Larkin's relationship with the Irregulars), and they discussed what to do with him. It was also seen that de Valera and Larkin had had a difficult relationship. They were willing to use one another but neither of them were happy with the other's ultimate objectives. In the next and final chapter, we will look at the return of Larkin to Ireland. It will be seen that the Irish Free State continued to monitor Larkin when he arrived back in Ireland, and set out to curb his radicalism. We will see that senior members of the Free State government and members of the judiciary deliberately intervened to ensure that Larkin did not regain control of the ITGWU from the reformist William O'Brien.

CHAPTER 9 THE BATTLE FOR LIBERTY HALL

This chapter will look at Larkin's return to Ireland in 1923, and his battle to hold onto the ITGWU. It was in the period following Larkin's return that the one big union was split in two, with the militant Dublin membership forming the Workers Union of Ireland, which would be led by Larkin. It will be the principal aim of this chapter to look at reasons why Larkin lost the struggle for control of the union. The first part of this chapter will review Larkin's syndicalism; that is, where Larkin stood in relation to society, labour and trade unionism in 1923; that is, did Larkin still see OBU-ism as the way forward? We will also look at conditions in Ireland at this time, particularly at what objective conditions were in place for a forward movement with syndicalism, and what conditions were against it.

The second part of the chapter will look at Larkin's activities in relation to the newly proposed rules of 1923. Larkin appeared to be reasonably content with the situation as he found it upon his return from America. However, he was soon very much intent on removing the leadership of O'Brien *et al* from the union. Significantly, whereas Larkin used the machinery of the union to have O'Brien *et al* suspended, it will be seen that O'Brien turned to the state courts for assistance against Larkin. The significant hypothesis that Larkin refused to submit his actions to an Investigation Committee of the union will be looked at anew, and new material will be examined. An appraisal of the 1923 Dock Strike will be informative as to the relations existing between Larkin, the reformist leaders and the government. So also will an incident that had a significant bearing on the trial; information on Larkin's passport was passed from a government source to William O'Brien. The court case between O'Brien and Larkin over control of the union will be examined closely. This has not been given any significant coverage in the historiography. It will be seen that the judge is very sympathetic towards O'Brien; and on the crucial issue of the rules, his deliberate mis-interpretation of the rules favours the O'Brien side. The voting numbers on rule changes (often quoted in support of O'Brien's position *vis á vis* Larkin) will be examined as to their relevance, and what those numbers actually reflected. The final section of the chapter looks at a major strike that took place in the industrial heartland of Dublin, in the Dublin Gas company. This was a very significant strike because it involved a militant section of the union, actively sympathetic to Larkin (who by this time had been expelled from the union by O'Brien et al). We will look at the ITGWU leadership's handling of the strike, and analyse what the repercussions were. It led to an event that resulted in forty-five of Larkin's most loyal followers being arrested, and evicted from Liberty Hall. We will look at their trial and the consequences of a non-sympathetic judge for these forty-five workers. We will draw conclusions as

to the benefit to the reformists of a pro-capitalist state which is sympathetic to the reformists. In this final chapter, we will also deal with the question: was Larkin *a hero or a wrecker*?

In America Larkin had dipped *ad hoc* in and out of trade unionism, nationalism and communism, and he would do so again. This chameleon-like existence does not preclude him from being a syndicalist, nor does it preclude him from retaining an ulterior belief in the working class as the only vehicle for fundamental change. His nationalism, unionism and communism were always of the most radical kind, and it is this radicalism that is at the core of his syndicalism. In 1920, having been denied bail and on his way to Sing Sing prison, Larkin reiterated his belief that socialism was the only hope left for the working class: 'the salvation of the workers [would only] come through the One Big Union.'[662] In the first edition of the *Irish Worker* upon returning home, Larkin revisited the old tropes of strife and emancipation, loyalty and betrayal; but it can be seen that he had curtailed his enthusiasm for Sovietism from the high point it had enjoyed in 1919 (when nationalism was jettisoned). His experience of defeat in America and his memory of 1913 were objective lessons in how the providence of idealism should not be taken for granted. Although these experiences did not dull his appetite for revolution, it rendered revolution a tantalising uncertainty. However, equally evident is that he still viewed OBU-ism as the only practical way forward for the Irish working class. Connolly and the ITGWU, Larkin wrote, will be an 'inspiration to the workers of the world.' As for the incumbent labour leadership:

> We had the honour of initiating the Irish labour movement. We return to find a Labour Party lost to all sense of dignity, manipulated by ambitious self-seekers … [a union] manipulated by cunning time-serving, ambitious charlatans … who use members of the organisation for their own advancement[.][663]

This was Larkin's public declaration of war on the union's Executive Committee. It was the classic syndicalist attack on the trade union bureaucracy; but it was the bureaucracy that ultimately endured. Larkin's syndicalism was highly individualistic (even for syndicalism); and it is evident that, for the most part, he wanted things done his way, or not at all. As it turned out, Larkin was not the man to deliver industrial unionism to the world. But the fault for this cannot be attached to the person; no one else delivered it either. The revolutionary aspirations of labour have been a spectacular failure worldwide. Labour had already accommodated itself to capitalism through

[662] *The Watchword of Labour*, 5 June 1920.
[663] *Irish Worker*, 16 June 1923.

combination prior to syndicalism, and present day labour is a continuation of this accommodation; the internationalist-revolutionary aims of the new unionism have been abandoned.

OBJECTIVE CONDITIONS FOR SYNDICALISM

In many ways, the objective conditions for Larkinism were present in Ireland in the period leading up to Larkin's return home. In 1919, due to the war, Labour in Ireland was more syndicalist than it had ever been. The war had driven production for war-time needs; and there then followed a post-war boom, raising prices and wages. Agricultural workers were becoming a significant proportion of ITGWU membership, and by 1920 it had amassed some sixty thousand agricultural labourers. Sympathetic action was becoming central to strike strategy. The ITGWU was printing Connolly's works on OBU-ism; and in 1921, Foran was talking of the need for all workers in any one industry to 'stand firmly together to the bitter end.' As has been pointed out: when militancy paid dividends, union leaders were syndicalist. The post-war boom was followed by slump and the employers looked for ways to recoup losses. When militancy heightened to dangerous levels (as in the Southeast, with violence and burnings), trade union leaders like J.H. Thomas and William O'Brien steered the movement away from syndicalism. The dock strike of 1923 was ignominiously squashed in favour of the government and employers (see below), and the agricultural workers were deserted by the union executive. O'Brien attempted to cover his tracks by saying he was only trying to save the union. He may have saved the union, but he did so at the cost of sacrificing Larkinism and the mentality that gave rise to it.[664] The labour leadership had also moved from an earlier left-leaning position following the 1916 Rising, with support for significant national strikes in 1918 and 1920, to support for the Treaty, and ultimately an espousal of the political route of parliamentary democracy.

In other ways the objective conditions were not propitious to syndicalism. Ralph Darlington shows that one of the principal reasons why syndicalism failed was due to the counter offensive by the state and the employers. In America, it was particularly vicious, with horrendous accounts of IWW members being the recipients of very nasty tactics, including hangings and mutilations (as above). In France employers locked out workers, and imported blacklegs, and the courts and the police supported the employers. Clemenceau was lavished with plaudits from the Right as France's 'top cop' after he had employed tens of thousands of troops and police against demonstrations and strikes, killing strikers and arresting leaders of the Confédération Générale du Travail. From about

[664] O'Connor, E., *A labour History of Ireland: 1824-2000* (Dublin; UCD Press: 2011) pp.103-127; O'Connor, E., 'Agrarian Unrest and the Labour Movement in County Waterford 1917-1923', *Saothar*: *Journal of the Irish Labour History Society*, vol. 6 (1980), 40-58.

1910, the reformists grew in power in France; and it was the reformist leadership that undermined significant strikes. In Italy the employers funded Mussolini and the fascists, who attacked the offices of the Unione Sindicale Italiana in 1922 and forced Armando Borghi into exile, and by 1926 the organisation was outlawed. In Spain, between 1921 and 1923, the employers set up scab 'free unions' to undermine and demoralise strikers. There was a reign of state terror using the army and the police against the Confederatión Nacional del Trabajo; with *pistoleros,* in the pay of the employers, shooting dead 21 prominent members of the organisation.[665]

Darlington also sees the importance of the trade union bureaucracy, the reformists, in undermining syndicalism. He makes the point that this was pointed out by Lloyd George in 1912, who observed: 'the best policeman for the Syndicalist is the Socialist.' That is, the reformist; typically a Ramsey MacDonald (MacDonald failed to achieve socialism through the House of Commons, despite a number of terms).[666] In Larkin's case, the reformist would be William O'Brien, supporter of the Treaty; who became very much a part of the establishment; going on to become a director of the Central Bank. Darlington also sees communism as a major factor in the demise of syndicalism.[667] Certainly, the Comintern played a role internationally which undermined the role of the union and promoted the political. Being the harbinger of world socialism it attracted leading militants, like Larkin. At the time, it was not known, of course, that the Comintern would prove to be a political and social *cul de sac*. In relation to Ireland and Larkin, communism was less of a factor than it was elsewhere. Larkin, of course, would milk the Soviets for what he could get (as he had the Germans), but communism did not develop in Ireland, and it is difficult to see how it could have. Conservative nationalism and an increasingly robust Catholicism stood on each side of the postern with weapons crossed.

LARKIN RETURNS TO IRELAND

Larkin had been away for almost nine years when, deported from America, he returned to Ireland in 1923. Significant changes had taken place within the Transport Union, of which he was still General Secretary: its revolutionary aspirations had been curtailed, and important rule-changes had been implemented; also, and importantly, its membership had increased dramatically, and it had

[665] Darlington, R., *Syndicalism and the Transition to Communism: An International Comparative Analysis* (Aldershot; Ashgate: 2008) pp.157-165.
[666] James Ramsey MacDonald was the British Labour Party's first Prime Minister. Initially a Liberal, he was a Fabian, and a member of the Socialist Union; he rejected direct action, and saw parliament as his ideal. See Marquand, D., *The Life of James Ramsey MacDonald* (London; Jonathan Cape: 1977).
[667] Darlington, R., *Syndicalism and the Transition to Communism: An International Comparative Analysis* (Aldershot; Ashgate: 2008) p.178; pp.185-204.

significant financial resources at its disposal. Significant changes had also taken place in Irish society with the partition of Ulster and the establishment of the Irish Free State. The Free State government has been described as a counter-revolutionary one; with its leading lights coming from 'establishment Ireland in-waiting'; typically, graduates of Clongowes Wood and UCD.[668] The 1922 Constitution was brought in with the proclaimed separation of powers[669] but the laws enacted by the new government between 1922 and 1924 were repressive (the Public Safety Act of 1923 was followed by two further Public Safety Acts in 1924: Powers of Arrest and Detention; and, Punishment of Offences).[670] Of course this was designed to bolster the Treatyite government vis á vis the republicans; the Truce of April 1923 held, but the republican prisoners remained interned (although they would be released in large numbers over the next twelve months). The Acts were to be used wherever *civil disturbance* arose, and hence could be used against militant labour.[671] The Powers of Arrest and Detention Act was used against Larkinites at a decisive moment in their struggle with the reformist leadership of the ITGWU (see below). Minister O'Higgins was the driving force behind the legislation, which included the death penalty, hard labour and flogging, and he was dogged in his defence of the Acts, and resolute in his opposition to any meaningful amendments.[672]

Much had certainly changed when Larkin returned; however, the underlying nature of society remained the same: the bitter struggle between employer and employee continued unabated.[673] Two months after Larkin returned, the ITGWU was riven asunder as Larkin, and the General Treasurer William O'Brien fought each other for control of the union and its offices, including the symbolic Liberty Hall. Most historians view Larkin as the culprit responsible for the split in the labour ranks,[674] although there has been some dissension from this view.[675] Another aspect of the historiography is its emphasis on the egos of the individuals concerned, particularly Larkin's.[676]

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[668] See Regan, J.A., *The Irish Counter-Revolution 1921-1936* (Dublin; Gill & Macmillan: 1999).
[669] Byrne, R., *et al*. *The Irish Legal System* (Dublin; Bloomsbury Professional: 2014) pp.49-50.
[670] Mansergh. Nicholas. *The Irish Free State: Its Government and Politics* (London; George Allen & Unwin: 1934) pp.308-309.
[671] Indeed as the threat of the anti-Treatyites receded, the legislation became ever more repressive; to the extent the Executive was virtually able to override the Constitution. For an outline of this process, see Mansergh. Nicholas. *The Irish Free State: Its Government and Politics* (London; George Allen & Unwin: 1934) pp.307-315.
[672] See McCarthy, J.P., *Kevin O'Higgins: Builder of the Irish State* (Dublin; IAP: 2006) pp.111-117, 128-131.
[673] In fact, it was reaching a crisis point at this time; see O'Connor, E., *Syndicalism in Ireland: 1917-1923* (Cork; CUP: 1988) pp.96-139.
[674] For example, his main biographers: Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965); and O'Connor, E., *James Larkin* (Cork; CUP: 2002).
[675] Kostick, C., *Revolution in Ireland: Popular Militancy 1917-1923* (Cork; CUP: 2009, 2nd ed.); Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & Macmillan: 2009) p.15, pp.171-2, 209-12; also see O'Connor Lysaght D. R., 'The Rake's Progress of a Syndicalist: The Political Career of William O'Brien, Irish Labour Leader' *Saothar: Journal Of the Irish Labour History Society*, vol. 9, (1983), 48-62.
[676] See O'Connor, E., *Reds And The Green: Ireland, Russia and the Communist Internationals 1919-43* (Dublin; UCD: 2004), and Donal Nevin (ed.) James Larkin: Lion of the Fold (Dublin; Gill & Macmillan: 1998) pp.326-327.

Whilst it is true that ego and personality played a role in the events surrounding the split in the ITGWU, too often these characteristics are viewed as determining the conflict, and its outcome.[677] On the maxim that men and women make their own history but not entirely as they please, this chapter, without losing sight of the individuals concerned, will look at the wider social context: namely, the role that the Free State government and the employers played in the split within the ITGWU; a split which would weaken the labour movement at a time when the movement needed to be most united.

The terse statement found in Government Cabinet Minutes in April 1923 in relation to Larkin's return to Ireland: 'Take no immediate action[,]' is rather misleading. In fact, as seen, Larkin had been under constant surveillance for labour agitation and alleged gun-running activities by the Irish, British and American authorities during the eight and a half years he was out of Ireland, and upon his return from America, this surveillance continued. Superintendent J.J. Purcell of the CID reported that Larkin had arrived at Southampton on 27 April, where he was met by P.T. Daly. They were expected to arrive at the North Wall in Dublin on the morning of the 29 April.[678] As it turned out, Larkin arrived into Dublin on the evening of the 30 April. The newspapers reported: 'Thousands of people thronged the precincts of Westland Row station [and there were] vociferous cheers and cries of "Welcome back Jim."'[679] According to *The Workers' Republic,* the 'so called Labour leaders [William O'Brien and Thomas Johnson] were conspicuous by their absence.'[680] Thomas Foran, however, attended the homecoming.

The newspapers were not the only ones reporting on Larkin's arrival into Dublin. Both C and B divisions of the DMP reported on the evening's activities. Larkin, who had arrived on the train from Kingstown to Westland Row at 8.15, was forced to leave Westland Row station by the back entrance at Sandwith Street in a two horse brake. The crowd was numbered at five thousand. At St. Mark's church in Pearse Street the horses were detached and the brake was drawn by members of the ITGWU in a procession along Tara Street, over Butte Bridge to Liberty Hall. The procession was accompanied by several bands, the two Liberty Hall bands and the O'Connell Fife and Drum band, and taking up the rear were 'two men carrying red flags.' When he got to Liberty Hall, Larkin

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[677] See Nevin, D., (ed.) *Trade Union Century* (Dublin; Mercier Press: 1994) p.89; Nevin says it was a personality clash, rather than political differences; and Donal Nevin (ed.) *James Larkin: Lion of the Fold* (Dublin; Gill & Macmillan: 1998) p.76. Of course, historians have, in various contexts, dealt with the clash between reformism and revolution, including Nevin. Also, see Emmet O'Connor on Syndicalism in *Trade Union Century* and *Syndicalism in Ireland: 1917-1923* (Cork; CUP: 1988).
[678] JUS 8/676, NA, CID report, 28 April 1923.
[679] *Irish Times,* 1 May 1923.
[680] *The Workers' Republic,* 5th May 1923; Larkin acknowledges that Thomas Foran was present (see *Attempt to Smash,* p.151).

addressed the crowd in his familiar way from an upper window. With the backdrop of civil war and the cessation of hostilities, he called for peace and unity among the Irish people, and said that 'peace would be brought about by the co-operation of the Irish Transport Workers.'[681] These reports were stamped, signed and dated by Assistant Commissioner Barrett of the DMP for the attention of the Minister for Home Affairs, Kevin O'Higgins.

