FROM RIOTS TO RIGHTS

NATIONALIST PARADES IN THE NORTH OF IRELAND

NEIL JARMAN & DOMINIC BRYAN

Centre for the Study of Conflict
University of Ulster at Coleraine

November 1997

CONTENTS

INTRODUCTION

The movement towards peace in Northern Ireland appeared to become a reality in the autumn of 1994 when the IRA and the Combined Loyalist Military Command both announced cease-fires. This seemed to be the minimum requirement for discussions on the political status of Northern Ireland to have some chance of success. Yet, as the peace process was developing, politics on the street were becoming more confrontational. The summers of 1995, 1996 & 1997 were dominated by disputes over the right to march. Residents groups protested at loyalist parades being allowed through nationalist areas; members of the loyal orders demanded the right to march on their 'traditional routes'; and the RUC were left to make decisions over parades, frequently enforced by large numbers of officers using considerable physical force. At times the conflict on the streets seemed likely to overwhelm the process towards peace.

This report will explore the relationship between parades and community relations in the north of Ireland. We will do this by examining the history of Irish nationalist and republican parades and commemorations. Our central argument is that to understand the role played by parades we must examine relationships of political power. Parades are not simply cultural asides, elements of a tradition which reveal the historical roots of a community, rather they have been, and remain, pivotal in defining the relationships both between the state and local communities and between local communities. The right to parade and to demonstrate has never been formally underwritten under British law but it has been established as a right through practice. Over the past two hundred years it is a right that has been aspired to by many sections of society. The Volunteers, the Freemasons, the Orange Order, the Ribbonmen, the Catholic Church, the Tenants Right movement, the Ancient Order of Hibernians, the Ulster Volunteer Force, the Republican movement, the Labour movement, the Anti-Partition League, the Civil Rights movement, and the Ulster Defence Association are some of the more politically significant groups that have taken to the streets. There is not a decade in the last two hundred years when parades have not led to significant civil disturbances. The right to parade has been claimed by some while being denied to others. Sometimes it has been denied to all in the interests of public peace. The history of parades is the history of community relations, of class relations and of power relationships.

Whose Tradition?

Parading has come to be seen as a largely Protestant tradition in Ireland and yet its origins are rooted in the rituals of the Roman Catholic Church. However, parading is not specific to either the Catholic Church or to Ireland it is widely established practice that has been used, and continues to be used, by a diverse range of bodies and organisations. Parades are used to give a sense of cohesion and coherence to the group themselves, to make public displays of power, wealth, strength and authority, to offer challenges or warning to other sectors of society and as celebrations and entertainment. Some parades can be all of these things at the same time, meaning one thing to those participating in them and something quite different to those watching.

When parading is claimed as a central feature of Protestant cultural heritage there is sometimes almost an underlying feeling that Ulster Protestants are genetically predisposed to parade, that Darwinian laws of evolution have selected for sturdy legs

and a Pavlovian response to a drum. This implication refuses to acknowledge that parading is either a cultural or a political practice but rather is simply an act of domination, designed to keep the croppies in their place. It is clear that parades have been and are still used as acts of political domination and the refusal to allow others those same rights is also an expression of unequal political power. But parades are not such a singular Protestant tradition. The aim of this report is to indicate some of the ways in which others, beyond the Orange tradition, have used parades as part of their cultural expression and in support of their political demands in Ireland and in particular in the north of Ireland. It is largely because parades are an appropriate means of displaying strength of numbers and of asserting claims to space and place that they have been utilised so widely in the contested political and geographical terrain of Ulster and why they continue to be the focus of conflict as we approach the new millennium. This report focuses on when, why and how the nationalist parading tradition has been utilised and why it has been challenged and thereby tries to draw out some of the lessons of history that are pertinent to the contemporary debate.

Tradition and Power

By examining the development of nationalist parades it can be shown that the existence of 'traditional' parades is directly related to the political power that the respective communities have held. We have tried to assess how four related factors have helped govern the development of the parading tradition.

1. The relatively population balance in any particular geographical area.
2. The role of the police in maintaining public order.
3. The interests of the government and its use of legislation.
4. The pressure within communities to maintain peaceful relationships through tolerance.

Clearly the relationship between specific local factors, such as the relative size and location of particular communities, and broader political factors, such as the political interests of government, is a complex one. We have traced the changes that have taken place by surveying newspaper reports and other published material and therefore we have not drawn on the full range historical documentation that some historians might expect. Nevertheless, we believe that our research does reveal generalised tendencies which allows us to discuss recommendations that might improve the future management of community relations in Northern Ireland.

Chapter 1

DIVERSE ROOTS, VARIED CUSTOMS

Parades have been a feature of Irish society for at least five hundred years. A description of a procession and pageant held by the Merchant Guilds through Dublin to mark Corpus Christi in 1498 suggests that this was a custom of some standing since the event was already governed by 'an olde law' (Webb 1929). The procession, held in late June or early July, involved members of twenty eight guilds participating in a series of tableaux vivant and miracle plays depicting Biblical stories. These included representations of Adam and Eve by the Glovers, 'Noe with his shipp' by the Mariners, Abraham and Isaac by the Weavers, Moses by the Skinners and the Three Kings by the Goldsmiths, among many others. Many of these stories are still paraded on the streets of Ireland today on the banners carried by members of the Protestant loyal orders, but the origins of this tradition obviously predate both the orders themselves and the Protestant Reformation. The description of the Corpus Christi parade can also feed into suggestions of an unchanging or singular tradition in which Old Testament stories have been publicly displayed for five hundred years. But one should be wary of drawing too much into this. Parades are always events which are situated in a particular time and place, and their range of meanings are always bounded by the broader social and political context. Form and content may remain stable, and even appear static, but meaning is always contingent on time, place and the wider social context.

i. Early Customs

In the late Medieval and early Modern period, the right to hold such parades was something that was largely limited to the dominant sectors of society: the Church and the civic authorities. Events such as the Corpus Christi procession melded the two together. It was an opportunity for the rulers of the town to put on an ostentatious display of their wealth and faith to the lower classes. It could suggest that this wealth and status itself was in part a product of their religious faith and that their status and power was sanctioned by faith and by God and was therefore unquestionable. An erstwhile religious parade could therefore have social and political ramifications and bolster the existing orders of power.

The Corpus Christi procession was a major event in the social calendar but other important anniversaries were marked in a similar manner. Fragmentary records show that the Guilds held regular public processions through the sixteenth, seventeenth and eighteenth centuries. Large-scale pageants were held on St George's Day, while smaller processions honoured the patron saint of the individual guilds. In Dublin, Drogheda and Limerick the municipal boundaries were regularly marked by the ritual of riding the franchise. The Dublin Guilds also commemorated a local defeat by Wicklow clans on Easter Monday or Black Mondayby parading to the battle site at Cullenswood, while the Limerick Guilds were known to parade on May Day (Loftus 1978, Webb 1929).

By the late eighteenth century numerous other bodies had taken up and extended the practice of holding parades to mark significant religious, military and political anniversaries, to display their strength and loyalty, to assert their political demands and

to lay claims to territory. Throughout the century parades were held to commemorate the Williamite wars and numerous other royal anniversaries (Kelly 1994). Following the formation of the Grand Lodge in 1725, the Freemasons held regular processions on St John's Day (24 June) in Dublin, Coleraine and Cork, similarly numerous journeymen and artisans associations followed the customs of their masters in the Guilds and paraded on their patron saints day.

Roman Catholics were restricted by the Penal Laws, introduced after the Williamite victories, from publicly asserting their political ideals, although supporters of the Jacobite pretender caused a flurry of concern when they paraded in Dublin on a number of occasions during the 1720s (Connolly 1992). Instead saints days, fairs and sporting occasions were opportunities to gather together in a manner that could still act as a show of force and solidarity. However from the 1760s agrarian groups such as the Whiteboy bands and later the Defenders, began to organise to defend local and sectarian interests Beames 1983). They could rarely display their numbers freely in public by processing on anniversary days but instead funeral processions could be, and often were, used as a show of strength and to offer discrete warnings to those in power.

ii. Parading the North: Volunteers and Masons.

Parading was still a rather specialised means of celebrating or marking anniversaries, for most people gathering at bonfires to eat and drink was a more common practice. It was only towards the end of the century, when the Volunteer companies took up the practice in support of their demands for a reform of the Dublin Parliament and Freemasonry expanded across Ulster, that parading was consolidated as a widespread and annual practice in the north of Ireland (Jarman 1997).

The Volunteer movement lasted from 1778 to 1792. Their initial aim was to provide a military defence for Ireland during the American War of Independence, but they later became the 'paramilitary' wing of the Patriot Party who sought to secure greater political autonomy for the Irish Parliament from Westminster (Smyth 1979). With the help of the numerous Volunteer Companies, who displayed their military strength by parading regularly and widely to church, to mark Williamite anniversaries, for military training and sometimes simply as a social event, this was achieved in 1782. Volunteering was largely a movement of middle and upper class Protestants, and while some companies extended their political aspirations to Catholic emancipation, the movement remained relatively exclusive. After their demands for political reform were realised the movement fragmented and declined. However they maintained sufficient presence to mobilise and to celebrate on Bastille Day in Belfast in July 1791 and 1792 (Joy and Bruce 1792-3). However these were the last public manifestations of a once powerful movement.

The Volunteers were not the only organisation to popularise parading during this period. The 1770s and 1780s also saw the extension and consolidation of Freemasonry in Ireland and in particular across southern Ulster. Freemasonry has not been well served by historians in Ireland and although its influence on both the early Orange Order and the United Irishmen has been acknowledged (Smyth 1993, Stewart 1993), no substantial academic study of the Craft has been published. From the 1770s to the 1830s Freemasonry was a significant social force in Ulster and while it is now seen as a socially exclusive and Protestant organisation, during this period it was also a popular

and non-sectarian body. Some lodges were exclusive and Protestant, others largely Catholic, but many were mixed both by class and by faith.

Masonic lodges were widely established across east Tyrone, Armagh, Down and south Antrim - the areas where both Orangeism and Ribbonmen were later strongest (Crossle 1973). They functioned as self-help and social groups, and as an educational base for the rural population but parading was a key part of their calendar. In fact in the early part of the nineteenth century Masonic parades on St John's Day were at least as common and as large as Orange parades. The ambivalent social position of the Masonic lodges during the 1820s meant that they were often caught up in the growing sectarian clashes in south Ulster. It proved difficult if not impossible to maintain a non-sectarian position on the streets. Reports indicate that Masonic parades were as likely to be attacked by Orangemen as they were by Catholic Ribbon lodges and equally ready to ally with either side, depending on the make up of the local lodges.

Masonic parades remained a prominent part of Ulster social life until the 1830s when they came under the widespread constraints of the Party Processions Act. Many individual lodges regularly defied both the law and their own Grand Lodge, and took to the streets each June to maintain their traditions. But the growing sectarian polarisation within Ulster, the pressures to conform to the law and the debilitating effects of the famine during the 1840s all reduced the significance of Freemasonry as a popular force. By the time that parading was re-legalised in 1872, the Masonic parading tradition was dormant and was never revived.

iii. The Ribbonmen

After the political turmoil of the turn of the century, the defeat of the United Irishmen in 1798, the Union with Britain in 1801, and the failure of Robert Ammeter's rising in 1803, Ireland entered a period of relative peace. The first half of the century was dominated by Daniel O'Connell's campaigns for Catholic Emancipation and Repeal of the Act of Union. However in Ulster this period was marked by persistent sectarian clashes as rural Protestant and Catholic groups attempted to assert control and dominance over a society increasingly structured by sectarian division. Following the formation of the Orange Order in 1795, the Boyne parades became an annual opportunity for Protestants to display their power over their Catholic neighbours. But Catholics soon responded by forming into Ribbon lodges to defend their interests and to assert their own strength wherever possible. Both organisations were predominately lower class in membership but both also received the support and patronage of the more respectable members of their community, at least until the parades became a source of contention and public concern.

Many of the early reports concerning the Ribbonmen focus of outbreaks of violence of some kind. Rioting or fighting was reported at fairs at Garvagh in August 1813, at Crebilly in June 1819 and again in 1826, and at Maghera in June 1823. Violent flared at the races in Downpatrick in July 1814 and in August 1828. And trouble followed Orange parades at Kilrea in July 1818, at Armagh in July 1823, at Tullyallon in July 1824 and Banbridge in July 1831 and occasionally after Masonic parades, such as at Drum, County Monaghan in June 1823. Such repetitive violence has been portrayed as part of the long-established, non-political and non-sectarian tradition of faction fighting,

a form of recreational violence carried on between feuding peasant groups which regularly disrupted fairs, patterns, cock-fights and other sporting and social gatherings (O'Donnell 1975). Faction fights had been recorded since the seventeenth century but became more widespread, and involved, larger numbers by the early nineteenth century. The Ribbonmen are also sometimes portrayed as part of the Whiteboy movement, agrarian bands who attempted to establish their own forms of social justice by violent retribution on property, livestock and individuals (Beames 1983). However Garvin (1981, 1987) prefers to see them as the heirs to the tradition of rural Catholic radicalism and claims that their espousal of a vague nationalist political rhetoric has been largely concealed by the secretive, undocumented structure of Ribbon organisation.