LARKIN'S TOUR OF THE BRANCHES—AND UNEXPECTED RETURN TO DUBLIN

Initially, Larkin was reasonably amicable with the members of the executive, but there is little doubt he was biding his time. Having been met at Southampton by P.T. Daly, it is highly unlikely that Larkin was not up to speed on the latest developments. [682] On 4 May, Larkin attended an executive meeting at which he and O'Brien came face to face for the first time in nine years. Larkin protested that the executive had not seen fit to furnish him with the five thousand pounds he had requested to purchase a food ship in which to return to Ireland from New York. In what was no doubt a calculated move, he tendered his resignation as General Secretary; although, significantly, not as a member of the union. This put the executive in an awkward position. They had managed to get a recently convened Delegate Conference (arguably a hand-picked coterie of O'Brienites from selected branches to vote on proposed new rules—see the discussion on the rules in this chapter) to sanction their refusal to furnish the ship money to Larkin, but accepting the General Secretary's resignation was an altogether different matter; it was 'suggested' he go on a tour of the branches.[683] The reason for this tour of the country is by no means clear; after all, it certainly would not have served the executive well to boost Larkin's popularity in the provinces. Perhaps they were trying to get him out of Dublin in the run up to the reconvening of the adjourned Delegate Conference on the 14 of May, and allow some dust to settle on recent activities. Also, considering that the new rules they were devising were not yet registered, perhaps they were trying to get him away from his traditional power base in Dublin at this critical time.

Two weeks into the country-wide tour, in the last week in May, Larkin returned unexpectedly to Dublin and began a full-scale attack on the executive members, particularly O'Brien. With the aid of senior No.1 Branch members, Larkin convened the No.1 Branch at La Scala Theatre on 3 June, where

[681] JUS 8/676, NA, DMP C Div., Store Street report, 30 April 1923; DMP B Div., College Station report, 30 April 1923.
[682] While still in America, he had said negative things about the labour movement's leadership in Ireland, which *The Workers' Republic* quoted back in Ireland.
[683] The Minute of the meeting clearly says it was 'suggested' to Larkin by the General President Foran, and some other members, during the course of the meeting; O'Brien says that the tour 'was arranged'; however, it is likely that Larkin knew of the tour through P.T. Daly; see *Attempt to Smash, p.*xxviii, pp.142-3.

he accused certain executive members (although not Thomas Foran, at this point), of 'Tammany Hall politics' and the rigging of the Delegate Conference in order to get the new rules approved. Larkin said that there was 'one man who was behind [all] this … a man with a Machiavellian mind'; at which point there were shouts of '*O'Brien'*. [684] Affecting compliance with the rules, the meeting was adjourned to the Mansion House for the following week.

On 5 June, Larkin called an executive committee meeting and questioned the committee members on the meaning and validity of the recently proposed rules (it may be that Larkin's primary concern was that the new rules reduced his power within the union).[685] During the course of this meeting he refused to deal directly with O'Brien, objecting to his presence on the basis that he did not qualify to be on the executive. Without any success Larkin requested that the meeting suspend Foran, O'Brien, McCarthy and Kennedy.[686] After three hours the meeting adjourned and upon resumption, O'Brien proposed that under rule 65 *of the new rules* an All-Ireland delegate meeting be convened to discuss the 'General Secretary's objections.' Larkin objected to this because the new rules were in dispute and the meeting would not be legal; he then withdrew from the meeting.[687] The critical issue *apropos* the validity of the new rules, in Larkin's mind, was not just that they were drawn up illegally (he claimed they were not in accordance with rule 33 of 1915), but that they were also registered illegally. Firstly, they had been registered (on 2 June) without the General Secretary being notified (although this was a legal requirement); and secondly, the new rules were not circulated to the branches for approval prior to their registration; this had been agreed at the adjourned Delegate Conference of 14 May, at which Larkin had been present.[688]

Larkin then convened a meeting of the No.3 Branch on 10 June at the Olympia Theatre, Thomas Foran claimed that, amidst heated scenes, Larkin *'*delivered an excited and violent speech' making unfounded charges, in which he *'*wantonly and maliciously attacked' the executive members.[689] Larkin then took over the chair and forced a resolution on the meeting to have executive committee

[684] See *Attempt to Smash,* 150-56; *Irish Worker,* 23 June 1923.
[685] The revolutionary aims of the union had been removed (see *The Workers' Republic,* 5 May 1923), probably with the aid of the parliamentary moderate Tom Johnson who had been invited to advise the union on the revision of the rules in February 1922, see minutes of the ITGWU Resident Executive Committee/Executive Committee Meeting Minutes 1920-1923, p.291 (held in Liberty Hall, Dublin); R.J.P. Mortished had also been drafted in. To argue that the rules were being revised to make the union more democratic is naïve; and O'Brien was to go on to rule the union dictatorially.
[686] Not surprisingly, the abridged minutes in *Attempt to Smash* does not mention that Foran and Kennedy admit that the rules were registered illegally and that it was a 'case of perjury.' See *Irish Worker,* 23 June for the Larkin Affidavit.
[687] See abridged minutes of 5 June meeting in *Attempt to Smash,* pp.157-159; also see *Irish Worker,* 23 June.
[688] If it was the case that the executive members deliberately set out to circumvent the agreement of 14 May and register the rules behind Larkin's back, then this may indeed have been the reason Larkin was sent off on a *tour* of the union's branches; see *Attempt to Smash,* pp.146-159.
[689] Executive Committee affidavit: *Irish Independent,* 12 June, 1923; *Irish Worker,* 16 June 1923.

member Thomas Kennedy suspended (Kennedy was double-jobbing as a paid official and a member of the executive), and demanded a show of hands. With '[a]lmost every member present' voting with Larkin, he adjudged the resolution passed. Later, on 10 June, Larkin, allegedly, summoned an 'illegal' meeting of the No.1 Branch at the Mansion House, and had 'illegal' resolutions passed, securing the suspensions of Foran, Mick McCarthy, and O'Brien, members of the executive, and John O'Neill, secretary of the No.1 Branch.'[690] The executive members 'looked on hopelessly before the demagogic oratory and domineering personality' of Larkin.

A *rampaging* Larkin seems to be the choice of commentators. In fact, the court transcript reveals testimony to the contrary. In the court transcript, Counsel for Larkin says:

> On 3 June Larkin gave notice to the members of his intentions, and the meeting was reconvened on 10 June. He did not "rant and rave" he *read a prepared statement* against the members, and the branch voted to suspend them. A committee of investigation was to deal with the charges against the members, call witnesses and summon documents and report to No.1 Branch by 1 July 1923, and all this was in accordance with the rules [my italics].[691]

The idea of Larkin *reading from a prepared script* does not cohere well with the traditional image of him; however, the said statement of 10 June is attached to his affidavit, which is a legal, sworn document. In the trial, Larkin added that the orderly proceedings disappointed the executive. Thus, notwithstanding his alleged autocratic manner, these meetings demonstrate two things: one, that the principal problem for O'Brien was Larkin's command over a mostly loyal Dublin membership; and two, that Larkin had used the structures and machinery of the union effectively against his enemies: the executive members had been suspended by their own branches.

The following day, 11 June, Larkin and his supporters took control of the Union's premises at 35 Parnell Square and Liberty Hall. According to the *Voice Of Labour,* when the executive members arrived at Parnell Square at 12 noon to conduct their business, they found their entry barred by Larkin's followers who 'formed a cordon' blocking the doorway, the door itself was left partially open. Larkin then came down the stairs and, 'in a most excited and aggressive manner rushed at the said door and slammed [it in their] faces' shouting that they were 'not to be admitted.'[692] Shrewdly,

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[690] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.241; *Freeman's Journal,* 12 June 1923; *Irish Worker,* 23 June 1923; *Attempt to Smash*, pp.159-160.
[691] *Irish Worker,* 23 June 1923.
[692] *Voice of Labour,* 23 June 1923. In court, Larkin contests this version of events (see weekly transcripts in *Irish Worker* at this time).

Larkin gave the key, and use of the offices, to the non-suspended members of the executive.[693] The suspended executive members were forced to take up temporary offices at 13 Westmoreland Street. The next day, Dublin Metropolitan Police Inspector David O'Connell (C Division) reported to Assistant Commissioner Barrett (who relayed the report immediately to Kevin O'Higgins in Home Affairs) that on 12 June at 10.30 am, he called to the offices at 35 Parnell Square where Larkin told him that he had taken possession of the union premises, and that the business of the union was being carried on as usual. Larkin said he had been served with a writ on 11 June, and the whole business would 'be thrashed out in the courts in a few days.' Larkin told Inspector O'Connell that 'the majority of the men appreciated his action and as long as he had the support of the majority he would hold office.' Superintendent Freeman added to the report that the 'expulsion of the Labour [*sic*] Executive was carried out without violence.'[694]

In their temporary residence at 13 Westmoreland Street, the executive members set about defending their position with the same ruthlessness that Larkin had shown them. Immediately, they suspended Larkin from his position of General Secretary of the union. Then, instead of waiting to appeal their suspensions within the structures of the union, they turned to the civil courts (for what the DMP Commissioner W.R.E. Murphy, as we shall see later, termed O'Brien's 'remedy'). A writ of summons was issued to Larkin on 11 June. This was followed by an affidavit which was placed in the High Court before Justice Powell on the 12 June, stating that they were the lawfully elected officers of the union and the lawful possessors of union property. They sought an Injunction and Mandatory Order against Larkin and the return of union property. The affidavit claimed that Larkin had acted illegally in summoning Nos. 1 and 3 branches and in suspending the deponents. On 13 June a letter was addressed to Larkin informing him of the executive's decision to suspend him. The hearing in the High Court was set for 18 June 1923, and it would come back to the High Court as a Consolidated Action in February 1924.[695]

FREE STATE CHIEF COMMISSIONER: W.R.E. MURPHY

At a meeting of the Government's Executive Council on 25th April 1923, five days prior to Larkin's return to Ireland, the Minister for Home Affairs Kevin O'Higgins 'urged the importance of filling without delay the vacant post of Commissioner of the Dublin Metropolitan Police.' Four days later on

[693] Larkin was later able to claim in court that he had not suspended the entire executive, only those who had been suspended by their branches.
[694] JUS 8/676, NA, DMP report 12 June 1923.
[695] *Irish Worker,* 16 June 1923.

the 27th April, O'Higgins' recommendation of W.R.E. Murphy was approved.[696] An efficient and energetic man, decorated in World War I, he had been headhunted by Michael Collins to fight in the Civil War alongside Eoin O'Duffy. With the requisite political outlook,[697] W.R.E. Murphy was to play a significant role in the struggle between Larkin and O'Brien, a role which would be propitious to the ambitions of the latter.

In the run up to both the hearing and the trial in the High Court, along with his assistant Commissioner, Murphy was committed to keeping Minister O'Higgins up to date on Larkin's activities.[698] There was a system in place for the circulation of police files between Dublin Castle and the Ministries of Home Affairs/Justice. Marked 'confidential', the system would also circulate police files to the Ministry of Industry and Commerce, and occasionally to all ministries when necessary.[699] Prior to the hearing, Larkin made a series of speeches from the window of Liberty Hall. A recurring theme is his criticism of the executive who, he claims, 'had mismanaged the affairs of the union since 1917.' It was in 1917 that William O'Brien joined the union; Larkin, of course, never acknowledged the work the executive and William O'Brien had done in overseeing the significant development of the union, since 1914 when Larkin had left. From the window of Liberty Hall, Larkin said that he welcomed the upcoming court hearing and trial, where the whole thing would be argued out in public, and where he 'hoped to expose some of those connected with the union'[700]

THE HEARING

On Monday 18 June 1923 the hearing of the action begun by executive members O'Brien, Foran and Kennedy against Larkin opened with Justice Powell presiding. At the start. Powell made it very clear that he was not going to rule on the validity of Larkin's suspension (arguably, this appears to be very convenient for the executive members, because he does not then have to rule on the validity of their

[696] DT, TAOIS/G2/2 and TAOIS/G2/8, NA.
[697] Murphy was instrumental in the establishment of the Special Branch to combat 'Bolshevik, Anarchist and Communist crime masquerading under political disguise.' Biographical details on Murphy: Murphy, K., 'An Irish General—William Richard English Murphy, 1890–1975.' *History Ireland,* vol.13, no.6 (Nov-Dec 2005) 10-11. Murphy's memoirs show that 'he liked and respected [Larkin]'; Karl Murphy email to Gerard Watts, 24 May 1915.
[698] Appointed on 7 May, the first instance on which his name appears on the police records is on the DMP report of the Connolly commemoration in O'Connell Street on 13 May, 1923. This report, which was compiled by Inspector Haug and Superintendent Freeman (DMP C Division), was scrutinised and forwarded to O'Higgins by Commissioner Murphy immediately upon receipt of it.
[699] The folder would be sent to the Secretary of Home Affairs, in the first instance. The common practice was for the Commissioner (or his assistant Commissioner) to write in the left-hand margins of the police reports, addressing it to the Minister, and sign and date it; the Minister (or his secretary) would stamp it in turn upon their receipt of it, and forward it on when and where appropriate.
[700] JUS 8/676, DMP report, C Div., 14 June 1923.

suspensions). Powell asked Larkin why he thought he could decide on a question of law and exclude the executive members from the union premises. Larkin's counsel countered that Larkin had not excluded the executive *en masse*, he only excluded those from the premises who had been suspended by their branches. Larkin had dealt with the executive members within the structures of the Union. On foot of the suspensions, an Investigation Committee had been set up to 'call for all documents [and] summon witnesses … The committee to sit at such times as convenient for witnesses to attend, and to present a report not later than July 1st, 1923.' The executive members had 'no right to go outside their own branch, their own organisation … it was a domestic matter to be settled by members, and not by outsiders [that is, the courts].'[701] Powell countered by saying that Larkin excluded them 'without any proceedings' that is, he said, (and here he dismissed the union proceedings), without any 'legal proceedings'; therefore, this would grant them an interim junction as a 'matter of right.' This ruling favoured O'Brien, who noticeably on this occasion was not prepared to stand by the tried and trusted procedures of union management; whereby individuals are admitted or suspended, or expelled from the union by voting at branch or committee level. On this occasion O'Brien preferred instead the state-court system which had proven itself to be prejudiced against labour, and particularly militant labour. The dispute was sent forward as a Consolidated Action to the High Court.

WHY THE COURTS?

The DMP report of 14 June (above) in which Larkin said he hoped to expose members of the executive in the court, reveals something rather significant. Devine, in his *Organising History*, has pointed out that Larkin declined the opportunity to submit the issues between himself and the executive to an Investigative Committee of an All-Ireland Delegate Conference held on 31 August, 1923. Significantly, according to Devine: 'The majority of the Committee subsequently became members of the WUI.'[702] Presumably, Larkin would have had some idea of the composition of the Committee. Therefore, it will be instructive to have a look at this issue a little closer. If Larkin was aware of the composition of the committee, the question arises: why did Larkin not take the opportunity of addressing the Committee?[703] Had he done so, he may have won a *moral* victory against the executive within the Union, prior to going to trial. One reason, as touched upon above in

[701] The *Irish Worker* carried court transcripts weekly; at the time, Larkin had also been clever enough to hand over the keys of Liberty Hall to non-suspended executive members.
[702] Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) p.153. Of course, I would not expect Devine to go into the sort of detail I am able to do here.
[703] Question posed in conversation with Francis Devine, 5 Nov 1913.

the DMP report, was that Larkin may have wanted to use the court to get all his grievances and charges against the members of the executive, particularly O'Brien, out in the public domain, whereby he could 'expose' them. Alongside this, there would also seem to be a strong desire on Larkin's part to get his perceived enemies compelled to account for their actions, and stand before him in the witness box where they would be subject to his wrath (not that O'Brien was found wanting in the face-offs in court). Also, as pointed out above, Larkin had already instituted an Investigative Committee on 10 June, this however did not sit well with O'Brien and he chose to bring it to the state courts.