Although widely associated with violence and public disorder, the Ribbonmen were also prominent, if not instrumental, in establishing a popular Catholic ritual celebration to mark St Patrick's Day. In the late eighteenth century the authorities in Dublin Castle had sought to promote St Patrick as a national and non-sectarian patron (Hill 1984), and some Belfast Volunteer companies paraded on 17 March during the 1780s. But the day was not widely taken up as a popular parading anniversary, nor seen as a specifically Catholic event until adopted by Ribbonmen. During the 1820s and 1830s regular reports appeared of Ribbon parades in places like Castledawson, Downpatrick, Newry and Toome, and in the Glens of Antrim, while small celebrations were occasionally recorded in Belfast. There is no clear indication as to when these parades began. In 1822 The Irishman (22.3.1822) reported that 'there has been an immemorial practice of walking in procession on the anniversary of St Patrick' and claimed that the previous year over twenty thousand people had taken part in the parade. The following year, Daniel O'Connell noted that although Ribbonmen throughout the north usually paraded on St Patrick's Day, this year they had agreed not to in the interests of peace (BNL 24.6.1823).

The opportunity to parade was something that had to be fought for however, and all to often, it was literally fought for. While Orangemen claimed the right to honour the victory at the Boyne they readily challenged Ribbon parades for St Patrick. But in their turn the Ribbonmen responded by confronting Orangemen when the opportunity arose. Throughout the 1820s and 1830s clashes occurred at parades across the north, firearms were widely used and fatalities were far from rare, although the most serious injuries were usually sustained by the Catholic body. The fatalities themselves then fed into the cycle of contentious parades as the Ribbon lodges (and Orange and Masonic lodges) took the occasion of a funeral to mount large processions of supporters. The history of political funerals is another subject that has yet to be subject to serious study.

iv. Control and Constraint

As the parades became more violent the middle and upper classes became less tolerant of them, but the civil authorities found it difficult to stop parades or to control the persistent disturbances. Attempts to proclaim parades were usually ignored or circumvented, local law enforcement was largely ineffectual and the authority and rulings of both the Grand Orange Lodge and the Masonic Grand Lodge were disregarded by local lodges. It was only the combination of the introduction of the Party Processions Act in 1832, which prohibited all parades, and the reform of the local police forces in Ireland in 1836 that enabled the state to bring matters under some degree of

control. The law banning parades remained in force for most of the next forty years, but it required the reorganisation of the police, under which a national Irish Constabulary replaced the various local forces (although Belfast, Dublin and Derry retained their local police) for effective implementation (Weitzer 1995). Although some small parades continued to be organised, the anniversary celebrations were largely reduced to the display of party colours and social gatherings in clubs and halls.

An Act to restrain for Five Years, in certain Cases, Party Processions in Ireland (16th August 1832).

Whereas great Numbers of Persons belonging to different religious Denominations, and distinguished respectively by various Emblems expressive of party Feelings and Differences, are in the Practice of meeting and marching in Procession in Ireland, upon certain Festivals and Anniversaries and other Occasions, and such Processions are calculated to create and perpetuate Animosities, and have been found to occasion frequent and sanguinary Conflicts between different Classes of His Majesty's Subjects; for Prevention whereof, and in order to guard against the Recurrence of the Tumults, Riots, and Disorders arising out of such Processions, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act any Body of Persons who shall meet and parade together, or join in Procession, for the Purpose of celebrating or commemorating any Festival, Anniversary or political Event relating to or connected with any religious or other Distinctions or Differences between any Classes of His Majesty's Subjects, or of demonstrating any such religious or other Distinction or Difference, and who shall bear, wear, or have amongst them any Firearms or other offensive Weapons, or any Banner, Flag, or Symbol the Display whereof may be calculated or tend to provoke Animosity between His Majesty's Subjects of different religious Persuasions, or who shall be accompanied by any Music of a like Nature or Tendency, shall be deemed an unlawful Assembly, and every Person present thereat shall be deemed to be guilty of a Misdemeanour, and shall upon Conviction thereof be liable to be punished accordingly.

In 1845 the authorities, believing that the problem of contentious parades had been eliminated and hoping that the traditions had been forgotten, chose not renew the Party Processions Act. The Belfast News Letter seemed convinced (or perhaps merely hopeful) that times had changed, as the editorial opined:

In these days education and enlightenment, Protestantism and Loyalty have discovered better modes of asserting themselves than by wearing sashes and walking to the music of fifes and drums (BNL 3.7.1846).

But far from being forgotten the anniversary parades were immediately resurrected, and with some gusto. Orangemen, Freemasons and Ribbonmen all took to the streets once again often accompanied by elaborate banners and visual displays. But other groups also appeared on parade with their regalia, among them the Belfast Independent Tent of Rechabites, Father Matthew’s Benevolent Association, Dr Spratt's Teetotallers and the Young Men's Association (again there is a whole history to be uncovered here).

While most parades were peaceful and well received, in some areas old rivalries were renewed. Trouble followed Orange parades in Armagh and Newry in 1846. Violence was more widespread in 1848, the St Patrick's Day parades at Ballynahinch, Downpatrick and Hilltown ended in riots, while parades at Coleraine and Derry were cancelled after warnings from Orangemen (BNL 21-3-1848). The following year Ribbon parades at Castlewellan and Crossgar were attacked by Orangemen, and at Crossgar a policeman and a young woman were killed (NW 20-3-1849). This growing conflict climaxed on 12 July 1849 when an Orange parade returning from Rathfriland was attacked by a party of Ribbonmen at Dolly's Brae, near Castlewellan. The Orangemen retaliated, and several Catholic men were killed. Following this incident the authorities determined to reintroduce the Party Procession Act. This time it was enforced more rigorously.

The roots of the modern practice of parading within both the Protestant and the Catholic communities are to be found in the histories of the Orange Order, the Ribbonmen and the Freemasons in the period between the 1790s and the 1860s. Parades in this period were often contentious and neither state authority nor the Grand Lodges could control popular custom. The decision to legally ban parades was successful up to a point, but only in so far as the authorities were willing to impose constraints on both communities. Some parades were allowed to continue, or rather were not stopped, but these were largely small affairs, although no attempts seem to have been made to stop the Apprentice Boys commemorations in Derry for most of this time.

Most people obeyed the law but the legal restrictions did not remove the desire to parade. Orangemen continued to assemble and erect decorations for the Twelfth but there is little evidence of any great pressure to resume parades from within the Catholic community. Ironically it was just such an assembly that lit the spark of a more substantial Orange opposition to the ban on parades. In 1864 a huge rally was held in Dublin to lay the foundation stone for a memorial to Daniel O'Connell, this proved an opportunity for Catholics from all over to come together and to display their political support for Irish nationalism. William Johnston, an Orangeman from Ballykilbeg in County Down, saw this assembly as a flagrant breach of the law, and claimed that the failure of the authorities to react was a clear discrimination against the Protestant people. Johnston used the still widespread popular support for parading among the northern Protestants as a means of mobilising people behind him. He organised illegal demonstrations, for which he was sent to prison, and his promise to secure the repeal of the Party Processions Act became a key plank in his campaign to win a parliamentary seat in Belfast, which was successful in 1868.

Chapter 2

PARADING FOR HOME RULE

The Party Processions Act was finally repealed in 1872 as a result of Johnston's long campaign, although Orange parades had resumed, untroubled, in 1868. Catholics had not publicly opposed the legislation, nor campaigned against it, but upon its repeal they once again began to organise parades across the north of Ireland. From 1872 until the outbreak of war in 1914 parading flourished as part of the nationalist political culture in the north, the gatherings grew steadily in size, scale and significance as they were used to mobilise support for the campaign for Home Rule.

From 1872 Our Lady's Day (15 August) was also incorporated into the political calendar with St Patrick's Day. It soon became the more significant date and by the early 1900s 'the Fifteenth' was treated by the Irish News as comparable to 'the Twelfth'. But this comparison was never quite as reliable as it might have seemed. Parading, although a significant feature of the nationalist culture, was never taken up with the same purpose as it was by the Orangemen, it was always more clearly linked to a broader political agenda, rather than developing a dynamic of its own. But, just when the momentum seemed to be building up with bigger and bigger parades each year, the main anniversaries were virtually ignored in 1913 and 1914 as more overt political concerns took priority.

By the end of this period a diverse range of organisations: the United Irish League, the Ancient Order of Hibernians, the Irish National Foresters and the Gaelic League had become prominent in extending the nationalist tradition of public celebration. Each of these bodies marched with their banners, bands and sometimes with elaborate regalia, while their supporters erected bunting and green arches in prominent locations in host towns and villages. However nationalist parades were never readily accepted in the north by a large part of the Protestant community. An editorial in the Belfast News Letter summed up the limits of their acceptance.

The Roman Catholics have a right to proceed where they please, provided they do not select such places as are almost exclusively inhabited by Protestants, and thereby calculated to give unnecessary offence to Protestants (16.8.1872)

At best nationalist parades were tolerated and accepted in those towns and villages with a dominant nationalist population but they were often opposed and physically confronted when they attempted to breach those boundaries. Furthermore, whenever violence broke out as a consequence the Roman Catholic Church voiced its opposition and acted to curtail future parades. Not all Protestants opposed nationalist parades, William Johnston, for instance, often repeated his assertion that both communities should enjoy the same rights to parade, and the civil authorities were often prepared to use the law to defend the rights of nationalists against Orange opposition. As a result, towards the end of this forty-year period the culture of parading appeared to be established as a prominent feature of Irish nationalist activity in Ulster.

i. Lady Day’s in 1872

St Patrick's Day 1872 had been marked by commemorations of the Manchester Martyrs and demonstrations in support of Fenian prisoners in Cork, Drogheda and Dublin. There were no demonstrations in the north although shamrocks were widely worn. However a number of events in support of Home Rule and the Fenians were announced for Our Lady's Day. Parades were planned in Belfast, Castlewellan, Cookstown, Derry, Dundrum, Gilford, Lurgan, Lisburn, Newcastle, Newry, Portadown, Portglenone and Warrenpoint. Some of these attracted large numbers of supporters, others were only local parades, prior to moving on to a larger demonstration. Editorials in the Northern Whig (14.8.1872) and the News Letter (15.8.1872) noted that the Orangemen had been allowed to hold their demonstrations in July without any interruptions and therefore Protestants should allow Roman Catholics to do likewise. It was further noted that the demand for Home Rule was a constitutional objective and demonstrations in support of such a demand should be allowed.

The responses to the parades were varied and represented the full range of reactions to expressions of support for the nationalist cause. The most liberal approach was taken in Derry. Philip Shannon, President of the Apprentice Boys issued a notice to his members warning them not to interfere with the Catholic demonstration. He reminded them that William Johnston had always insisted that parading was not just for the Protestant people and they must respect the rights of others to parade as well. In the event the nationalist demonstration, of some five thousand people, which processed through the city centre, around the city walls and across to the Waterside passed off peacefully (BNL 16.8.1872; NW 16.8.1872). In other towns the response was not so accommodating.

The most extreme response to the idea of a nationalist demonstration was in Belfast. The organisers planned to assemble their supporters in Hercules Place and then parade to Carlisle Circus and from there to Hannahstown. Andrew Boyd provides a detailed account of the events surrounding this parade, and the riots that followed, in Holy War in Belfast (1987), so we will restrict ourselves to a bare outline. Boyd notes that the decision to hold the parade on Lady’s Day, (or the Feast of the Assumption of the Blessed Virgin), meant that the nationalist aspiration for Home Rule was identified in many minds as an exclusively, and essentially, Roman Catholic desire. Furthermore he claims that as there had not been a nationalist parade in Belfast since before the United Irishmen rising of 1798 it was easy to mobilise Protestant opinion against the planned demonstration. Although the editor of the News Letter seemed somewhat perplexed that nationalists should want to parade 'through the midst of a Protestant community in colours ... associated with disloyalty' and on a day which otherwise had no political overtones. He nevertheless urged that Protestants 'be slow to take offence, even if offence should be directly offered to them' (BNL 15.8.1872). Unfortunately some of the Protestant community did not heed his advice.

When the procession approached the assembly point at Carlisle Circus they found it blocked by a crowd of between five and ten thousand people. These had gathered to defend St Enoch's Church after the minister, the Revd. Hugh Hanna, had warned that it would almost certainly be attacked. The Home Rule supporters were forced to walk back through the town centre and from there to the Falls. Near Divis Street, on the lower Falls, the procession was attacked by Protestants from the Shankill area, but once

the police had regained control the marchers were able to continue to Hannahstown, where eventually some thirty thousand people assembled for the rally.

Violence broke out again later in the day when shipyard workers from Queen's Island clashed with police in High Street as they attempted to confront the returning marchers. As a result the parade was prevented from re-entering the town and forced to break up and disperse early. Although this happened peacefully, people began to gather on the streets after work, barricades were soon erected between the Falls and the Shankill Roads and fighting broke out between mobs from Sandy Row and the Pound. Rioting continued through the evening as mobs clashed throughout the town. Many people were forced to flee from their homes. The violence died down overnight, but began again early the next day and despite the efforts of the police, the mayor and the military it continued over the next week. It was not until torrential rainfall on Wednesday 21 August kept people from the streets that the fighting was brought to a halt. At least four people died during this period, several more were seriously wound, two hundred and forty seven houses were destroyed, and over eight hundred families forced to leave their homes.