However, there is another aspect to this issue that needs to be looked at. Too often the commentary has taken this issue at face value, relying on William O'Brien's selective use of material in *Attempt to Smash*. The letter of the Investigative Committee saying that the executive were prepared to submit matters to the Committee but that Larkin would not,[704] is only half the story, and only half the truth.[705] In reality, the Investigative Committee was a red herring. Already in June 1923, well before the Investigative Committee was initiated, O'Brien had decided to use the courts, claiming there was no other option (see below). O'Brien wanted Larkin out of the union and he was going to use the state courts to get him out. The Irish courts had a history of ruling against Larkin because of his anti-employer radicalism. In 1909, the Crown prosecutor jailed Larkin on fabricated charges of defrauding dockers (the Crown prosecutor was legal adviser to the Cork Employer Federation at the time). Magistrate Swift proscribed Larkin's meetings in Dublin at the time of the Lockout in 1913 (Swift was known to have shares in William Murphy's tramway company). O'Brien knew that Larkin would be unable to navigate the Scylla and Charybdis of these state-sponsored judicial straits. As for O'Brien's claim that Larkin would not submit to the Investigative Committee, Larkin wrote to the committee on 10 August and told them he was 'willing to submit all matters' to the committee providing that the status quo of 30 May was maintained.[706] As it was the new rules (registered in June) that were in dispute, this would seem to be a reasonable request. Larkin was not entertained on this, however. Further, a number of issues surrounding the dispute have not been satisfactorily analysed. The terms of reference[707] of the Investigative Committee which required the EC to resign and submit for re-election were not adhered to. The letter (published in *Attempt to Smash*) of the Investigative Committee which says they met on 31 August but had been unable to go ahead with their investigation because Larkin would not comply, fails to point out that the investigation continued. At

[704] *Attempt to Smash*, pp.160-161.
[705] Unfortunately, I am unable to provide even half the evidence. The details come to a mysterious halt in the correspondence on 19 September, 1923.
[706] ITGWU Papers, NLI, 27,064/1
[707] William O'Brien Papers, NLI, 15,679/5.

the Delegate Conference on 31 August, the Investigative Committee summoned the disputants to address the committee at 4.30. The following day, 1 September, the executive wrote to the Chair of the Conference asking why they had not been allowed access into the conference. The Chair wrote back saying they would invite both parties back on Friday (7 September). The Investigative Committee subsequently met with the executive on 15 September, and the 19 September; and claimed they met with Larkin, although no date is given in the correspondence for any meeting with Larkin.[708]

Nevertheless, in its preordained way, the issue of control of the union went to the courts. We have looked into why Larkin had not submitted matters to the Investigative Committee, as charged by O'Brien (and repeated in the commentary). An equally important question is: why did O'Brien resort to the courts when he had the opportunity to appeal the suspensions, (orchestrated by Larkin on 10 June, see above) to an Investigative Committee within the union; and when he also had the overwhelming majority of the officials of the union on his side? Importantly, O'Brien would not then have been open to the charge of having brought union matters into the civil courts. O'Brien seems to have opted for the State courts when there was not any absolute necessity to do so. For his part, O'Brien, aware of the sensitivity of using the civil law rather than the union, claimed there was 'no other course open.'[709] Both sides claimed that they wanted the dispute settled within the union, but the incontestable facts are that Larkin had used the structures within the union, it was O'Brien who brought it to the civil courts.

STATE SURVEILLANCE AND DOCK STRIKE

The ministries of Home Affairs and Industry and Commerce continued to be informed of Larkin's activities through the watchful eyes of the DMP and the CID. Of particular interest to the Ministries were Larkin's pronouncements on the important dock strike that was taking place at the time. This strike was significant at this time as it represented the continuation of the employers' strategy of seeking wage cuts. It is particularly significant in that the dockers were one of the most militant sections of the working class.[710] The employers chose their moment well, with the movement further weakened by the emerging split. It is also significant in that it reveals the working relations between the ITGWU executive, the workers, the Government and Larkin in microcosm. The dispute had begun with a reduction in the seamen's wages in April and spread to the dockers in June. By July the

[708] ITGWU Papers, NLI, 27,064/3.
[709] *Irish Times,* 18 June 1923.
[710] Kostick, C., *Revolution in Ireland: Popular Militancy 1917-1923* (Cork; CUP: 2009, 2nd ed.) pp.210-211.

employers were looking for a reduction of two shillings in the dockers' wages. On the 12 July, the executive, claiming Larkin was working behind the scenes, refused to back the seamen but pledged to support the dockers.[711] On Sunday 15 July, Larkin condemned the executive for not paying the seamen and firemen their strike pay; and stated that as the dockers were against the wage cut to be enforced on Monday, they should 'down tools.'[712] Two weeks later, on 29 July, he said that he was hopeful of the imminent outcome of the recently convened Conference[713] (the Ministry of Industry and Commerce was suggesting the cuts be suspended until January).[714] Throughout August and September he called on the men to 'stand firm and they would never be defeated.'[715]

The employers rejected any suspension of the pay cuts, and the strike spread to the coal section. Then, on October 26, over and above the heads of the workers, the executive of the ITGWU declared the strike over, accepting the proposals of President Cosgrave as a basis for cessation of the strike, which included a wage cut. They refused to accept the democratic ballot of the dockers who voted 687 to 443 to reject the President's proposal and continue with the strike.[716] On 4 November, Station Sergeant McGoin reported that Larkin:

> advised all the members on strike to go down the Quays on Monday and present themselves for work, telling them that they were doing this as a protest, but that no fault could be found with them as they were sold by the Executive.[717]

A copy of this report was forwarded to Department of Industry and Commerce by O'Higgins. Doubtless, it was quite clear to the Government, and the employers, that they could work together with O'Brien. Larkin, on the other hand, was incorrigible: he proved time and again not to be concerned with the interests of either the employers or the Government.

THE CONSOLIDATED ACTIONS TRIAL

In his biography of O'Brien, Morrissey states: 'The entire [court] proceedings reflected very badly on Larkin[.]'[718] This, however, depends on the perspective employed. Arguably, it would be more

[711] Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) pp.136-140.
[712] JUS 8/676, NA, DMP report, C Div., 16 July 1923.
[713] JUS 8/676, NA, DMP report, C Div., 29 July1923; Station Sergeant J Gilbride.
[714] Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) pp.136-40.
[715] JUS 8/676, NA: DMP report, C Div., 5 August 1923; Inspector Dixon.
[716] Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; New English Library: 1968) pp.242-243,
[717] JUS 8/676, NA: DMP report, C Div., 5 November; Sergeant McGloin.
[718] Morrissey, T., *William O'Brien 1881-1968* (Dublin; Four Courts press: 2007) p.224; Morrissey relies exclusively on O'Brien's account of the court proceedings in *Attempt to Smash.*

accurate to say that the entire court proceedings reflected very badly on the judicial system. Morrissey's analysis focuses on individuals like Larkin and O'Brien, reducing the proceedings to personalities, instead of looking at the wider context of capital-labour relations. Morrissey's statement does not take into account the class nature of the *law* when it comes to dealing with working class interests, and its representatives like Larkin, *vis á vis* the interests of the capitalist class (interests which here are better served by O'Brien than Larkin). As has been pointed out, 'it would have been remarkable if the new administration had allowed Larkin to regain control over the Transport Union.[719] Larkin's return to the ITGWU represented a fundamental threat to the interests of the capitalist class in Ireland. On the other hand, it would be a fair assessment to say that O'Brien's ambitions for the union amounted to a compliant cohabitation with capitalism. The legal proceedings that began on 12 February 1924 was, in essence, about the control of the ITGWU and the stewardship of the symbolic Liberty Hall. It would determine whether the ITGWU would be led either by the world-renowned revolutionist James Larkin, who was being wooed by Russia at this time,[720] or the reformist William O'Brien, who would develop a penchant for bourgeois parliamentary democracy.[721]

Larkin's principal claim was that the 1918 rules were in contravention of the 1915 rules and were therefore illegal.[722] Lacking professionalism, Master of the Rolls, James O'Connor, immediately struck up a rapport with the ITGWU executive's legal team and they shared *a joke* about Larkin's predicament, as they saw it, which was printed in the *Irish Independent* the next day, with bold print for emphasis:

> The rules of 1918, said Serjt. Hanna, were a complete code in themselves, and if plaintiffs [O'Brien *et al*] fell by these rules Mr. Larkin himself must fall with them. The Master of the Rolls said that view had occurred to him also. Serjt. Hanna**: Mr. Larkin may be sawing through the branch on which he is sitting** (laughter). Master

[719] Kostick, C., *Revolution in Ireland: Popular Militancy 1917-1923* (Cork; CUP: 2009, 2nd ed.) p.210.
[720] At this time, prior to its Stalinist degeneration, Russia was still a potentially revolutionary force.
[721] His private diaries showed that he ended up voting for Fianna Fáil in his later years; see Lysaght O'Connor '*The Rake's Progress of a Syndicalist: The Political Career of William O'Brien, Irish Labour Leader*' *Saothar: Journal of the Irish Labour History Society*, vol. 9, (1983), 48-62. As a director of the Central Bank, he ended up writing quotations from James Connolly on Central Bank headed notepaper; see William O'Brien Papers, 15673/1, NLI.
[722] O'Brien was a skilled worker and therefore not eligible to join the union under the 1915 rules, and only joined the union after Connolly's death. O'Brien changed the rules that Connolly himself had overseen in 1915, and set about structuring the Union in such a way that he would have control of the union when Larkin returned.

of the Rolls: **And he would not care if the other branches came down with him**.[723]

This mocking of Larkin in court exposed him to jibes in the press. When Larkin tried to tackle O'Connor about this, O'Connor said, dismissively, that he was not responsible for what was written in the newspapers. In fact, the learned gentlemen were not as clever as they thought they were. If O'Connor ruled that the 1918 rules were invalid, this would mean a reversion to the 1915 rules, precisely the rules Larkin wanted reinstituted. Then, a*propos* the impending elections, due to none of them holding office, with Larkin's command over the Dublin membership, it is certain that the executive members that opposed Larkin would have had grave difficulty being re-elected. O'Brien would not even have been able to stand for election, as he would have been excluded on the basis that he was a skilled worker (a master tailor) and, according to the 1915 rules, not eligible to join the union.

O'Connor occasionally affected guidance towards Larkin, but there was no substance behind it. For example, when summing up in the first action, O'Connor suggested to Larkin that he give an undertaking not to hinder the executive members from going about their business, otherwise he would have an injunction placed against him to that effect, but when Larkin questioned the nature of an *undertaking* in relation to his option to appeal O'Connor's findings, it turned out that if he accepted O'Connor's advice, it would have hindered his appeal process.[724] Neither did it help Larkin when O'Connor ruled at the end of the first action that the 1918 rules were valid because this then prejudiced the legality of the 1923 rules in the second action (the proceedings were a Consolidated Action). Not surprisingly, Larkin's objection to this ruling fell on deaf ears.[725]

What particularly hampered Larkin was the short amount of time he had to prepare for the case. To follow O'Brien and say that Larkin represented himself 'as usual' as some commentators have,[726] is not accurate because he did not elect to do so. Larkin had to proceed without counsel because when Judge O'Connor would not grant more time (even though the executive had been tardy handing over requested documents), his counsel said they could not prepare properly and refused to continue.[727] Perhaps the most serious episode involved a grave breach of confidentiality. As Notice for trial had not been served, Larkin applied for a passport to visit Germany. This information was brought before O'Connor by the plaintiffs, and they claimed that Larkin was trying to evade the trial, whereupon

[723] *Irish Independent,* 14 February 1924
[724] *Irish Worker,* 1 March 1924.
[725] *Irish Worker,* 22 March 1924.
[726] For example, see Larkin, E., *James Larkin: Irish Labour Leader 1876-1947* (London; RKP: 1965) p.252: 'with Larkin acting as his own counsel, as usual.'
[727] *Irish Worker,* 16 February 1924; *Attempt to Smash*, pp.2-5.

O'Connor acted rashly and made an order to bring proceedings forward. Larkin said that it was a 'serious public breach of the rights of a private citizen' that the plaintiffs should have been party to information about his passport application. Larkin claimed that the plaintiffs could only have got that information from the Government, which was an 'improper communication of official information[.]'[728] O'Connor does not seem to have questioned either the validity or the provenance of that information; neither does it seem to have occurred to O'Connor that the plaintiffs' claim that Larkin was trying to evade the proceedings was rather absurd in light of the fact that Larkin was bringing a counter-action against the executive members in the same proceedings. A week later, Larkin scathingly queried how it was known he had applied for a passport:

> Nobody knew that he had applied for a passport for himself and his son except the officials of the government. He had visited the Minister of Industry and Commerce in his offices, and later had called to the Castle to make application. How was it that 'Senator' Foran and Alderman O'Brien knew that he was endeavouring to get a passport?[729]

It was seen above that O'Brien and the Free State government had been colluding when Arthur Griffith (as Acting President) had given O'Brien a confidential report on Larkin in October 1920 from the Consulate office in New York, a report which was not to be made public. It was also seen that O'Brien was to provide 'proof' to the government that Delia Larkin had been distributing leaflets within the ITGWU that were critical of the government (in relation to Larkin's imprisonment) in 1922. Here again is a clear case of collusion between government officials (probably at the highest level) and O'Brien which was bearing directly on the trial. Much later, and further afield, collusion is also seen between members of the legal profession when O'Brien's solicitor, James O'Connor, readily requested confidential information on Larkin from Larkin's own solicitor, Gleeson. This information (on WUI property) was for O'Brien, and subsequently provided 'confidentially' by Gleeson to O'Connor for O'Brien's use.[730] Larkin's charge of collusion that he made at this time between the executive and the Free State can now be seen to be correct. For the purposes of this thesis, it is seen that the state, here in the form of the Free State, in its departments and its individuals, in its judiciary and in the wider legal profession (all made up of individuals), was actively moving to marginalise Larkin, and was doing so in consort with the reformist O'Brien. The state did not need O'Brien in order to move against Larkin (it had other ways and means) but having O'Brien made it all the easier.

[728] Larkin's affidavit, *Irish Worker,* 16 Feb 1924.
[729] *Irish Times*, 25 January 1924.
[730] ITGWU Papers, MS 27,056/9, NLI. Letters between O'Connor, O'Brien and Gleeson in 1932.

For example, further collusion is seen in the months following the split when the DMP used spies recruited from the ITGWU in order to infiltrate them into the WUI.[731] The state would now find against Larkin in the trial, as will be seen, and hand the union over to the tried and trusted O'Brien.

NUMBERS OF UNION MEMBERS VOTING ON THE NEW RULES

There were two revisions of the rules, the first in 1918 and the second in 1923. On the face of it, the voting figures look very impressive, with seemingly vast majorities within the union in favour of the changes sought by O'Brien *et al*. However, these figures are misleading; a somewhat different interpretation is found below the surface. In court, O'Brien *et al* maintained that the procedures relating to the revision of the rules were carried out according to the rules of 1915. In 1918, of the thirty-nine branches only one branch voted against them; 6,876 members voted for the rules and 501 against.[732] However, there were a lot more than 39 branches of the union at that time (O'Brien himself testified that there were around 200) but only those entitled to vote were included in the process and the exclusion of the other branches is not explained.[733] In order to have control over the returns from branches, the executive needs only to ensure that at the time of the vote the branches amenable to them are fully paid up; or given prior notice. O'Brien, and others, claimed the union needed to be democratised;[734] yet, there is absolutely no evidence that the executive attempted to maximise the number of members eligible to vote before the procedure to change the rules was begun. Through questioning by Larkin, we find that a great number of branches did not get to vote at all, including the large Dublin branches, and it was the large memberships of the Larkinite branches that the executive members were unable to manipulate.