One clear aim of the violent protests from the Protestant community was to demonstrate that they would not tolerate nationalist parades in the heart of their city. In this they were largely successful. While nationalist bands continued to parade in their parts of the town and arches were regularly erected in Smithfield and on the streets off the Falls Road, more extensive displays and demonstrations of support for the Home Rule movement were not attempted again until the 1890s. If Belfast Catholics wanted to join in with the nationalist demonstrations they were forced to leave the city and travel elsewhere to a town where such displays were accepted.

ii. Disturbances in County Armagh

While a number of parades in the south Down area passed off peacefully, there was trouble at several events in the 'linen triangle' area of east Tyrone, Armagh and west Down. In Lisburn, local Orangemen were called out to ensure no demonstration took place, in Cookstown a proposed monster demonstration in support of Home Rule brought an announcement that local Orangemen intended to hold an open air meeting at the same time. As a result the military were sent in to ensure that order was maintained. Magistrates were also concerned that a parade planned for Gilford would provoke a hostile response from local Orangemen. They banned the assembly and ordered that all pubs in the village, as well as those in Laurencetown, Point, Civil Town, Scarva and Loughbrickland should remain closed from the eve of the 14th until the 16th. Furthermore extra police and a troop of Dragoons were drafted into both Gilford and Scarva. The main assembly was relocated to the nearby village of Point, but a tenuous compromise seems to have been reached to allow residents of both sides of the mixed community of Gilford to display their faith (Cohen 1993). At about 4.30 in the morning an Orange drumming party paraded through the village, nationalists were then allowed to hold their parade along the main street between seven and eight o'clock on condition that they would not parade that way on return. Once they had left, the Orangemen once again paraded the street to reassert control.

More serious problems occurred at Scarva where the nationalist procession was confronted by a crowd of Protestants who stoned them as the tried to cross the railway-bridge. The Riot Act was read before the police were able to restore order. Nevertheless, a stand-off occurred at the bridge as more Protestants arrived to ensure the parade was not forced through the village. Tension increased when a train full of Home Rule supporters from Lurgan and Portadown arrived but they were prevented from leaving the platform and forced to return to their native towns (BNL 16.8.1872; NW 16.8.1872). The disturbances in Scarva eventually petered out but trouble spread to both Lurgan and Portadown. In Portadown nationalists were attacked when they arrived back at the town, while the Lurgan contingent were prevented from holding their planned return parade by a crowd of Protestants. Trouble continued in Lurgan over the next two days. On Friday 16th the police were forced to intervene as a crowd of Catholics gathered to try to stop children from the Wesleyan Methodist School from going to their school fete, apparently in response to the events of the day before. Later that afternoon the police had to stop the returning children and 'their friends' from parading through the Catholic Pound area of the town. More trouble flared over the weekend: an 'Orange mob', parading the town on Friday evening, was fired upon by a Catholic spirit-grocer, a man named Donnelly. The mob responded by rioting and wrecking four houses. The following night the Catholic mob rioted in their turn, by Monday however things had quietened down again and order had been restored (NW 17.8, 19.8.1872). Unfortunately such disturbances were to become virtually an annual event in the town.

iii. The Right to Parade (I)

The events of 1872 show that nationalists were more than ready to utilise parading as a medium for displaying the strength of their community and the scale of support for their political aspirations. In the following years parading became a key feature in building and sustaining the initial momentum for Home Rule. However, like the campaign itself, the nationalist parading tradition fluctuated in its fortunes and it was not until the 1890s that it really flourished. St Patrick's Day parades continued to be held in many places but it was Lady's Day that became the more popular day for holding parades and larger political gatherings. In part this was because of the better weather in August. All too often newspapers noted the atrocious winter weather in March and, even after St Patrick’s Day was declared a holiday under the 1878 Factory and Workshops Act, many people unsurprisingly preferred to spend the day in the shelter of a bar drowning the shamrock rather than parade through streets or countryside. In contrast marching was already well established as a feature of the summer months and August could be relied upon as an enjoyable month for parading. The previously religious anniversary became a popular holiday for Catholics and was used as an opportunity to gather together for a political rally, to go on an outing to the sea or where possible to combine the two.

The ability to exercise the right to parade varied from area to area. It depended both on the strength and size of the local Catholic community, and the scale of the opposition from within the Protestant community. Through the 1870s and 1880s nationalists fought to establish a right to parade in many areas of the north. Sometimes this was done in the face of violent opposition but sometimes this was done with the assistance of the civil authorities, the police and the military. The reforms of 1836 had largely

taken control of policing out of local hands and during the century Catholics steadily came to dominate the ranks. In 1816 84% of the constabulary were Protestant but by 1880 they were 76% Catholic, although Protestants dominated the officer ranks. However, a commission of inquiry in 1864 found that the Belfast police force were both overwhelmingly Protestant and anti-Catholic. The government responded to the finding of the inquiry and replaced the Belfast police force with the Royal Irish Constabulary and by the 1880s membership of the force was in line with the population balance of the town itself (Weitzer 1995). Despite these various changes the police frequently found themselves accused of bias towards the other community in times of disturbance and frequently found itself in the front line at disputes over the right to parade.

The demands for the right to parade at this time were acted out within an uncertain tripartite relationship which involved the Protestant community, the Catholic community and the state, in a balance which varied from place to place and to a lesser extent over time. As nationalists sought to increase their rights to parade as part of their campaign for Home Rule, Orangemen often physically challenged them. In some towns nationalist parades were accepted within a limited area, but others remained firmly beyond the pale as far as green parades were concerned. However, Home Rule parades were sometimes planned for places with a sizeable Catholic population but where parades had not been held for some time. Usually local Protestants would announce that they would hold a counter demonstration if nationalists tried to hold a parade in a town or village that was not perceived to be green enough. This left the authorities in a dilemma: should they ban both events, should they just ban one or should they allow both events. Frequently they took the easy path and bowed to the fear of public disorder and chose to confront whoever would generate the lesser threat.

iv. Contrasting Experiences: Down and Armagh

In south Down nationalists paraded relatively freely. Downpatrick had long been a venue for St Patrick's Day parades, and this tradition continued to be maintained and extended. But with the growth of the railways people from the area increasingly chose to rally at the coast in August. Contingents from Belfast joined groups from Castlewellan, Downpatrick and Newcastle in Dundrum, or sometimes in Ardglass. Similarly Home Rule supporters from Newry gathered at Warrenpoint for the day, although they paraded their own streets before they left and again on the return. There was rarely any trouble as a result of the parades in these areas, although in March 1875 the return procession through Downpatrick took the police by surprise by turning into English Street and parading around the Protestant Cathedral which the Northern Whig condemned as a most reprehensible course'. This was clearly a case of nationalists taking the opportunity to flex their muscle and assert their power in a town in which they were demographically dominant (NW 18.3.1875). As a result of this display there was more tension at parades in the town in the following years and rioting broke out in August 1880 when local Orangemen tried to prevent nationalists from erecting their arches in the town (NW 17.8.1880). Fortunately this was a rare disturbance in the area, which stood in contrast to County Armagh where trouble at parades was more of an expected and regular occurrence.