It is worth noting that 90 per cent of the union membership was based in Dublin at the time.[735] When Michael McCarthy, member of the executive and member of No.1 Branch, was asked by Larkin if there was ever a meeting of the No.1 Branch held in 1918 to vote on 'the revision of the Rules?' McCarthy replied, 'No.'[736] J.J. Hughes, a member of No.1 Branch, who drafted the rules under the instructions of O'Brien, and who was responsible for sending out notifications for voting on the proposed new rules to the branches, testified that the 10,000 strong No.1 Branch did not vote; and

[731] JUS 8/676, NA. See report by Detective Sergeant Byrne, 29 November 1924. This may even have been at the suggestion of O'Brien.
[732] *Attempt to Smash,* pp.8-12.
[733] In order to have control over the returns from branches, the executive needs only to ensure that at the time of the vote the branches amenable to them are fully paid up.
[734] *Attempt to Smash,* p.60.
[735] *Attempt to Smash,* p.39.
[736] He referred vaguely to an alleged 'Sectional meeting' and to there being 'too many members.'

he also testified that no instructions to vote on the rules were sent to the 5,400 strong No.3 Branch.[737] For the sake of illustration, if these Larkinite branches of the union had had the opportunity to vote on the rules, the figures voting against the new rules would have looked completely different: 6,876 for, 15,900 against.[738] The figure of 6,876 which voted for the new rules in 1918 looks even less impressive against the overall membership figure of 67,000 at that time.[739] During the testimony on the voting of the branches, Larkin pointed out that the No.1 Branch constituted 70% of the union at that time and was 'not permitted to vote.' The judge replied, somewhat contemptuously, 'if they didn't vote it is their own fault.'[740]

In the drive to further *democratise* the union in 1923 (for example, removing the right to the full ballot vote of the members),[741] it was more of the same. An impressive 105 branches voted to accept the new rules, and only 7 voted against their acceptance. However, it is not so impressive when one considers the fact that there were 350 branches at that time, and therefore 240 branches did not vote.[742] Again, as in 1918, the Dublin membership did not get to vote. The apparent machinations that took place at the No.1 Branch are of interest. Under questioning, John O'Neill, Secretary of No.1 Branch, and ally of O'Brien, agreed that the 13,000 members in No. 1 Branch had not been consulted. Noticeably, he was unable to deny Larkin's charge that he had sent in a false document saying that the membership had voted on the new rules. When asked by Larkin why the members had not been called together, he replied: 'Well I don't know. The matter was before the Branch Committee, and they gave me no instructions to call a meeting. They adopted the rules.' O'Neill also testified that the same Branch Committee elected the delegates for the Delegate Conference on 24 and 25 April 1923, which was convened to *approve* the new rules.[743] In relation to this, the Master of the Rolls, Judge O'Connor, showing only contempt for the general membership and indicating an elevated status for the officials, said that a meeting of the Branch Committee was 'for all practical purposes' a meeting of the Branch. A striking irony concerning the No.1 Branch is seen when O'Brien, who was the driving force behind the changes, was asked by Larkin if the No.1 Branch, of which he *was a member*, had voted on the new rules. O'Brien replied, curtly: 'I was not present at any Branch

[737] *Irish Worker,* 1 March 1923.
[738] As testified by O'Brien, the procedure was that if a branch voted unanimously, the total of paid up members was recorded (*Attempt to Smash,* p.29); as it is clear the executive did not want the No.1 and No.3 branches to vote in 1918 against the new rules, and as the No.1 and No.3 branches voted unanimously to suspend the Executive members in June 1923, we could transpose this unanimous vote to 1918—less the number of members who had fallen into arrears.
[739] *Irish Worker,* 23 February 1923.
[740] *Attempt to Smash,* p.38.
[741] See *The Workers' Republic,* 28 April and 5 May 1923 for this anti-democratic move.
[742] *Irish Worker,* 23 February 1924; *Attempt to Smash,* pp.116-117.
[743] *Attempt to Smash,* p.89; *Irish Worker,* 8 March 1924. In the report of No.1 meeting 3 June Larkin read out the list of No.1 delegates to the April conference, and the members said they did not elect them.

meeting.'[744] Clearly, the reason why O'Brien was not present at any meeting of the No.1 Branch that dealt with the rules, and why he, the *primum mobile*, did not get to vote on his own rules, was because there were no meetings called of the membership of the No.1 Branch that dealt with the rules. Overall, it is very difficult to avoid the conclusion that the whole voting process was very corrupt, and that it was engineered in such a way that would ensure victory for the executive. Not surprisingly, Judge O'Connor did not see it that way. He said the executive 'did their duty, with the utmost care and diligence, [and] with the utmost care and solicitude devised the very best means they could for the purpose of ascertaining what was the opinion of *all* the members of the Union before these rules were made the rules of the society [my italics].' This is clearly, and it would appear to be brazenly so, a very dubious interpretation of the numbers voting. Rather than creating the opportunity to vote, the executive were obviously keen to see that the majority of the members were excluded from the voting process.

The Master of the Rolls proved himself to be unconcerned with the nature of the democratic process that brought in the new rules. Indeed, he was not concerned with any of the charges Larkin brought against the executive members at the trial. For examples, O'Brien was illegally attending executive meetings as Vice-President in November 1917 (and this on the testimony of the O'Brienite, John O'Neill). On O'Brien's own admission he only became a member in January 1917 and would not, therefore have been eligible for office.[745] Allied with this was that Kennedy and McCarthy, who along with O'Brien played such a crucial role in events, were also not legal members of the executive. Judge O'Connor concedes that 'they were not legally entitled to act as members of the Executive'; however, in his ruling, he says it 'is a small' matter. Whether it was a small matter or not is beside the point, technically it could have been used against O'Brien and in favour of Larkin; needless to say, it was not.[746] One of the most serious abuses by O'Brien was when he deliberately flouted the provision within the rules to present the new rules (of 1923) to the General Secretary prior to registering them. When asked by Larkin why he had not complied with this requirement, O'Brien retorted: 'Because you were not discharging your duties.' Interestingly, but not surprisingly, O'Connor did not ask O'Brien why he thought he was entitled to decide this point of law.[747]

[744] *Irish Worker,* 15 March 1924.
[745] *Irish Worker,* 1 March 1924.
[746] *Attempt to Smash,* p.122.
[747] At the hearing, Justice Powell had asked Larkin why he thought he was entitled to decide on points of law; apparently, O'Brien was not to be asked any such uncomfortable questions.

RULE 33

In his summing up of the Consolidated Action, Judge O'Connor spent a lot of time discussing rule 33. He quoted it: 'The Rules shall only be altered by the Executive Committee after amendments have been asked for and sent in by the Branches, such amended rules to be finally voted on by the members.' This rule is absolutely central to Larkin's case. He argues that because the changes in the 1918 and 1923 rules came from the executive and were not the result of amendments sent in by the members, both these sets of rules were invalid. The judge is forced to confront this issue, and he does so by miraculously converting the meaning of the rule into its opposite. He begins by saying that the rule was not 'a very satisfactory one,' because there was 'no mode of asking proscribed.' It could only mean, he continues, that the amendments were to be collected in the 'most convenient way or possibly the only convenient way.' The members 'needed a central authority to guide them, and give them suggestions as to what kind of amendments they ought to put forward.' A 'common sense reading' of rule 33 must allow that 'amendments [would] be sent in by the branches *after* suggestions to the Branches by the Executive Committee [my italics].' The Judge conceded that Larkin would say:

> [T]hat was an entire inversion of the order of proceedings, because under rule 33 amendments should be asked for and sent in by the Branches, and Mr. Larkin would say that in this case they had the amendments proposed and suggested by the Executive. But now, what was the duty of an Executive Council of a great Union like this? They were working the Rules every day. They were men full of experience, selected on account of superior intelligence.[748]

Due to their *superior intelligence* the executive 'would know the wants of the Union better than any other people,' and it was 'their duty to communicate their ideas to the Branches.' For Larkin, the rule simply meant what it said: that amendments can only come from the members and not from the officials (in this way, the members will always have ultimate control). Larkin told O'Connor: 'I know what it means. I wrote the rule, my Lord.'[749] The Master of the Rolls, in his wisdom, insisted on his

[748] *Attempt to Smash*, p.60

[749] *Attempt to Smash,* pp.59-60, 116-118; *Irish Worker,* 16, 23 February, 1 March 1924. That James Connolly left this rule intact after the revision of the rules in 1915 tells us he approved of it. Adhered to correctly, this rule ensures the union remains under the control of the general members. Thus, it could be argued, Connolly and Larkin, despite the dominance and presence they had in the union, were ultimately more democratic than O'Brien *et al*; which is not to say that any of them were particularly democratic. However, there is an aspiration to democracy underlying rule 33.

own interpretation of rule 33. Thus, he ruled that the 1918 and 1923 rules were constituted in accordance with rule 33 of 1915, and he found for O'Brien *et al*.[750]

Following the court *victory* of the executive in February, 1924, Larkin was informed by the executive he was to be expelled from the Union. At the time, Larkin pointed out that this procedure was invalid as the judgement of 20 February was under appeal. The executive members, perhaps emboldened by Judge O'Connor's ruling, felt that they could act with impunity and expelled Larkin from the ITGWU on 14 March. However, the battle was far from over. If O'Brien was to succeed against Larkin, it was necessary for him to go after Larkin's Dublin base; that is, to somehow cause a breach between the Dublin members and Larkin. It is even quite possible that, failing this, O'Brien had contemplated losing a very significant number of Dublin members, rather than allow them to remain a threat to him within the union. In essence, this meant going after the No.1 Branch which contained staunch loyalists like Barney Conway, Pat Forde and Bernard Finnegan.

THE GAS STRIKE

A very significant strike broke out in the Dublin Alliance and Consumers Gas Company on 14 May 1924, which was to have considerable repercussions for the No.1 Branch. The gas company had already achieved a significant victory against the ITGWU when forcing through a wage cut in the New Year; and disregarding any threat of strike somewhat contemptuously, they appear to have been in bullish form.[751] There were a number of issues in the dispute that erupted suddenly in May: a delay in introducing an agreement of 23 December the previous year; the position of a steam wagon driver, Mr Ward; and the principle of union-membership, concerning Christopher Dunne (the gas company was refusing to recognise Dunne's union membership upon his promotion). The executive claimed that it was the right to union membership that was the principal issue. The striking gas workers viewed Dunne's union rights as sacrosanct, guaranteed by the constitution and therefore not an issue.

The minutes of the gas company's Board meetings reveal that they were digging in their heels in relation to these issues. On the 26 April it was decided 'in the event of further developments in the case of C. Dunne that the [gas company] Board would stand behind and support the action and decision of the [Wages] Committee in every way.' One month later, this was reiterated: it was

[750] *Attempt to Smash,* p.117.
[751] Dublin Gas Minutes, 2004/48/Dublin Gas Company Minute Book, 1914-1926, NA, (464, 472). On 13 Dec 1923, wherein it is discussed that 6/- is to be deducted in the New Year; letter to ITGWU saying disappointed with their threat of strike but they are going to go ahead with the cut regardless; and see 31 Jan 1924.

'unanimously resolved to support … the Wages Committee in [the] Dunne case.' And, with an apparent hardening of resolve and the seeming anticipation of industrial disruption arising out of the Dunne case, it was added: 'Mr Murphy and Mr MacMahon to have plenary powers of action in the case of emergency.'[752] This is the same James MacMahon who was credited by W.E. Wylie (himself, law adviser to the Irish government from 1916 to1929) with securing the passage of the Treaty. It was also seen that he played his part in Dublin Castle in keeping Larkin out of Ireland when he was Under Secretary, when the War Office had advised him that internment would be considered in 1919). MacMahon had considerable business interests:

> When Dublin Castle was formally handed over to Michael Collins it was MacMahon who introduced the departmental heads to their new ministers. MacMahon's interest in railways led him to the directorship of the old Dublin and South Eastern section of the Fishguard & Rosslare Company. In 1925 he joined the board of the Great Southern Railway Company and remained there until 1945. He was also chairman of the Dublin United Transport Company, vice-chairman of the Grand Canal Company, [and] chairman of the Dublin Gas Company.[753]

Significantly, MacMahon, capitalist and chairman of the Dublin gas company, would now play his part against Larkin and the gas strikers, in what was to be the final blow that would smash what was left of Larkinism in 1924.

Negotiations had been dragging on for nearly six months between the union and the company (they had been having weekly meetings since January),[754] when unexpectedly the ITGWU executive gave the *official* order to strike on 14 May.[755] The following day, the *Freeman's Journal* complained that the strike was 'sprung upon an unsuspecting public', and lamented: 'for the first time in 17 years, Dublin was without a jet of gas.' According to the ITGWU Annual Report for 1924, the executive claimed that they 'had an excellent case' and, having held a meeting with the gas workers, the strike was given official status. The workers, however, wondered why the executive had suddenly called a strike. The ITGWU had sent a letter to the gas company on 12 December 1923 stating that if the cuts that were threatened went ahead, the gas workers would go on strike.[756] The cuts went ahead in

[752] Dublin Gas Minutes, 2004/48/Dublin Gas Company Minute Book, 1914-1926, NA, (482); 30 April, 1924.
[753] See DIB.
[754] *Freeman's Journal,* 29 May 1924.
[755] This is the usual date used to signify the start of the strike. The strike actually began at the start of the 10.00pm night shift on the 13 May, see *Freeman's Journal,* 14 May 1924
[756] Dublin Gas Minutes, 2004/48/Dublin Gas Company Minute Book, 1914-1926, NA, (464).

January 1924, but there was no move from the executive to follow up on the threat of strike. Then suddenly, the strike was called in the middle of May. It is manifest that the executive did not want to have any direct contact with the strikers. The 1924 annual report referred obliquely to the men having a meeting with 'the Branch officials in charge'; and the *Voice of Labour* referred vaguely to a 'meeting of the men … addressed by the official of the Branch in charge,'[757] (the official was George Spain). The gas workers claimed that during the strike the executive failed to communicate with them: 'From the time this dispute began … we received no advice from the Executive of the I.T. and G.W.U., nor did any member of the Executive attend any meetings of the men to give them advice in any shape or form.'[758]

They also claimed that George Spain 'had no power from the Executive to direct or give any advice on their behalf.'[759] Their main charge was that the executive had brought them out, and then they were refused strike pay (the executive would claim this was due to Larkin taking over).[760] When George Spain met with the men on 15 May and suggested they submit matters to a Court of Inquiry, and vote to return to work pending the Court's findings, the men rejected this and decided to throw in their lot with Larkin. The executive claimed that the members 'allowed themselves to be stampeded' into Larkin's control, and 'repudiated the authority of the Union.'[761] A few days previously, on Monday 12 May, aware that the notice to strike had been issued and would come into effect on the 14 May, Minister McGilligan met both sides in the dispute. Seeing that 'there were other grievances' the Minister suggested that an independent person be given an opportunity to inquire into all the issues. The men rejected the proposal, and the Minister appointed a formal Court of Inquiry.[762] It is worth noting that although McGilligan made very little reference to these events in his private papers; he was, however, fully aware of the significance and consequences of the dispute between the revolutionist Larkin and the reformist O'Brien in the Transport union. This is seen when he wrote that the dispute had 'an underlying significance far greater than any mere industrial dispute.'[763]

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[757] ITGWU Annual Report 1924; *Voice of Labour* May 31 1924.
[758] *Freeman's Journal* 17 May 1924. Also, see *Freeman's Journal* 19 May 1924 and *Irish Worker* 24 May 1924.
[759] *Irish Worker* 24 May 1924; Spain was an ally of the executive, who had moved that the new rules be accepted at the Special Delegate Conference in April, 1923.
[760] The executive claimed the dispute was about the right to union membership; the strikers denied this.
[761] Devine, F *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) p.162; quoting from ITGWU annual report 1924. However, it would appear it was only after the Executive instructed the men to return to work, that the call for Larkin's leadership was made.
[762] Dáil Debates, 16 May 1924; see the Houses of the Oireachtas, www.oireachtasdebates.oireachtas.ie, accessed 31 August 1924.
[763] Patrick McGilligan Papers, P35b/1, UCDA; clearly, McGilligan is aware of the significance of this battle for the conservative, pro-capitalist Free State, between the reformist O'Brien and the revolutionist Larkin.

The Court of Inquiry was opened under the presidency of Mr Fred Allan (chair, and an official of the department) at 24 Kildare Street (Dept. Industry and Commerce) on 16 May. The court commenced at 11.00 am but no deputation from the ITGWU attended; however, a letter from the ITGWU was delivered to the court concerning Larkin's role in the strike. At 11.30 am two men from the Dispute Committee entered informing Allan that the strikers had made the decision to be represented by Mr James Larkin. The Court then adjourned until 15.00 pm,[764] while Mr Allan went and informed Minister McGilligan, who was attending the Dáil, of the development concerning Larkin and the ITGWU. The Minister, who had been asked earlier in the day if he had any news concerning the gas strike, was now in a position to respond. He informed the Dáil that the ITGWU executive had written to the Court saying they were unable to represent the men at the Court due to the men appointing 'a person [Larkin] who is not an official or a member of this Union' as their representative. This was confirmed, he said, when a deputation of the men told the court they had decided to choose Larkin as their representative. Having 'considered the position very carefully,' the Minister said he was of the opinion that the men had repudiated their union and their executive, and the strike was now unofficial. He could not proceed if the ITGWU executive was not a party to the Court, and 'I have, therefore, informed Mr Allan that I do not see my way to amend the terms of reference so as to exclude the Union [and allow Larkin to be the representative].' If business between employers, government and workers, who repudiated their own Union, was to be conducted in this way, he insisted, there would be 'chaos'.[765]

The Minister was not concerned enough about the *chaos* that was visiting the denizens of the city due to the lack of gas, as highlighted in the national press, to allow the men to choose their own representative as the way to bring about an end to the strike. The *Freeman's Journal*,[766] blaming the strikers, complained that 'thousands of people have to endure inconvenience and actual hardship, industries are being closed down, and the normal life of a great city is thrown into confusion.' If the Minister's intention had been to find a means of achieving a settlement, he had not succeeded. In the Dáil he had said that a member (Dunne) of the union was refusing to give up his union membership upon promotion, which was a matter of principle as far as the union was concerned. This principle was to become the focal point of the terms of reference. The men on strike, however, did not see it that way, and said so in a letter to the Minister:

> That principle is not a matter for argument and does not come before the Court of lnquiry set up by the Government. It is a constitutional

[764] *Freeman's Journal,* 17 May.
[765] Dáil Debates, 16 May 1924.
[766] 20 May 1924.

> right. Therefore the point raised by the Minister for Industry and Commerce was outside the scope of the Inquiry.

They also pointed out that the Minister had been discourteous in not allowing them to discuss the terms of reference, by which means the terms could be mutually agreed upon and progress made.[767] This type of unilateral action by the Minister was hardly going to clear the way for a smooth settlement, rather the Minister's actions tended to hinder its realisation. This was a very serious dispute for the public, who were left without a main resource, essential to heating and cooking; a resource that was equally as essential to industry and employment. And yet, rather than ensuring a speedy end to the dispute (and allow the Union to sort out its own internal affairs), the Minister was prepared to stand on ceremony and allow the dispute to continue. Clearly, the effect of the Minister's hard line was to isolate the gas workers and bolster O'Brien. The pages of the *Irish Worker* abounded with rumours of State collusion with the ITGWU executive. The Minister concluded that without the Court of Inquiry, the 'regular and recognised channels of negotiation' with the 'Union officials' must be pursued. The Minister's public proscription of not dealing with strikers who repudiate their union officials was not a factor, as we will see, when the strikers and the gas company but *not the executive* soon met behind closed doors to make an 'amicable settlement.'

On the other hand, it must be said, the actions of the gas workers' committee are hardly beyond reproach. It is almost certain they set out to scheme against the executive once the strike had been called. They knew Larkin had been expelled and therefore had virtually no chance of being allowed to represent the men (certainly, individuals can be brought in as mediators in such situations; the exact legal status of a mediator who has been expelled may be problematic, however). For their part, the Dispute Committee demanded that the Court of Inquiry be re-opened to resolve the issues and get the gas back on for the public. To this end, they maintained, the 'trivial matter' of who represents them should not be a factor. They claimed the right to choose their own representative, in the same way as the government and the gas company had chosen theirs.[768] In a statement Pat Forde and Bernard Finnegan said that if Thomas Foran, ITGWU president, had dealt with this issue months ago 'this crisis would never have arisen.'[769] The objective of the gas workers was to win the strike and associate Larkin with the victory. If they lost the strike, they could always blame the ITGWU executive.

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[767] Letter from Dispute Committee dated 16 May 1924 in *Irish Worker,* 24 May 1924.
[768] *Freeman's Journal,* 23 May 1924.
[769] *Freeman's Journal,* 19 May 1924.

Indeed, the question does arise as to why it had not been dealt with earlier; or even more pertinently, why it only now resulted in a strike. Earlier, we saw that it was George Spain who had been sent to meet the strikers (rather than anyone from the executive). In an interesting, if abstruse, letter in *The Irish Worker*, it is claimed that the man (Spain) who was sent to meet the strikers was a 'Plant' that was 'worked up in the Ministry of Industry and Commerce, in collusion with D'Olier Street [the gas company offices] and Parnell Square [HQ of the ITGWU].' The suggestion is that Spain was sent to precipitate the strike that would lead to the attempted occupation of Liberty Hall by the Larkinites (the No.1 Branch was based in Liberty Hall). The letter contends that Labour Minister Joseph McGrath was not ruthless enough with the working class, and McGilligan (appointed by Governor General James McNeill into the Irish administration) and Gordon Campbell (a freemason, and son of Lord Glenavy) were appointed in his stead. The letter also brings into the equation W.R.E. Murphy (another of McNeill's appointments) and Hugo MacNeil (head of the Dublin Military). The writer sees it all as part of a great Masonic plot.[770] The freemasons aside, there is no doubt that individuals, and groups, were trying to determine events to their own ends.

The executive had been having trouble for some time with this militant section of the Dublin membership. Thomas Foran had complained that they trying to undermine him and the union; interestingly, this trouble was taking place when there was no sign of Larkin returning to Ireland, and indicates how militant this section was.[771] Both sides, of course, blamed each other. There should be no doubt that Larkin was anticipating events, and communicating with the gas workers and he certainly had the full confidence of the leading militants within the gas section. Events moved quickly, and some were determined by the executive and the Ministry of Industry. In any case, Larkin very quickly assumed control. This was at least as early as the second day of the dispute because on Thursday 15 May, Larkin, Pat Forde and Bernard Finnegan, Chairman and Secretary of the Gas Workers' Strike Committee met Grey and Dumbleton, Secretary and Chief Engineer, of the gas company, to begin settlement proceedings. It was at this point that William O'Brien wrote to John O'Neill on 17 May and told him the executive would not sanction strike pay due to the control of the strike being put in the hands of a *non-member* (Larkin) of the union. Formally, on 20 May, Bernard Finnegan, Secretary of the dispute committee, had written to Larkin and told him that by a vote of 407 to 41 he was requested to attend the meeting of the gas workers that evening at the Mansion House. Larkin, not the executive, *officially* became the strike leader. The reason for this vote may have been due to dissent within the ranks of the strikers (41 voted against Larkin), but it was more likely to have been orchestrated by Larkin as a public stunt to counteract the charge by the executive

[770] *The Irish Worker,* 31 May 1924.
[771] See *The Workers' Republic,* 5 Nov 1921.

that the gas workers had been 'stampeded' into recruiting him. It was difficult times for the executive; the gas workers had received a pledge of support from the coal section,[772] and the dockers were waiting in the wings. If these combined their forces, Larkin would exponentially increase his representation over the Dublin membership. It was difficult times for the gas strikers, too. Although it was partly of their own devising, the gas workers were now out on a limb, represented by Larkin but repudiated by the ITGWU. The scenario therefore created by the gas strike, with the alleged collusion of the gas company management in not conceding to the workers' demands, and the alleged collusion of Minister McGilligan in not allowing the men to attend the Court of Inquiry, allowed the ITGWU executive to isolate the gas workers from the union.

THE PORT, GAS & GENERAL WORKERS' PROVISIONAL COMMITTEE

At the Mansion House, Larkin told the men not to pay their contributions to the ITGWU, but to pay them to the Gas Workers' Dispute Committee.[773] It is not clear what Larkin's ultimate objective was, here. There should be no doubt he was trying to provoke a coup, with the aim of regaining control. Within a week he would be going to Russia to be elected onto the Executive Committee of the Communist International, and he would not have wanted to be seen to have lost complete control of the prestigious ITGWU. However, his instructions to have contributions diverted from the ITGWU and paid into the Dispute Committee would shortly be followed by the formation of the Workers' Union of Ireland.[774] A notice of the Port, Gas and General Workers' Provisional Committee dated 30 May was printed in the *Irish Worker* on 7 June; but prior to this publication Peter Larkin announced at Beresford Place that the 'Provisional Committee … was formed for the purposes of carrying on the union [that is, the ITGWU].'[775] This development split the One Big Union in two.

[772] *Freeman's Journal*, 21 May 1924.
[773] Devine, F., *Organising History: A Centenary of SIPTU* (Dublin; Gill & MacMillan: 2009) p.156.
[774] Significantly, there is a report of a meeting on Sunday 1 June in the 7 June *Irish Worker*, at which Larkin was present and at which it was decided 'unanimously to pay [union] contributions into "The Port, Gas and General Workers' Provisional Committee" for the future, and to turn their backs finally on the traitors who had battened on the workers of Dublin City.' The *Freemans' Journal* (2 June 1924) reported Larkin saying that he 'had laid his plans and devised his schemes, but the time had not come for disclosing them, except to say that a Provisional Committee had been appointed to take members' contributions which had hitherto been paid-to the so-called Executive of the Transport Union.' This would strongly suggest Larkin was aware of the move to form a new union. On 3 June, The *Freeman's Journal* reported that Barney Conway had said at a meeting in Dun Laoighaire that a new union had been formed.
[775] JUS 8/676, NA: DMP Report C Div., by Inspector McCarthy, 5 June 1924. The address given for the 30 May notice is George's Quay; the address for subscriptions given by Peter Larkin is Luke Street. Luke Street runs due south from George's Quay on the South quays; in a DMP report of 9 June 1924, Peter Larkin twice refers to the offices of the union being in Luke Street; George's Quay is the general area, the address is: Luke Street, George's Quay.

HERO OR WRECKER?

Although this thesis is looking at the treatment of Larkin by the agencies of the state (as mediated by the people that make up the state), it is a suitable point in the thesis (the division of the One Big Union movement) at which to address one of the salient issues in recent Larkin historiography: was Larkin a *hero or a wrecker*? Although one is not necessarily restricted to the terms of the question (the question may need reformulating), it will be addressed in this form. This question is posed most forcefully by Emmet O'Connor; and it must be said that O'Connor makes a case for the jury coming down on the latter verdict.[776] O'Connor claims that Larkin's 'egomania' drove him to split the union and that he 'preferred to put his case in the court of [civil] law'.[777] However, there are reasons why the jury should remain out. Firstly, Larkin did not bring the issue of the control of the union into the civil courts, it was O'Brien who did that. This is an incontestable fact (see above). Larkin had used the mechanisms of the Branches to oust the EC. When O'Brien brought the issue to the civil courts this was the major factor in the union being split. If matters had been settled within the union's structures, O'Brien would have been ousted, not Larkin, and there would have been no split in the OBU. Secondly, Larkin did not initiate the formation of a rival union (the gas workers and Peter Larkin were responsible for this; although, certainly Larkin's actions did not help; and he probably knew it was on the cards). And thirdly, Larkin is one of the few individuals who built organisations that were effective and lasted (and on this point, O'Connor is in agreement). But more than the success of the ITGWU and the WUI,[778] it was because of people like Larkin that the working class achieved a sense of pride and a sense of purpose, and found means and ways of improving their lives. And this first principle, Larkin never impugned. This sense of pride and purpose is far less tangible than a wage increase or a union office, but in many ways it is far more important; and its effects may not yet have been fully realised (that is, it is still possible that ordinary working people, across the working population, will one day take power away from corporate capitalism and create a relatively equal society). This contribution of Larkin to a working class *weltanschauung* is a far greater legacy than

[776] The question is posed in the 2002 biography and forms the title of the conclusion. A conclusion in which Larkin is both praised and criticised. O'Connor's 2015 biography repeats the charge, and sees the later Larkin as a *wrecker*. O'Connor writes that Larkin 'preferred to put his case in the court of law'; see O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015).* Also, see O'Connor, E., *Reds and the Green: Ireland, Russia and the Communist Internationals 1919-43* (Dublin; UCD Press: 2004); wherein O'Connor shows that Larkin was obstructive in relation to building communism in Ireland; however, as communism was probably never going to develop in Ireland, Larkin can hardly be accused of wrecking it.

[777] O'Connor, E., *Big Jim Larkin: Hero or Wrecker? (Dublin; UCD Press: 2015)* pp.215-216.

[778] And the resultant Services Industrial Professional and Technical Union.

can be provided by an interpretation of the personal difficulties and in-fighting that took place in Dublin when Larkin returned from America.[779]

Apropos the gas strike, the *Freeman's Journal* (28 May) castigated Larkin and his methods:

> Notoriously, Mr. Larkin has been searching for a stick with which to beat the official leaders of the Transport Workers' Union. Whatever may be the rights or wrongs of this quarrel, it is being used to intensify and complicate every Dublin trade dispute … [he is] determined to use the men as pawns in his battle to capture the Union.[780]

Journalists hung around the offices of the gas company and were told that due to the problem becoming a battle between Larkin and the ITGWU there was no prospect of an early resumption of work:

> Mean-while Dublin must remain without gas … The Ministry of Industry was in communication with the Gas Co. and the I.T.G.W.U Executive yesterday, but no official statement was issued. It was learned, however, that *all were agreed that no … solution of the dispute is possible at the moment without the ITGWU* [my italics].[781]

As it turned out, the gas company *was not* holding out against Larkin. We shall return to this point after we look at a major development that took place at Liberty Hall.

LIBERTY HALL IS CLOSED

With no apparent breakthrough imminent in the gas strike, a significant development took place at the symbolic heart of the Union. O'Brien gave orders to close Liberty Hall. Initially, according to DMP police reports, the hall was only to be closed on the 25 May for one day; however, O'Brien would

[779] I do not suggest that O'Connor presents the question '*hero or wrecker*?' simplistically. O'Connor's position, as I understand it, is that it is regrettable for Larkin's legacy that he played a destructive role in Ireland when he returned. In his 2002 biography, O'Connor does not sum up Larkin simply as a *wrecker*. Of course, beyond the scope of this thesis is Larkin's involvement with the development of communism in Ireland, for which he comes under severe criticism, see McGuire, C., *Roddy Connolly and the Struggle for Socialism in Ireland* (Cork; CUP: 2008), and O'Connor, E., *Reds And The Green: Ireland, Russia and the Communist Internationals 1919-43* (Dublin; UCD: 2004).
[780] 28 May 1924.
[781] *Freeman's Journal* 27, 28 May 1924; *Irish Independent* 27, 28 May 1924.

subsequently ring Store Street station to say it was to be 'closed up for an indefinite period.'[782] There are a number of reasons why the executive, resolved to close the Hall. The immediate reason was because the Gas Workers' Strike committee was receiving monies at the Hall, in the No.1 Branch. According to the ITGWU Annual Report, a Larkinite picket was placed at the entry 'to forcibly divert members' union contributions to the gas workers' committee.' It also reported that officials working there 'were subject to a campaign of abuse and personal violence,' at which point '[t]he E.C. found it necessary to issue an order closing Liberty Hall from Sunday, May 25th.'[783] Also, this move of O'Brien's would really discommode the operations of the Committee and the other members sympathetic to Larkin. Another reason (as the Larkinites claimed) was that the closure of the Hall, which was advertised in the press, was likely to provoke them into an action proscribed under the 1924 Public Safety Act. In any event, the Strike Committee and other loyal Larkinites resolved to stay within the offices of their union branch on the day it was to be closed. How predetermined this move was on O'Brien's part is difficult to tell. If it was predetermined, was it part of a larger plan to oust the Larkinites from the Union, Larkin himself already expelled at this stage? It turned out to be a fortuitous move on O'Brien's part because it led to the displacement of the militant vanguard within the No.1 Branch and, eventually, to the exodus of a sizeable proportion of the Dublin membership from the union.

On 24 May 1924, at 'about eleven o'clock,' when Peter Ennis, caretaker of Liberty Hall was about to lock up the Hall, a number of 'members of the union' approached him and informed him 'they were going to take possession of the building.' The leader, Bernard Conway, told Ennis that he was taking 'full responsibility for [it].'[784] Sometime after 1.45 am[785] and before 2.30 am on the 25 May, William O'Brien rang the Detective Branch in Dublin Castle and said that 'about twenty men had taken forcible possession of Liberty Hall.' He said he 'believed the men were armed,' and asked that they 'be removed.' At 2.30am, Detective Branch then rang Store Street Station, who had jurisdiction for the area; and they also rang the Military authorities. At 5.00 am a military detachment from Collins' Barracks, which had arrived at Liberty Hall at approximately 3.00 am, moved into action.[786]

> The soldiers were accompanied by an armoured car and a machine-gun mounted on a lorry. The machine-gun was trained on the building

[782] JUS 8/676, NA, DMP reports C Div., 25, 26 May, 1924.
[783] ITGWU Annual Report for 1924, and see *Voice of Labour* 31 May 1924.
[784] JUS 8/676, NA, Statement of Peter Ennis, Store Street Station.
[785] William O'Brien claimed in court that he 'Received a communication at 1.45am,' and having failed to contact Peter Ennis by phone, 'He then communicated with the police.' Court Transcript quoted in *Irish Worker,* June 7 1924.
[786] JUS 8/676 NA, DMP report by Sergeant Langan, Store Street Station, 25 May 1924.

> as the troops entered. Simultaneously it was surrounded by the forces … [The soldiers] were accompanied by police detectives and constables.[787]

This is a remarkable allocation of State resources to deal with what was, in effect, an internal dispute within the union. Of course, it was following the pattern of intervention by the state against the radicals within the labour movement internationally (see above). What phone calls were made between the time when O'Brien rang Detective Branch shortly after 1.45 and 5.00 am when the police and military entered the Hall, is difficult to know but they almost certainly involved Kevin O'Higgins, W.R.E. Murphy and the head of the Dublin Military, Hugo MacNeill. The authority of these individuals was required for such an operation to take place; and it is highly unlikely that O'Higgins, who was being kept abreast of events by Murphy, would not be involved in the decision-making that night. Certainly, it can be seen from Langan's report (below) that Chief Commissioner Murphy was in communication with Store Street, certainly after 2.30 am, when he issued instructions on what was to be done with the Larkinite members of the union.