Lurgan and Portadown, were the scene of recurrent troubles and of a type which has resonances with the contemporary disputes. In Lurgan nationalist parades were an

established feature of the social calendar. Two to three thousand people regularly paraded each August, while smaller parades were held in March. The parade followed an established route from the Shankill area via Edward Street to the townland of Moytagh and returned via Edward Street, Church Place and North Street before arriving at Milltown where a public meeting was held. This route restricted nationalists to the clearly designated Catholic areas of the town and away from Protestant areas. But, there was still a flashpoint by the Church of Ireland at the junction of High Street, and in later years near William Street, where Protestants would gather to abuse, jeer and throw missiles at those walking. The police often had a hard job maintaining order but only rarely was the trouble as extensive as had been experienced in 1872. The worst of the violence occurred in August 1879 when the police resorted to reading the Riot Act and then opened fire on the crowd after disturbances had broken out on the return parade. On this occasion a young boy was shot and killed, and two other people were wounded in the trouble (NW 16.8.1879). Rioting also broke out in March 1885 and again in August 1886, but after that any disturbances seem to have been minor scuffles. Protestant objections to the displays of support for Home Rule were often the precipitant cause of the trouble, but nationalists were not slow to respond to abuse with violence of their own. In fact, the rioting in 1886 involved nationalist crowds attacking the police and occurred in the absence of any formal parade that year (NW 17.8.1886).

In Lurgan the disputes largely centred on the issue of where nationalist parades should go and, as remained the case until August 1997, they were excluded from the main commercial area of the town. But certainly by the 1890s nationalist parades were more widely accepted, or at least they were more readily ignored by Protestants. In contrast there is no indication that nationalist parades or displays were ever tolerated in Portadown. Nationalists in Lurgan could erect green arches in the Edward Street area, but the only time such an act was reported in the Tunnel area of Portadown, in 1880, rioting broke out (NW 16.3.1880). Nationalists in the town were forced to join processions elsewhere if they wanted to parade their support for the Home Rule cause. Usually residents from the Tunnel area joined their compatriots in Lurgan, but even then they did not necessarily escape the antagonism of local Protestants, who would wait for their return in the evening and then attack them. In August 1880 and again in March 1885 more serious action was taken, the Tunnel area was blockaded and the local band stopped from leaving the area by Protestant bands who paraded the streets through the day (NW 17.8.1880, 18.3.1885). As with Lurgan, by the 1890s violent assaults on nationalists at anniversary days had largely ceased, although there was still no suggestion that nationalists should have the right to parade in the town. Portadown remained the Orange Citadel.

These examples of Lurgan and Portadown suggest that the current objections to the rights of the nationalist community to parade in the centre of the towns is not simply a response to the violence of the IRA. Portadown, and to a lesser extent Lurgan, were, and are, regarded as Protestant towns. Public expressions of nationalist identity were not welcome, and in these two cases the demographic dominance of the Protestants made sure that Catholics were kept in their place. While the police were prepared to maintain the limited rights of Home Rule supporters in Lurgan they were not prepared or able to extend them to equal the rights afforded to the Orangemen, in Portadown nationalists appear to have had few rights. It would almost seem to be a tradition that nationalists have been denied the same rights to parade in support of their cause as Orangemen,

regardless of whether it was a constitutional demand or otherwise. Equally it appears that there has been little change in the attitude of the Protestant communities in these towns.

v. Walking Derry's Walls

In contrast to the inequalities in the rights to parade in County Armagh, nationalists in Derry were able to assert their right to parade within the city, and these rights were usually protected by the police. From 1872 until the First World War St Patrick's Day parades were held regularly in Derry, although by no means on each and every year. In contrast there are no reports of nationalist parades in the city in August after 1872, probably because of the proximity of Lady's Day to the Relief of Derry celebrations. In 1872, both nationalist and unionist parades in the city went ahead, both made a circuit of the city walls and both passed off peacefully. In fact the route of the nationalist parade makes for interesting reading. After assembling at Lone Moor they paraded along Bishop Street and Society Street and around the city walls before crossing over the bridge to parade through the Waterside. After this they recrossed the bridge and ended up back in the Bogside. Although a request by nationalists to parade around the walls nowadays would be regarded as a provocation and without any traditional basis, it became the accepted route from the 1870s onwards.

The right of nationalists to parade the walls was won in the face of hostility from members of the Apprentice Boys particularly in the 1870s and early 1880s and was only achieved because the authorities were willing to confront the objectors on a regular basis. Nevertheless varied attempts were made to stop the parade. In 1877 an improvised bomb was found on the parade route. The News Letter tried to dismiss the incident in a casual manner There was some disturbance, but nothing of much importance. A jar of powder, with a fuse attached was discovered on the Walls, which it is believed was intended to have exploded among the processionists(BNL 19.3.1877). Some nationalists took the incident more seriously and responded by attacking the Apprentice Boys parade in August. This in turn raised fears for the next St Patrick's Day parade and on this occasion a party of Apprentice Boys attempted to occupy the walls to block the nationalists route. However they were eventually chased into the Protestant Hall by the police before the procession arrived but not before minor clashes had occurred and the Riot Act had been read (BNL 19.3.1878; NW 19.3.1878). In 1882 the Apprentice Boys petitioned the civic authorities to have the parade banned, but the parade organisers met with the town magistrates and agreed to 'omit certain banners of a seditious character prepared for the occasion' (BNL 18.3.1882). The magistrates agreed to permit the parade although they brought extra police into the city and ordered that all pubs should remain closed. Furthermore the mayor issued a proclamation forbidding the display of arches, although this was widely ignored and at least thirteen green arches were erected in the Bogside. Probably as a result of the disputes the parade itself was larger than usual, with between four and five thousand people joining the procession. However the day passed peacefully (NW 18.3.1882). A dispute the following year led to Closing of the Gates parade in December 1883 and the St Patrick's Day parade in 1884 both being banned. This appears to have been the only time such severe action was taken. Thereafter nationalist parades were held in the city with little trouble (Doak 1978).

Chapter 3

CULTURE AND COMMEMORATIONS

Having established the right to parade the walls and city of Derry nationalists appear to have abandoned the practice for a decade after 1887, and it was not until 1896 that the custom of walking the city on St Patrick's Day was once again resumed. But the Catholics of Derry were not alone in virtually abandoning parades in this period. Bands maintained the practice of parading in Armagh, Belfast, Downpatrick, Lurgan and Newry each March and August but few larger gatherings were held, although there was a consolidation of the custom of parading in east Tyrone, where regular events were held in Coalisland, Cookstown, Dungannon and Stewartstown. Those parades that did take place were largely free from violence but the celebrations were never on the scale of the 1870s and early 1880s. It is not immediately clear why the custom of parading went into such a decline after 1886. Parading seems to have been both a widespread and a popular activity from 1872 to the later 1880s, and throughout this time nationalists had been ready and willing to confront opposition by Protestants. By the mid-1880s the physical opposition from the Protestant community appears to have passed its peak and the authorities appeared more willing to uphold the rights of the nationalist community to demonstrate, albeit in certain areas. The decline in support for parades would therefore appear to be a result of the internal dynamics of the Catholic community. Three majo factors had a significant impact on the reduction of parading within the nationalist community: the opposition to parades from the Roman Catholic church, the lack of a prominent body to co-ordinate demonstrations, and the wider relationship between parading and the political campaign for Home Rule.

i. Restraining Parades

Religious images and portraits of various saints and the Pope were widely displayed on the banners carried at these parades. But despite Boyd's assertion that the adoption of Lady Day linked the demand for Home Rule with Roman Catholicism in the popular mind, the Church did not readily offer support for parades. Going to Mass was still regarded as the most important feature of St Patrick's Day, and the press frequently reported large assemblies in Armagh and elsewhere, especially in those years when Home Rule parades were small in scale. It was not the parading per se that was opposed by the church, since some congregations held a formal parade to Mass, but their association with political demands for Home Rule, their links with secret societies, and the displays of support for the Fenians and political violence (Rafferty 1994:161-9). Alongside portraits of St Patrick and St Columbcille, images of the Manchester Martyrs, Robert Emmett and Lord Edward Fitzgerald, demands for Home Rule and the release of the Fenian prisoners were regularly displayed at parades. In this the Catholic Church hierarchy were in general agreement with Protestant opinion which often claimed that they did not object to the parade itself, but with its political overtones, as if the two could be separated.