When the military authorities gained entrance to the Hall, they found 45 men inside: 'They had no arms, nor were any arms found on the premises. They did not offer any resistance.' Following the instructions of the 'Chief Commissioner [Murphy]' they were 'arrested for taking unlawful and forcible possession' of the Hall. Bernard Conway protested at the unfairness of such treatment: 'I am Chairman of the North Wall Workers. We are all members of the union and helped to build this place. We have as much right to be in it as "Hoofey" [O'Brien] and his crowd.' Nevertheless, by 'direction of the Chief Commissioner [Murphy]' the forty-five were taken off to the Bridewell by the police and military, where they were detained. Pending further instructions, a 'military guard [was] posted inside the building.'[788]

Interestingly, at 12.00 noon on 25 May, some seven hours later, 'the Military guard was withdrawn.' Larkin entered and made a speech from an upper window, in the course of which he 'advised the Union members to go into No.3 room and pay their contributions to the [Gas] Strike Committee.'[789] As regards the 45 arrested members, Larkin charged that 'such action had never been taken by any other government.' He criticised the executive and claimed 'that a collusion existed between the Government and Messrs Foran and O'Brien, for the suppression of the working man.' Immediately after Larkin left, a number of the men entered Liberty Hall to pay their dues, and remained there

[787] *Freeman's Journal,* 26 May 1924.
[788] JUS 8/676 NA, DMP report by Sergeant Langan, Store Street Station, 25 May 1924.
[789] This was to become the Port, Gas and General Workers' Provisional Committee, and then the WUI.

with the intention of re-possessing it. Meantime, the union executive, in solemn conclave at Parnell Square, was laying its plans. Later, at 11.15 pm, O'Brien rang Store Street Station and told the police on duty that 'Liberty Hall would be closed up for an indefinite period.'[790]

It is almost certain that O'Brien was in communication with O'Higgins on the evening of 25 May, keeping the Minister informed and discussing options; and he may even have been in contact with W.R.E. Murphy and told him he was closing the Hall indefinitely (although it may have been O'Higgins who informed W.R.E. Murphy of this development). We know W.R.E. Murphy was aware of O'Brien's intentions to close the Hall because Sergeant Langan reports: 'In regard to this [O'Brien's closing of Liberty Hall indefinitely] a message was received from the Chief Commissioner directing that police protection be given to the place.' That night, a sergeant, some constables and plain-clothed policemen established a guard around the Hall.[791] Notably, at this juncture, the Larkinites who had re-entered Liberty Hall are not evicted and remain in possession (although this would not be for very long).

It has been seen that there was a level of collusion between O'Brien and senior members of the revolutionary Dáil in 1920, and again with senior members of the Provisional Government in 1922. O'Brien was most likely made to feel that he could manipulate events and individuals, including the police (who were soon to make their displeasure known, at least privately) by virtue of the fact that the government was *on his side* in the struggle against Larkin. This confidence was probably derived directly from his relationship with O'Higgins *vis á vis* Larkin. Notwithstanding that he was a trade unionist and a member of the Labour Party, O'Brien was much closer to O'Higgins politically than he was to Larkin;[792] both of them wanted Larkin marginalised, and the revolutionary section excised from the union. On top of this, Larkin's developing involvement with communism at this time would also alarm the Free State.[793] Concomitantly, there was a sizeable sector within the Free State, that was unstable politically, and potentially revolutionary: 'The IRA numbered almost 13,800 volunteers in August 1924 and, in Comintern eyes, these were ripe for the plucking.'[794] O'Brien was a supporter of the Treaty, and had little sympathy for the anti-Treaty IRA. From this common objective he shared with Minister O'Higgins, O'Brien doubtless derived confidence in his dealings with the civil authorities. An interesting dynamic would have been in play, O'Brien was no fool and he knew that

[790] JUS 8/676, NA, DMP report by Sergeant Langan, Store Street Station, 26 May 1924.
[791] JUS 8/676, NA, DMP report by Sergeant Langan, Store Street Station, 26 May 1924.
[792] The personality *issue* between Larkin and O'Brien was not of the same significance, and could not have determined such events as the intervention by the state.
[793] As it turned out, Larkin maintained independence from the Comintern; he insisted on the communist section in Ireland being called the Irish Worker League. As Desmond Greaves commented, Larkin would never have allowed himself to become a puppet of the communists.
[794] O'Connor, E., *James Larkin* (Cork; CUP: 2002) p.80.

the State would him to win against Larkin not because of any sympathy they had for the ITGWU but because they wanted to crush the anti-employer militancy within it. Businessmen and big farmers had been the first to hail the Treaty, and 'a solid nexus of political interest bound employers and Saorstát Éireann.'[795] O'Brien would have proceeded knowing the motives behind the government's *assistance*; undoubtedly, reducing the militancy of the union was part of O'Brien's designs for the ITGWU. However, we can view O'Brien as a pawn in a larger game, and he was to some extent, like Larkin, a victim of the processes at play in the wider clash between Labour and Capital.

At 10.20 pm on 26 May, O'Brien rang Store Street again. He told the Duty-Sergeant that Peter Ennis, the caretaker, would be arriving at 11.00 pm to 'take charge' of the Hall and requested that police protection be provided for him; this request was granted and 'sufficient police were posted in the neighbourhood.'[796] That same evening, a number of the men remained in the building, and locked the door at 11 pm. As it was not clear if Peter Ennis had turned up yet, Sergeant Langan, who was on duty in the vicinity, decided to establish the identity of the men inside the Hall. He knocked at the door and was admitted inside. The men told Langan that they were all members of the Union, but they were not 'followers of Mr. O'Brien [nor had they] been sent there by him.' Langan then withdrew. Shortly after, at 11.30 pm, Ennis arrived and after some 'heated words' he was refused admission. When Ennis failed to 'take charge' of the Hall, 'Alderman O'Brien asked that the police would force an entrance to the place and remove those inside.' At this point, Superintendent Martin Freeman consulted Deputy Commissioner Barrett and Chief Commissioner Murphy on the question of eviction and as a result of this consultation, he told Mr O'Brien that the 'course [to evict] would not be taken by the police at the present juncture.'

At this point it can be clearly seen that O'Brien was trying to force a confrontation between the police and the Larkinites (in the context of the 1924 Safety Act). He had just asked the police to 'force an entrance'; when this was not forthcoming, he then said 'access to the building could be gained through the back entrance,' and revealed that he had 'the keys.' He then told the police he would send a group of men to 'enter by that means.' Superintendent Freeman told him that 'protection would be given to these men [O'Brien's men.]' The police report noted that Larkin's followers remained in occupation of the Hall that night, and that there was no sign of O'Brien's men.

[795] O'Connor E., *Syndicalism in Ireland: 1917-1923* (Cork; CUP: 1988) p.154; also see Jesse D Clarkson *Labour and Nationalism in Ireland* (New York; AMS Press: 1970, 2nd ed.) pp.450-451.
[796] JUS 8/676, NA: DMP report by Sergeant Langan, Store Street Station, 27 May 1924.

In a final paragraph, Station Sergeant Langan was quite critical of the actions of O'Brien:

> Liberty Hall had been open throughout the day, and had Mr. O'Brien chosen to do so, he could have sent his men to occupy and retain possession of it, just as did the followers of Mr. Larkin. Instead of doing this he waited until the place would be locked up, and then asked the police to break into it and forcibly remove those who remained on the premises, and who claim a right to be there.'[797]

This final paragraph was for the attention of W.R.E. Murphy, who was in turn quite critical of O'Brien in a handwritten note to Minister O'Higgins.

On 27 May, W.R.E. Murphy submitted the police reports (of 26 May) on the events at Liberty Hall to O'Higgins. It is most likely that O'Higgins and Murphy had discussed what action to take in the event that O'Brien's people should take over the Hall because in a handwritten note accompanying the reports, he told the Minister that he instructed the police 'to ensure that if Mr. O'Brien took over possession of the hall that his men would not be ejected.' This would appear to be an endorsement of a contingency that had been previously discussed. Nonetheless, Murphy is obviously not impressed with O'Brien's management of the situation. He complained to O'Higgins that following the eviction and arrest of the 45, 'Mr. O'Brien took no measures to occupy Liberty Hall.' Then, referring to O'Brien's request that Liberty Hall be cleared again for the second time, Murphy's tone became slightly aggrieved: 'I do not regard it as a duty devolving upon the police[.]' Although Murphy probably suspected, at the very least, that O'Brien was enjoying O'Higgins' patronage, he seemed to strongly resent any notion that the Dublin Metropolitan Police might be at the beck and call of O'Brien (as was being claimed in the *Irish Worker* at the time). He then made a casual, if significant, remark in relation to O'Brien's difficulties with the Larkinites, 'Mr. O'Brien has his remedy in the Civil Courts.'[798] Ironically, as it turned out, the courts proved to be quite the remedy for O'Brien. We shall return to this when we consider the fate of the 45 at their trial.

THE 45 ARE TAKEN TO THE BRIDEWELL

After the 45 had been arrested at Liberty Hall they were taken by the police and the military to Bridewell Station. Later that evening, a message from 'Jim' to commence strike until the 45 had been

[797] JUS 8/676, NA, DMP Sergeant Langan, C Div., report 27 May 1924.
[798] JUS 8/676, NA, DMP Office Memo 27 May 1924; Murphy argues that because the courts will find for O'Brien, police operations can be scaled back.

released was delivered from one of the upper windows. The next day at 10.30 am, on the day of the strike, a large crowd began to assemble at the Bridewell, 'anxiously waiting to hear the result of the proceedings.' The police kept the gates locked, admitting only those on official police or court business. Around 2 pm Larkin headed a procession that marched from Liberty Hall (a gesture of defiance) to the Bridewell in support of the prisoners. The procession was reported to the police and they 'drew a cordon across the street at Chancery Place.' When 'Mr. Larkin saw the police he stopped the procession, and directed them to cross Wine Tavern St. Bridge, and return to Liberty Hall.'[799] It is almost certain that Larkin turned the procession back because he did not want another confrontation with the police at this time. Forty-five significant members of the No.1 Branch were already in police custody and would be charged under the 1924 Public Safety Act. Larkin himself, remained in the vicinity of the Bridewell, to *head* the men when they were released (Larkin, of course, being very careful to be associated with any victory). At 3 pm, the prisoners were brought before Justice Cooper who instructed them to appear again on the 28 May. When '[the prisoners] appeared on the street, headed by Mr. Larkin, there was a great outburst of cheering by a large crowd who were waiting for their release,' forming a procession, they marched back to Beresford Place.[800]

AN 'AMICABLE SETTLEMENT'

On the day that the prisoners were to return to Justice Cooper at the Bridewell, there was a major development in the gas strike, and Larkin's name was writ large. The *Freeman's Journal* reported: 'Having sought his advice, the men unanimously decided that a deputation from the Strike Committee, accompanied by Mr. Larkin, wait on Mr. Grey, secretary, and Mr. Dumbledon, works manager of the Gas Co., with a view to ending the dispute.' Consternation at the way the strike had materialised and how it had been handled, abounded: 'After two weeks the strike of employees of the Alliance and Dublin Consumers Gas Company, sprung suddenly on the public, has ended just as suddenly.' [801] On 28 May, the gas company recorded: 'Strike fully considered and decided to meet union's representatives and settle amicably.'[802] Interestingly, it could be argued that it was only after the 45 had been arrested and legal proceedings were begun against the militant Dublin membership that the gas company moved to end the strike. Why the gas company and the ITGWU became engaged in the strike is somewhat unfathomable. It is obvious that the gas company did not win the

[799] JUS 8/676, NA, DMP report D Div., 27 May 1924.
[800] JUS 8/676, NA, DMP report D Div., 27 May 1924.
[801] *Freeman's Journal* 17, 27, 29 May 1924.
[802] Dublin Gas Minutes, 2004/48/Dublin Gas Company Minute Book, 1914-1926, NA, (484-485).

strike; and it is obvious that the ITGWU executive did not win the strike. Neither is it clear precisely what the gas workers claim to have won.[803] The question posed by the Strike Committee has yet to be answered: why did the executive suddenly call a strike? Another question is: why did the gas company suddenly concede to the workers' demands when they appear to have been quite defiant in their meetings leading up to the strike? The minutes of the gas company which show this defiance were obviously private, and therefore it is reliable evidence. It is undeniable that once the gas workers had committed themselves to the overt public act of insisting on remaining in their branch office in Liberty Hall, the gas company initiated the resumption to work. This would all seem to confirm the suspicions of those who were flagging collusion between the ITGWU executive, the Ministries of Home Affairs and Industry and Commerce, and the gas company.

If so, such shady dealings suggest something underhand had taken place: was the strike, therefore, *arranged* between the gas company, the ITGWU executive, and the government with the aim of targeting the Larkinites, and splitting the trade union in two (as claimed in the *Irish Worker: 'divide et impera'*)? This, however, would be predicated on the gas company being willing to incur the loss of several weeks' profit (it would take two weeks to get the plants working again). Certainly, the employers generally, and the government, would have seen the split as the optimum outcome for them. As for the *victory* of the gas workers, it was pyrrhic at best. Larkin, of course, was seen as emerging with credit as a result of the settlement. The Larkinites quickly exploited the propaganda: 'The men declare all thanks due to the able advice and leadership of Jim Larkin.'[804] However, the executive was willing to concede this, and even pay a higher price. To see what price they were willing to pay, we will return to the activities taking place at Liberty Hall.

On the 26 May, O'Brien had failed to get a second eviction of the Larkinites from Liberty Hall by Commissioner Murphy (who resented the idea of being at O'Brien's beck and call), and the Larkinites were still in possession of the Hall. On 28 May at 12.55 pm, a man 'ascended one of the railway pillars at Beresford Place and addressed a crowd of about 300 persons.' He said:

> I am one of the 45 … before I go [to court] I want to tell you that it is rumoured that the Executive is coming down to take over the Hall … remain [in the hall] and make your protest. You are paying for that Hall and own it. You are now fighting a new combination: the

[803] It is generally accepted in the historiography that the gas workers won the strike. And they claim to have won (*Irish Worker,* 7 June 1924). The *Voice of Labour* (7 June 1924) claim that they lost, that the principle of trade union membership was lost when Dunne was not allowed to retain membership upon promotion.
[804] *Irish Worker*, 31 May 1924.

> Chamber of Commerce, the Free State Government, and the so-called Executive … I must go now. Stand firm, keep quiet and I wish you luck.

Within a few minutes, the 45, accompanied by a large number of supporters and Connolly's Own Pipers Band marched along the quays to the court at Chancery Street.[805] Ten Larkinites remained inside the Hall.

THE ONE BIG UNION DEFENCE LEAGUE

According to the *Voice of Labour*, on Tuesday 27 May, what was to become known as the *One Big Union Defence League* began preparations for an assault on Liberty Hall, with the objective of retaking it; and it seems it did so in a quite dramatic fashion. The *League* was 250 strong, and was recruited mainly from the Dublin branches. It had a five man committee of Frank Robbins, Archie Heron, Cathal O'Shannon, Sean Byrne and Michael Kelly.[806] On the 28 May, the 'Army of the Night' set off in three battalions, one on foot and the other two in lorries:

> The coup was swift and dramatic … it went like clockwork … [the front door] opened at once. Swift almost as lightning the entering party spread themselves around the old building …To the regret of some of the hottest of the boys there was no resistance … Larkin's guards were ordered, none too politely, to get out.[807]

The *Irish Worker* had a different version:

> a tender drew up at Eden Quay, *early in the evening* of 28 May, and disgorged a gang of armed hooligans, who without warrant took over Liberty Hall ... in the name of the Government, [claiming] they were C.I.D … those inside were driven out at the point of the revolver [my italics].[808]

The *Irish Worker* then claimed that 'after midnight' the Hall was handed over to 'four of the Parnell Square subsidised creatures' by the CID. [809] In other words, the Government had done the dirty work for the ITGWU executive once again. A DMP report (written as usual for that attention of Minister

[805] JUS 8/676, NA: DMP report C Div., 29 May 1924 by Inspector James McCarthy.
[806] *Freeman's Journal*, 2 June 1924. Also, see *Voice of Labour* 7 June 1924.
[807] *Voice Of Labour,* 7 June 1924.
[808] *Irish Worker*, 31 May 1924.
[809] *Irish Worker,* 31 May 1924; see also *Irish Worker*, 7 June 1924.

O'Higgins) shed light on the two versions. Sergeant J Langan, who was on duty at Store Street Station that night was told that 'at 12.30am … a large number of men, said to be about 200, entered Liberty Hall from Eden Quay and Beresford Place, and removed about 10 … followers of Mr Larkin [who] did not offer any resistance to their ejectment.' Clearly, this supports the *Voice Of Labour* version of events. However, this part of Langan's report is based on information he *had received*, he had not witnessed it. He does not say who provided him with the information, but it could have been the ITGWU, or the OBUDL; it could also have been the CID.[810] Having been informed of this development at Liberty Hall, Sergeant Langan then walked the short distance from Store Street to Beresford Place to check on the 'identity of the new occupants.' He was informed that 'they had been deputed by the [ITGWU] Executive … Messrs Foran and O'Brien … to take possession of Liberty Hall.' Langan resolves to establish beyond doubt that it is the ITGWU executive and not the Larkinites who are in possession, and tells O'Higgins: 'I afterwards enquired at the Union office, 35 Parnell Square, and was informed by Mr [Michael] McCarthy there, that the new occupants had acted on the authority of the Executive.' Langan is determined to ensure that the *new occupants* remain in possession. Even though he believes 'there is hardly any likelihood that the building will be re-occupied by the Larkinites,' he increased the number of police in the event of 'any emergency of this kind.'

The *Voice Of Labour* version of that night loses credence the more we read of Langan's report. Firstly, the *Voice* claims that neither the police nor the executive had any knowledge of the OBU Defence League campaign to retake Liberty Hall; and this is clearly not the case. And secondly, their *storming of Liberty Hall* appears to be completely fabricated in light of Langan's final paragraph: There were *four constables there* when the *new occupants arrived*. Having knocked, some of the latter were admitted, by the front door. *There was no disturbance*.[811] (my italics) What Langan has established for himself is at odds with what he was told; and it is clearly at odds with the *Voice of Labour* account. The most likely sequence of events is that Liberty Hall had been cleared of the Larkinites, and then left in the charge of the Store Street constables who were on duty at Beresford Place that night. When Messrs O'Brien *et al* were informed, they sent the OBU Defence League to the Hall to repossess; when they arrived at 12.30 am, some of the League members were 'admitted' into the building by the 'four constables there' in attendance.

[810] The CID had a notorious reputation, which they earned during the Civil War. The CID, formed by Collins in the War of Independence, was headed by Joseph McGrath TD from July1922; and was under the control of Minister Home Affairs, then Justice, thereafter. It was being wound up at the time, its members then forming the Special Branch.

[811] JUS 8/676, NA, DMP Report, C Div., 29 May 1924 Sergeant J Langan; another report that was sent to all Ministers.

This gives some credence to the *Irish Worker* version: 'after midnight … the tools of the "Executive" crawled, under the protection of darkness, into Liberty Hall, which was handed over to them by the alleged defenders of liberty and the Constitution.'[812] The question, of course, arises: if it was not the OBU Defence League that evicted the Larkinites, who was it? It is quite possible that the Government may have deployed an auxiliary police force of retired, or soon-to-be retired, CID operatives, and it was this force that ejected the Larkinites and left Liberty Hall in the charge of the constables who were on duty that night. In any case, at the very least, the police on duty, under the instructions of the Chief Commissioner (see Murphy's handwritten note to O'Higgins above), and ultimately the Minister for Home Affairs, Kevin O'Higgins, ensured that it was the ITGWU executive who were in possession of Liberty Hall. By overseeing what was, in fact, an illegal eviction, the Government added insult to injury.[813] The state in the form of its police (300 members of the Civic Guard had been placed at the disposal of WRE Murphy at this time),[814] and possibly an auxiliary force of soon-to-be-retired CID operatives had ensured that Larkin's supporters were ousted from Liberty Hall. This was not a new development. Similar forces had been used by the state in the Waterford agricultural conflict in 1923, in the form of a 250 strong Special Infantry Corps. This special unit had been pledged by Minister O'Higgins in an undertaking to the Irish Farmers' Union to support the farmers. This intervention on behalf of the employers by the state led to the defeat of radicalism in the South-East.[815]

WILLIAM O'BRIEN IN THE ASCENDANCY

At this stage in the Battle for Liberty Hall, William O'Brien was very much in the ascendancy. Larkin, on the other hand, was literally out on the street. At the corner of Lower Abbey St. and Beresford Place, on the North-eastern corner of Liberty Hall, from the back of a lorry, *and not* from the familiar window of Liberty Hall, he spoke to a 1000-strong crowd. He claimed that he 'could take Liberty Hall, if he wished' but added rather lamely, that 'for a reason, he would not.' As he spoke, the O'Brienites who were in the hall began to shout abuse from the windows of Liberty Hall, and then 'commenced to shout through a megaphone, "What we have, we hold." Larkin could not be heard above the din, and the crowd tried to rush the hall. Inspector Gilbride reported that if it had not been for Larkin and

[812] *Irish Worker*, 31 May 1924.
[813] The Government is acting illegally; the action to evict was illegal because in the case against the 45, they were judged to have been unlawfully evicted. *The Irish Worker* claimed the government was acting illegally at the time.
[814] *Freeman's Journal*, 27 May 1924.
[815] O'Connor, E., 'Agrarian Unrest and the Labour Movement in County Waterford 1917-1923' in *Saothar: Journal of the Irish Labour History Society*, vol. 6 (1980), 40-58.

some of his followers 'who formed a cordon between the Hall and the crowd, and *assisted the police* the hall would probably have been forced (my italics).' Inspector Winters, in a hand-written note, put the blame for the disturbance on the O'Brienites; Larkin 'gave *every assistance* to the police in keeping back the crowd [my italics].[816] In fact, Larkin was protecting his followers from the 1924 Public Safety Act, which, he argued in the *Irish Worker*, was devised to be used against the working man.[817] As a result, and with bitter irony, Larkin was reduced to helping the police keep order outside of the Hall which he had founded, and from which he had recently been expelled. On the other hand, all that remained for William O'Brien to do was to dispose of the 45. On the early summer's day of June 2, he made his way to the courts to testify against them.

THE HEARING OF THE 45

The hearing had been reconvened for Monday 2 June; the State prosecution was in something of a muddle trying to come up with the correct charges, which were now conspiracy and unlawful possession (the charge of forcible possession was dropped). O'Brien was the first witness called and he was asked to prove that the Hall was invested in the executive. He produced a document, 'a copy of a copy,' which Mr Woods, counsel for the 45, pointed out was not an original, and according to section 100 of the relevant Act, it was inadmissible. Cooper, however, ruled that it was to be admitted as evidence. Woods then stated that due to the appeal of the February 1924 ruling in regard to the Rules, the Rules were suspended, and there was no executive. Woods also contended that William O'Brien was a suspended member of the union and that the men who were in their branch offices on the night in question were bona fide members of the union. Cooper, however, would not accept this, and ruled that until the rules were set aside by a higher court, he would proceed on the basis of these rules. Under examination, William O'Brien gave evidence about the events of the morning of the 25 May, and identified union members within the court. Early on, Mr Woods K.C. (counsel for the 45) accused the State Prosecutor Mr O'Byrne of taking sides with the Government. O'Byrne said he was not concerned at all with the 'domestic differences' within the union.[818] O'Byrne would be the next Attorney General, after Attorney General Hugh Kennedy (the government's legal adviser when the 45 were evicted and brought to trial) was promoted to Lord Chief Justice.

[816] JUS 8/676, NA, DMP Report C Div., 2 June 1924, Insp. J Gilbride.
[817] See 'The Plot That Failed' *Irish Worker,* 31 May 1924.
[818] *Irish Worker*, 7 June 1924.

Mr Wood argued that the defendants were members of the Union, while Mr O'Brien was a suspended member of the No.1 Branch: 'the persons purporting to act as an Executive Committee were not the persons to call any of their conduct into question [that is, the conduct of the 45].' Mr Wood contended that there was no *prima facie* evidence on which to send this forward to trial. Mr Cooper, presiding, countered that if occupants won't leave a said premises when asked to do so, the proprietor has the right to enlist the help of the police. At this point, Mr Wood played his trump card: the evidence that the Hall is invested in the executive committee would have to be determined *before they are evicted*, and this was not done:

> This is a serious matter for the public. Forty-five men have had their liberty invaded. The men were exercising their right on their premises and it is a terrible proposition for the public to hold that because one member of the Executive [O'Brien] objects to their being there, the police and military can be called in.[819]

Mr Cooper, presiding, was not helped by the other witness for the prosecution, Peter Ennis. Peter Ennis was the caretaker at Liberty Hall the night the 45 remained in the Hall, and he testified that the 45 had treated him well, and had acted peacefully. Cooper called this 'remarkable' testimony on behalf of the prosecution. Considering the evidence and the testimony, Cooper was left with no other option but to find the 45 not guilty on both the charges of conspiracy and unlawful possession. However, he was not finished yet:

> There is one thing more to say. As we are living in very troubled times and anything may precipitate a serious situation, resulting perhaps in bloodshed, I feel it my duty to take such preventive measures as I may consider necessary. I order that each of the prisoners give personal bail of £5 to be of good behaviour for a year. The alternative is to go to jail.[820]

The 45 were stunned, (if not completely surprised). They had been found not guilty of the charges against them and yet they were being asked to post personal bail. They had no money. The union executive would obviously not post bail for them because it was the executive which was trying to get them jailed. At any remove, one might be forced to ponder why the 45 should have to post bail when they were innocent. *Lex iniusta non est lex*! Their counsel, Mr Wood, reasoned: 'The prisoners will give the same undertaking [to be of good behaviour] which they have loyally observed during the

[819] *Irish Worker*, 7 June 1924.
[820] *Irish Worker*, 7 June 1924.

trial.' Mr Cooper then said, as if his hands were tied: 'I can only agree to accept the bail already stated.' The prisoners simply said: 'We will go to jail.' And the 45 members of No.1 Branch, Liberty Hall, some of whom were instrumental in founding the union, were jailed. William O'Brien, with considerable assistance from the State, had defeated Larkin in his attempt to regain the ITGWU.

The state had used its military, police and judicial arms to marginalise James Larkin. He had been expelled from the ITGWU, his followers within the union had been isolated and evicted from their branch in Liberty Hall and jailed. The newspapers (on the whole, owned and controlled by the employers) were exultant at the victory of, what they termed, 'constitutional labour.' They welcomed the union of the employers and the ITGWU executive; one particularly revealing headline declared: 'Employers & Union [executive] Fight Against Larkin.'[821] Larkin and his followers could be excused for claiming that a collusion existed between the state, the employers and the ITGWU executive. The price O'Brien paid was an exodus of the majority of the Dublin membership from the ITGWU. The price Larkin paid was, effectively, the inauguration of his impotency (with the divisions so trenchant within the union movement, it is difficult to conceive how a focused militancy could develop). Towards the end of the year of the split, Kevin O'Higgins' secretary in the Justice Department, Henry O'Friel, wrote to James McNeill, High Commissioner of the Irish Free State, in London, apropos the 'dangerous revolutionist', James Larkin: 'Fortunately, measures of various kinds have been taken against him which look like being successful.'[822] It is safe to say that O'Friel's optimism proved to be correct; the *measures* worked, and the suppression of Larkin was a success.

The long term price of the split for the labour movement was incalculable. The trade union movement was rent asunder with two rival unions now fighting each other, instead of the employers. The split would last for decades and lead to further splits in the labour movement. What happened in Dublin between 1923 and 1924 was not the result of the *personalities* of individuals, but the result of the conflict between real people: revolutionaries and reformists embodied in the social relations of their time. Larkin had a colourful and forceful personality; but militant revolutionaries who did not have the power of personality to engage the masses as Larkin did, such as Thomas Mann, were also marginalised and rendered ineffective. The issue was not how big or how small one's personality was, but one's revolutionism. O'Brien did not have a colourful personality, but he was dogged and determined where and when it mattered; and, importantly, he did not need a

[821] See, for examples, the *Irish Times,* 16, 23 July 1923 for crude propaganda on behalf of the employers and the executive; the *Freeman's Journal,* 24 Oct 1923, and 27, 28 May 1924 which give over their columns to the statements of the executive; see the *Manchester Guardian,* 26 November 1924; and for the ensuing battle between the ITGWU and the WUI; and the *Irish Independent* generally for the period 1923-1924; and see *Irish Times* 14 & 20 August 1925 where O'Brien is embraced as a defender of government and business.
[822] JUS 8/676, NA; Letter dated 2 December 1924.

colourful personality to succeed. In a period when the system of world capitalism was being challenged by militant labour, the reformist was the best way to police the revolutionist (to use Lloyd George's words). The intervention by the state for the sake of capitalism and to the benefit of reformism was seen further afield, in Europe, America and Australia. Although there were local differences in Ireland, this conflict was generated by the wider clash that was taking place in the world between Labour (wage earners) and Capital (capitalist profiteers).

In this chapter we looked at Larkin's return to Ireland in 1923 and his battle to hold onto the ITGWU, of which he was still General Secretary. In the first part of the chapter Larkin's syndicalism was reviewed. It was seen that in relation to society, labour and trade unionism, Larkin still saw OBU-ism as the way forward for the labour movement and the working class. Conditions in Ireland at this time were reviewed; particularly to see what objective conditions were in place for a forward movement driven by syndicalist ideas, and what conditions were against it. It was seen that the objective conditions for syndicalism were still present, but that other factors such as reformism and the role of the state (as adumbrated by Darlington) undermined syndicalism, and its proponents. It was seen that Larkin returned unexpectedly to Dublin whilst on a tour of the union's branches; and he immediately set about getting O'Brien *et al* suspended from the union. Larkin went through the mechanisms of the branches and had an Investigation Committee set up with dates for completion of its work. It was seen that O'Brien brought the issue to the state courts rather than keep it within the union. This was expedient because the trial judge was very sympathetic to O'Brien's position. It was seen that the voting that took place on the 1918 and 1923 rules was designed to exclude the majority of the union membership by excluding the large Dublin membership from voting. Despite J.J. Hughes admitting in court that the Dublin branches had not been notified to vote, the judge commended the executive committee (EC) for their work in ensuring as many members as was possible got to vote. The key to the changes in the rules and the key to the case was rule 33. The judge inverted this into its opposite (this inversion allowed the EC to make the rule-changes rather than the membership). The judge acknowledged that he had inverted rule 33, but said that it was the only way he could envision rule 33 working. Not surprisingly, the judge found for the EC. These judgements were class-based and, essentially, anti-labour. They were part of the pro-capitalist state's reaction against militant labour, and were part of a world-wide phenomenon at this time.

A number of other issues were looked at. Collusion between government officials and O'Brien was seen when O'Brien was given information that Larkin had applied for a passport; this had a significant impact on the trial, curtailing Larkin's time to prepare. It was also seen that O'Brien

worked together with the DMP; and that the DMP afforded O'Brien security privileges. It was seen that the 1923 dock strike revealed the relationship between the EC and the government as an inclusive, cooperative relationship that favoured the employers. Larkin, on the other hand, was left isolated and ineffective, if still supported by a significant militant section of workers. It was also seen that a gas strike erupted unexpectedly, and the strikers were subsequently isolated. The gas workers were sympathetic to Larkin; consequently, their branch office at Liberty Hall was closed by O'Brien. Nonetheless, 45 members were determined to remain in their branch office on the night it was closed. O'Brien rang the civil authorities and they were arrested and evicted by the police and army. This nullified a militant section of the Dublin working-class, and favoured O'Brien's designs for the ITGWU. At their trial, the 45 were found not guilty of any charges but were nevertheless incarcerated by yet another judge who operated sympathetically towards O'Brien. The main conclusion drawn by the chapter was that the capitalist-friendly state intervened on behalf of the reformists, and against Larkin, for the sake of capitalism.

CHAPTER 10 CONCLUSION

This thesis set out to investigate how Larkin was treated by the British, American and Irish states in relation to his anti-capitalist activities. The period chosen was from October 1914 when Larkin left Ireland for America, up to his return to Ireland in 1923 and the ensuing split that took place within the ITGWU. A review of the literature was made and it was seen that the historiography mostly concerned itself with Larkin in relation to the founding of the ITGWU, and the travails of the Lockout. The later, longer period when he was in America was to some extent neglected, when the historiography was more concerned with Irish history. This lack of any systematic analysis of the later period justified the aims of the thesis: to analyse the period closely, and thereby make a significant contribution to the gap in the literature. The thesis also found justification in the fact that there were three state intelligence files compiled on Larkin during the period 1914 to 1924: the British Dublin Castle file; the American FBI file and the Irish Free State Department of Justice file. These files had been little used in the historiography, the only notable use made of one of the files (FBI) being by Clare Culleton on the nationalist 'plot' to assassinate Larkin in 1919. Up to the commencement of the thesis, none of the three intelligence files had been analysed systematically, either individually or together. These three files divulge much about the deliberations and intentions of the three capitalist states towards Larkin.