In 1879 the Northern Whig noted with satisfaction that the parade in Derry had been a small event that year, and had been 'of a religious and National character judging from the banners displayed, the Home Rule and disloyal elements being eliminated'. The

notion of 'National character' referred to images of an earlier period of resistance, to Rory O'More and Patrick Sarsfield rather than the more recent political heroes. But attempts to restrain the displays of popular support for more radical changes was a constant battle. In 1878 a report from Newry noted with satisfaction that it was some years since the Roman Catholic Bishop (Dr Leahy) and the clergy of the town set their faces against processions on this holiday, and now there is nothing of the kind(NW 16.8.1878). And in 1884 plans for a parade in Belfast were cancelled when opposition was expressed by Bishop Dorrian. But in both these examples the objection was partly circumvented, arches were still erected in residential areas and small local parades were usually held in the morning while those who wished to support the cause joined their compatriots at larger gatherings elsewhere. Sometimes however the opinion of the church hierarchy was simply ignored rather than sidestepped. In 1896 a circular from the Bishop of Down and Connor, denouncing plans for a demonstration in Belfast in support of the campaign for an amnesty for the Fenian prisoners, was read at Sunday Mass but the parade to Hannahstown took place anyway (IN 17.8.1896, 18.8.1896).

The influence of the church was made known in other ways that also restricted the organisation of parades - through its opposition to secret societies. The Roman Catholic Church often reiterated its opposition to Freemasonry (but which still had a strong Catholic membership in the early part of the century). It opposed Ribbonism, and formally condemned Fenianism in 1870, and it was only in 1904 that the church lifted its ban on membership of the Ancient Order of Hibernians (Foy 1976, Rafferty 1994). While these objections did not prevent Catholics supporting these bodies, it did probably restrict their public displays. Unlike the Orange Order which was publicly involved in organising the Twelfth and other parades, there was no similar co-ordinating body for nationalist commemorations. Prior to the late 1890s the parades seem to be have been organised on a very local basis. Mention is made of the involvement of Ribbon lodges at Portglenone in 1872 and at Draperstown in 1883, to a Portadown Hibernian Society in 1875, and to Hibernian Brethren at Stewartstown in 1891. The Irish National League organised demonstrations at Draperstown in August 1883 and at Castlewellan in March 1885. But in most cases those participating at parades were described simply as 'nationalists'. In fact much of the impetus for the parades seems to have come from bands. Many anniversaries seem to have been celebrated by one or two bands leading a relatively spontaneous parade around their local town. The Tunnel Flute Band in Portadown, the Gratton Flute Band in Belfast, the Shankill Street Band in Lurgan, and the Monaghan Row and Pound Street Bands in Newry were all prominent in maintaining the nationalist practice of parading. Although the Ancient Order of Hibernians claim a long ancestry there is no mention of them by name in the national press before 1897 when they organised a demonstration at Cookstown in August (NW 16.8.1883, 18.3.1885; IN 17.8.1897). But thereafter the Hibernians, the Irish National Foresters, the United Irish League and the Gaelic League were all heavily involved in the main anniversaries and the parades grew in scale and support.

As has been noted throughout this text, parades were closely connected to overt political campaigns in this period. Home Rule rallies and meetings sometimes intersected with the celebration of popular anniversaries and the celebrations for St Patrick's Day and Lady’s Day were widely used to indicate support for Home Rule. The ebb and flow of enthusiasm for parading can, to some extent, be linked with the larger constitutional campaign but not totally subsumed by it. The initial increase in support for parading

paralleled the rise of the Home Rule movement while its decline followed the failure of the first Home Rule legislation in 1886. Similarly the rise and fall in violence at parades during the 1880s can, in part, be linked with the progress of Home Rule legislation, and the intensity of loyalist reaction to the threat to their position, but again this is only a partial linkage. This is because parades were always also about localised displays of strength, about control of territory and about local identity (Wright 1996). The inherent dynamic of these factors meant that there was no dominant overarching pattern that structured the nationalist culture of parading and the opposition that was mounted against it. The Irish National League, a Parnellite extension of the Land League, had been involved in parades in a minor way in the 1880s and some politicians had used these events to speak for the cause. But it was only with the rise to prominence of the Hibernians and the other groups in the organisation of parades from the late 1890s onwards that parading became a more co-ordinated and integrated part of the larger nationalist political agenda.

ii. Hibernians and Foresters

The Ancient Order of Hibernians was the most prominent body involved in the parades. Although they trace their roots from the sixteenth century rebel leader Rory O'More, through the various agrarian bands and more politicised groupings like the Defenders and Ribbonmen, the Hibernians as such, first appeared in the mid-nineteenth century in America (Foy 1976). It was some years later before the name was used in Ireland, where they functioned both as a social organisation and, particularly in rural Ulster, as defender of Catholic interests and a counter to Orangeism. The AOH grew in significance in the early twentieth century when the diverse strands came together under the Board of Erin, and under Joe Devlin the AOH was integrated into the Irish Parliamentary Party machine. After 1911 they expanded their social functions by operating the national insurance schemes that were introduced by Lloyd George. Membership rose from ten thousand in 1905 to sixty thousand in 1909 and by 1914 they had one hundred and seventy thousand members covered by their insurance scheme (Hempton 1996). Under Devlin the Hibernians became a medium for mobilising support and providing security and muscle for nationalist political rallies. But they were also a central part of the process of reinvigorating nationalism in the north, where they introduced both a more strongly sectarian and a more Catholic outlook to the movement. The decline of the Hibernians as a political force after 1918, mirrored that of the Irish Parliamentary Party, and although they retained some significance through their social clubs and insurance schemes their political influence was much reduced by partition.

The Hibernians were also closely linked with the United Irish League, formed by William O'Brien in 1898. At that time the Parliamentary Party was still divided into pro- and anti-Parnellite wings, but the support given to the League served as a spur to the politicians to unite under the leadership of John Redmond. The UIL was then absorbed as the constituency organisation of the reinvigorated party. Joe Devlin was already secretary to the UIL when he was elected national president of the Hibernians in 1905, under his influence the two bodies worked together, supporting and complementing each other rather than competing for influence within the wider movement (Boyce 1991, Curtis 1994).