In order to contextualise Larkin and his activities at this time, the thesis investigated the nature of the state. An analysis of the state showed that central to any state was the notion of a *social contract* between the citizens of the state. This *social contract* entailed the maintenance of an elite: as in an aristocracy, or the bourgeois system of capitalist production. Thus, the state served elite interests rather than common ones. The world was one of rapacious imperialism during this time, driven by the capitalist system of production. The Earl of Birkenhead, and Lord Chancellor while Larkin was in jail in America, typified this world view: 'The world continues to offer glittering prizes to those who have stout hearts and sharp swords.' It was also argued that neither capitalism nor the state has any mystical autonomy from human society, or from each other. Capitalism does not create the state, it utilises the state and adapts it for its own purposes. It does this through the many functionaries and sponsors that operate within the state apparatus. It was seen that what cements the state together was the *corpus juris civilis*; the body of law pertaining to civil society, and this was enforced through the courts, the police and the army. The ambitions of radical labour to undermine capitalism was itself continually undermined by the *corpus juris civilis,* and the state's enforcers, the police and the army which carried out the dictates of the *corpus juris civilis*. Larkin's life of radical challenge to the

capitalist state and the series of incarcerations he underwent exemplifies this process. The purpose of the investigation of the state was twofold. Firstly, to highlight the grave difficulties revolutionaries like Larkin encountered when they attempted to undermine capitalism. Secondly, to show that there was a natural tendency in the state, mediated by its functionaries, towards suppressing individuals like Larkin: significantly, it was argued, there was no need for any conspiracy theories in relation to Larkin.

The modern state was seen as a product of war and imperialism. Capitalism drove the need for new markets and raw materials; consequently, radicals like Larkin were antithetical to the interests of the state. It was seen that the British Secret Intelligence Service, and its related police network, had its origins in the wars fought out by the British as a result of their imperialist designs. In fact, the first official intelligence department of the modern era was the British War Office 'Special Section'. It was seen that the War Office was duly concerned with Larkin, and suggested at one point (1919) that should Larkin return to Ireland he would be interned, despite the fact that the DORA Order was put in place to restrict Larkin during war time (1914-1918). Larkin was being monitored by Dublin Castle due to his anti-enlistment speeches. It was seen that by the end of October, an intelligence structure had been established between Dublin Castle, the Home Office in London and the office of the Consul General in New York (including Wilkins and his undercover agents). This later expanded to include the Secretary of State for the Colonies, Louis Harcourt, His Excellency Sir Edward Grey, the British Ambassador in Washington D.C., and the Dominion Police in Canada. During Larkin's time in America, Dublin Castle continuously updated DORA, and maintained a vigilance at all the ports where Larkin might land. The British state refused to give Larkin a passport to return to Ireland, or anywhere else within its empire. It shadowed Larkin in America and had his speeches taken down, and his pro-Clan na Gael activity monitored. The administration in Dublin Castle also decided that Larkin should not be served with the DORA order excluding him from Ireland in the normal way, by post or in person. Larkin was thereby excluded from due process before the law. When Larkin wanted to know what the details of the Order excluding him from Ireland were, he had to contact the British Consulate in America. It was seen that the British state was pursuing its rivals in a world war, and Larkin was attempting to undermine that war effort for the purposes of socialism (and was using nationalism to that end). When America entered the war in 1917, Larkin became a focus of the American state, and British intelligence shared information with the FBI as to his whereabouts. In its analysis of British and American intelligence systems, the thesis made an assessment as to the reliability for the historian of the intelligence that is gathered by intelligence agencies. Not surprisingly, all commentators agreed that the intelligence needed to be handled with caution.

The American state was already fiercely anti-labour, particularly towards militant labour, when Larkin arrived in New York. The American administration had imperialist designs of its own and was a mature capitalist state, with an extremely hostile record against organised labour. Under Hoover, the IWW was brutally repressed, and rendered ineffective. The American state had its own intelligence systems in place: the Military, Naval and Federal divisions. The agencies shared information, and the FBI became the division that concerned itself with the civilian population, and particularly labour unrest. Larkin was arrested for anti-war activity by the American authorities; and like Dublin Castle, the FBI set up a system of informers and agents to monitor Larkin.

The administration brought in a tranche of repressive legislation to suppress anti-war sentiment, and pro-labour activity. It was seen that Larkin moved away from the Clan completely, abandoned nationalism and worked with the SPA, eventually forming, with others, the communist movement in America, It was seen that Larkin became the focus of the FBI as class tensions heightened, and he was targeted in the 1919 anti-Red raids. The agencies of the American state, principally led by the Department of Justice, planned and executed the destruction of the American Left, which included Larkin. Orchestrated raids in 1917 and 1919-1920 came on top of years of the systematic repression of workers and their rights. For a theoretical expression of his own ideas Larkin was incarcerated by the American state in its drive to protect capitalism. Significantly, Larkin was not deported. Related to this was the efforts of the British to keep him out of Ireland. It was seen that there were two intercessions to the State Department by the British in 1922, one by no less an individual than Winston Churchill, to request that Larkin not be allowed freedom of movement to return to Ireland.

Indeed, the justification for the incarceration of Larkin in the American penal system was inquired into by the thesis. It was shown that the proper legal sanction for Larkin should have been deportation (hundreds were deported including other *big names* like Emma Goldman). The thesis uncovered two reasons why he was not deported. Firstly, it was open to the British to make a request to the American administration in 1919 similar to the (now known) request made by Churchill in 1922 to the State Department to keep Larkin out of Ireland. The British had wanted Larkin kept away from Ireland by order of DORA since 1914, and they wanted him kept away during the War of Independence (an unfavourable influence on the labour movement had been flagged); and away from the pre-civil war period in early 1922. This thesis also uncovered a very significant related issue: Larkin was arraigned, prosecuted and jailed in the name of the state by Irish nationalists, and noteworthy members of Clan na Gael, former colleagues of his in the struggle for Irish emancipation. These involved New York City Magistrate William McAdoo, before whom he was arraigned in the first instance; Alexander I. Rorke, Judge Bartow S. Weeks and Judge Cohalan (who

refused the initial application for a Certificate of Reasonable Doubt, which would have seen Larkin released on bail).

Interestingly, after the conviction of Larkin had been secured, Assistant DA Rorke, aided by Hoover, then continued to monitor Larkin whilst he was in jail. It was seen that the District Attorney's office hampered and obstructed Larkin's appeal process at every turn. It was also seen that when Larkin's appeals were processed, the presiding judges tended not to produce written opinions (the reason extended for why judges shied away from committing a written opinion by Larkin's legal team was that the original trial was obviously too prejudicial towards Larkin not to result in a successful appeal). Apropos the strategy of securing Larkin's conviction and hampering his appeals process by Clan members, a related issue was discussed: the 'nationalist plot' to assassinate Larkin. The FBI file disclosed that the plot was planned as a last resort to stop Larkin returning to Ireland should he jump bail, or win the upcoming criminal anarchy case in the Supreme Court. The plot to prevent Larkin returning to Ireland, therefore, dovetailed with the strategy of the Clan to ensure Larkin's conviction and the obstructing of his appeals process. Both the hampering of the appeals process and the plot to assassinate by Irish nationalists, principally Clan na Gael, was seen as part of a strategy to prevent the anti-Sinn Fein Larkin from getting to Ireland and turning the labour movement against Sinn Fein. It was seen that the reasons proffered in the historiography that the plot should be dismissed were not sufficiently substantial. Significantly, the fact that Pat Quinlan was named in the report was not seen as a reason to dismiss the plot. It was seen that there were two Pat Quinlans; and that a Pat Quinlan was named as hostile to Larkin in 1923. This disclosure of a hostile Quinlan, which was published in the *Gaelic American* in 1923, indicates that the plot was plausible.

James Larkin was found guilty of the charge of criminal anarchy and sent to Sing Sing prison for a minimum of five years. He was jailed for what turned out to be later defined by New York Governor Al Smith as a theoretical expression of an idea. In other words, he should not have been jailed in the first place. The American penal system was to treat Larkin harshly. He was soon moved from Sing Sing prison to the notorious Clinton prison in Dannemora, in upstate New York. Once there, he was moved into the cotton shop, the unhealthiest job in the prison. At this time, Larkin's mail from his legal counsel was interfered with and went *missing*. Despite this attempt to marginalise Larkin by confining him to prison, and isolating him in upstate New York, the outside world did not forget about Larkin and his name was kept in the public eye by groups, organisations and individuals who agitated for his release. Upon his release it was seen that Larkin was shadowed by the new Free State intelligence office under T.A. Smiddy. The Free State was concerned with Larkin's labour and communist sympathies, and his connections with de Valera and the irregulars. The American State Department communicated information on Larkin from American State agencies, such as the New

York Bomb Squad, to the Free State representative Smiddy. Also at this time, the British state also communicated with the Free State in relation to Larkin. It was at this juncture that the anti-capitalist Larkin was seen as the target of three pro-capitalist states.

The Free State shadowed Larkin upon his return to Ireland, tracking his movements and recording his speeches. It was seen that in relation to society, labour and trade unionism, Larkin still saw OBU-ism as the way forward for the labour movement and the working class. When Larkin wrested back control of the ITGWU, using the mechanisms of the branches, it was seen that O'Brien brought the issue to the state courts rather than keep it within the union. This was expedient because the trial judge was very sympathetic to O'Brien's position, and found against Larkin. It was also seen that the judge decided to re-define rule 33 of the union, to make it *workable*; essentially, this got O'Brien *et al* off the charge of having contravened the rule. It was argued that these judgements were class-based and, essentially, anti-labour. They were part of the pro-capitalist state's reaction against militant labour, and were part of a world-wide phenomenon at this time.

The thesis also looked at the issue of reformism versus revolutionism; that is, the antagonism between the two dominant strands within the labour movement. Larkin's first significant clash with reformism came in the shape of James Sexton, leader of the NUDL. Sexton had relieved the revolutionary Larkin of his duties in 1908. As a reformist, Sexton was very much part of the political establishment, and for his services to the British state he was awarded a knighthood in 1931. It was seen that the failure of the British trade union leaders to support the locked-out workers of 1913 with sympathetic strike action led to the virtual defeat of the Dublin workers. Larkin's experiences of trade unionism in America was also seen in the context of revolutionism and reformism. Militant trade unionism was all but obliterated in America while Larkin was there; but the reformists, typified by Samuel Gompers, were seconded by the political establishment. Upon Larkin's return to Ireland, relations between the state, the reformists and the revolutionists followed similar lines.

This was seen when striking gas workers, who were sympathetic to Larkin, were locked out of their union office in Liberty Hall. When the 45 members of the branch determined to remain in Liberty Hall, O'Brien rang the DMP in Store Street station, with the effect that they were arrested and evicted by the police and army. This nullified a significant militant section of the Dublin working-class, and favoured O'Brien designs for the ITGWU. It was also seen that when the 45 were found not guilty of any charges, they were nevertheless incarcerated by yet another judge whose adjudication can be seen to be sympathetic towards O'Brien. The main conclusion drawn from this was that the capitalist-friendly state intervened on behalf of the reformists, and against Larkin, for the sake of capitalism. A related issue was looked at by the thesis: the collusion between Free State government

officials and William O'Brien. This was seen when O'Brien was given information about Larkin's application for a passport; this information had a significant impact in curtailing Larkin's time to prepare for the trial in 1924. This collusion had already been established between O'Brien and the emerging Sinn Fein Dáil government in the form of Arthur Griffith. Instances of this were seen when Arthur Griffith provided O'Brien with confidential documents on Larkin in 1920; and when O'Brien gave the Provisional Government information on Delia Larkin in 1922. This type of collusion is such an underhand and undemocratic process that the individuals concerned were never going to declare their activities publicly. Also, the Free State was acting undemocratically. Despite the fact that the government had been monitoring Larkin (with the knowledge that they would have to deal with him at some stage), they did not campaign in the 1922 election on an anti-labour programme; and neither had they been voted into office as Sinn Fein with a mandate to undermine labour ambitions. Therefore, the Free State government did not have a mandate to go after Larkin; and neither did they have a mandate to assist capitalism at the expense of labour. In America, the interventions were clearly seen to benefit the reformists. Larkin's SPA grouping that tried to regain control of the SPA were removed from the conference hall, in which the SPA was meeting, by the state police. The mass repression of militancy by the American state between 1905 and 1919 benefitted the reformists because it removed the militants, the naturally arising critics of reformism, from the movement. Samuel Gompers was never hunted down by the FBI and imprisoned for his moderate activity; the IWW, however, was brutally suppressed by the state. Gompers, Sexton and O'Brien all became members of their respective political establishments. Larkin, on the other hand, like similar radicals, was marginalised and effectively suppressed. Nearly thirty years previously, James Connolly had warned that it was simply not good enough to remove the symbols of English rule from Ireland because the Irish people would still be ruled by English capitalism: nationalism without socialism was only national recreancy. Connolly had taken on the British state and lost, paying for it with his life, strapped to a chair and summarily executed by the might of the British Empire. Larkin had lost his battle against the British state, too. He had also lost to the American state and was deported as an *undesirable alien*. Back in Ireland, he lost his battle with the Irish Free State, a state that was on friendly terms with the imperialist British state that had executed Connolly.

The concluding outline indicates the main findings of this investigation into the treatment of Larkin by pro-capitalist states in the period 1914-1924. The Dublin Castle intelligence file on Larkin revealed that Larkin was shadowed by the British in relation to their imperial aims: their war with Germany, and their pursuit of new markets and greater profits. The British tracked Larkin in America because of his connections with the Clan and the Germans; understandably, the British were concerned with Larkin's ability to undermine the war effort by working with the Germans, but also his potential to

boost the means of the insurgents in Ireland by working with the Clan. It was also seen in the Dublin Castle file that the British were concerned with Larkin's labour ambitions up to 1919; and this concern over his revolutionism was, in turn, related to the intervention by Winston Churchill in 1922 to the US State Department in which he voiced his concerns about Larkin returning to Ireland at a critical time for Sinn Fein and the Treaty. The FBI intelligence file on Larkin also revealed a real concern of the American pro-capitalist state with Larkin's labour militancy, and the related problem of his anti-war activity. It was seen that Larkin was named as one of the top two targets in the FBI file in the build up to the Red scare raids of 1919; and in the appeals process his case was scrutinised more thoroughly than the other criminal anarchy cases. Significantly, Larkin was not afforded deportation from America, the usual sanction for criminal anarchy by an alien, and he was incarcerated in the New York penitentiary system, where life became increasingly harsh. In Clinton prison, Dannemora, Larkin's situation deteriorated and became life-threatening, until political activity saw him return to Sing Sing. The thesis also looked at a parallel activity at this time by Clan na Gael members of the judiciary to ensure Larkin's conviction and a custodial sentence. It was also seen that Clan member Rorke monitored Larkin in prison and hampered his appeals process at every turn. The nationalist plot to have Larkin assassinated should he avoid penal servitude was taken seriously. This was seen to be related to the Clan's activity to ensure a conviction and was put forward as being part of the Clan's wider strategy to keep Larkin away from Ireland. When Larkin was finally pardoned, with the Free State now established following a year of the Provisional Government, he returned to Ireland where he was met with the anti-militant labour measures of the Irish state. Conor Kostick's hypothesis that Larkin was never going to be allowed to regain control of the ITGWU was astute. The Free State Department of Justice file on Larkin reveals a level of collusion between the reformists and government officials at the highest level. During the course of this thesis, it was seen that the issue of Larkin's personality was ultimately a side show to the greater forces that were going on in the world between labour and the pro-capitalist state. Larkin, like all outstanding individuals, used his will and his personality to shape the world in which he found himself. That he did so in accordance with his heightened sense of social justice, makes his achievements all the more extraordinary.

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ONLINE ARCHIVES AND RESOURCES

Internet Archive (a repository of books and films)

www.archive.org

The Cedar Lounge Revolution (a blog forum for political discussion)

www.cedarlounge.wordpress.com

The New York Correction History Society (an historical resource on New York prisons)

www.correctionhistory.org

Bureau of Military History (Irish military archive)

www.bureauofmilitaryhistory.ie

The Dictionary of Irish Biography

www.dib.cambridge.org

The Federal Bureau of Investigation (FBI public interface; provides details on its history)

www.fbi.gov

History Ireland (an online magazine for scholars and the general reader)

www.historyireland.com

Jstor (a resource for scholarly articles and primary sources)

www.jstor.org

Marxists Internet Archive (a resource for the study of Marxism)

www.marxists.org

Irish Statute Book (a government website for information on statute law)

www.irishstatutebook.ie

The Irish Democrat (an archive of the *Irish Democrat*)

www.irishdemocrat.co.uk

The Irish Labour History Society (a resource on Irish labour history)

www.irishlabourhistorysociety.com

Google Maps

www.maps.google.com

The Irish Echo (an online Irish American newspaper)

www.irishecho.com

The Mayo News (an online version of the *Mayo News*)

www.mayonews.ie

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www.nationalarchives.ie

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