The other prominent body involved in parades at this time, the Irish National Foresters were less involved in the overt political structures. They were, and still are, a friendly society, the result of a split from the British based Ancient Order of Foresters in 1877, their interest in parades was a feature of the longer standing practices of fraternal organisations which flourished throughout nineteenth century Britain and Ireland (Buckley and Anderson 1988). Like the Hibernians, the Foresters were involved in providing social welfare provisions and assistance for its members and after 1911 also ran insurance schemes. While they were broadly nationalist in outlook and not overtly involved in the politics of the period they too went into decline after partition.

From the late 1890s these three bodies, AOH, INF and UIL, and to a lesser extent the Gaelic League, came to the fore in organising and extending the nationalist parading calendar. The number of parades on each of the main anniversaries increased steadily, so to did the size of the events: more people paraded, and they came from further afield, the number of bands increased and the visual displays grew in scale and elaboration. Each year many prominent Irish Party MPs made the round of the various Fields to rally their supporters, although the leaders of the constitutional campaign tended to address public meetings in England, rather than in Ireland, at this time. However, the anniversaries in March and August became major displays of support for the nationalist cause in the later 1890s.

iii. Stepping Out in '98

The resumption of interest in parading began with the centenary of the United Irishmen rising. Queen Victoria's Diamond Jubilee had been widely celebrated across Ireland and it was felt important to put on a good show for the nationalist ideal. In spite of incessant internecine political squabbling and intense factionalism in the planning of the commemorations at the national level, many small, locally based '98 Clubs were formed to organise localised celebrations (O'Keefe 1988, 1992). Numerous parades and public demonstrations were held across the north during 1898. These began with a larger than usual turn out for the St Patrick's Day parades at Derry, Lurgan and Stewartstown, but the main commemorations were held during late May and early June, with a further series in August and September. Some of the parades were large regional gatherings, but many were smaller torchlit processions to a hilltop site where a beacon fire was lit and the crowd was addressed by a local political figure on the significance of '98 for the cause of Ireland. As long as these demonstrations kept to accepted nationalist parading routes there was little trouble, although local Orangemen sometimes raised noisy protests. More serious disturbances occurred in Ballynahinch in early May, when the grave of Betsy Gray was completely destroyed by a crowd of Protestants and a number of houses were damaged in the ensuing riots.

While the smaller gatherings passed off peacefully concern was raised over the plan for a large parade through Belfast on 6 June. Nationalists announced that they wanted to assemble at Cromac Square and parade along Victoria Street, to High Street, through the town centre to the Falls Road and thence to Hannahstown. Given that violent protests had greeted the demonstration in support of the Fenian prisoners two years previously the authorities were understandably nervous (IN 18.8.1896). The police had already been forced to intervene to stop Protestants from the Shankill and Ballymacarrett from confronting the St Patrick's Day parade through the town, and tension further increased

when a parade by the Lord Edward Fitzgerald Band was attacked by the police at Millfield in late May. Crowds gathered to object to a similar event at Carrick Hill the following night, and although this time the parade passed peacefully trouble followed a similar band parade at Short Strand (IN 24.5, 25.5, 27.6.1898).

On 20 May the Mayor and the town magistrates met to discuss the proposed route. The police stated that they could not guarantee that they would be able to protect the marchers if any protest was mounted, and they recommended that the parade should assemble at Smithfield instead. However the magistrates did not accept the police advice and proposed a compromise route which, while avoiding the riverside area, took in May Street, Donegall Square and Howard Street. They also rejected a proposal to close all the bars for the day. On 3 June, a few days before the planned parade, the Irish News reported that the Grand Master of the Belfast Orange Order, the Revd. Dr Kane, had publicly opposed the idea of a counter-demonstration. But the paper suggested that he had done so in words that left little doubt as to his true opinions:

while we regard the proposed demonstration on June 6th as a flagitious display of sympathy with an armed insurrection, which above all things, was characterised by a series of most foul and cowardly murders and massacres of innocent men and women, whose only offence was their Protestantism, we full recognise that it is for the constituted authorities and for them only, to say whether such a demonstration is to be allowed or prohibited.

Clearly worried by the implications of the ambiguity of Kane's statement, the Lord Mayor, Alderman Henderson convened another meeting of magistrates to reconsider their previous decision. The Mayor announced that certain 'parties' were prepared to swear that if the route was not changed then rioting would take place in the city. A number of the magistrates recommended that extra police should be brought in to protect the processionists, but others feared that this would merely provoke even more widespread rioting. In the end it was decided to rescind the previous decision and force the parade to assemble at Smithfield, rather than Cromac Square. Three hundred extra police constables were brought in from Cavan and Tyrone and the military were put on stand-by (BNL 4.6.1898; IN 4.6.1898). The committee of the Ulster United Centenary Association announced that while they would accept the revised starting place they protested in the strongest manner possible against this infringement of our liberties as citizens(IN 7.6.1898).

An estimated fifteen thousand people took part in the procession to Hannahstown, where they heard both Joe Devlin and John Dillon speak. The parade itself passed off peacefully, but the police were forced to intervene to stop Protestants from Queen's Island from attacking those who had gathered in Smithfield. The police also came under attack on the Shankill where the Inniskilling Dragoons had to be brought out to clear the crowds. Further attempts were made to confront the procession along the route but the police were able to keep the mobs clear of the marchers throughout the day. However, rioting continued in Protestant areas over the next few days. The military were deployed on the Falls/Shankill interface and imposed a virtual curfew on the Shankill area. Movement in and out of the area was restricted to those who could prove they had legitimate business. Only by Friday 10 June had feelings quietened down, by which time over one hundred policemen and countless civilians had received injuries.

The editor of the News Letter acknowledged that the violence had been started by Protestants whose actions had cast shame on Belfast loyalty but at the same time he claimed that they had been provoked by the processionists, and therefore the violence was in some means understandable. Ultimately the blame lay with the government for allowing the parade to take place at all: 'The authorities at Dublin Castle should have proclaimed it as a proceeding likely to lead to a disturbance of the peace' (BNL 4.6.1898). This was similar to the approach taken by the police prior to the parade: that if there was a possibility of loyalist violence then nationalist parades should be cancelled or restricted. While the city authorities did try to accommodate the rights of the nationalists to parade they were also concerned at the prospect of rioting. Although in the end the threat of violence forced them to restrict the parade it did not prevent the predicted violence. Furthermore they were forced to confront the problem again a year later.

iv. Out Again in '99

When the United Irish League announced that they would be organising a major demonstration through the town on 5 June 1899 the conflict between rights and riots was once again to the fore. This time the concern was not over the route since the nationalists planned to assemble at Smithfield and did not intend to parade through the city centre. Instead concerns was raised as a result of an announcement by Arthur Trew, a fundamentalist lay preacher and leader of the Belfast Protestant Association, of his intention to hold a counter demonstration. This was a familiar tactic of Protestant radicals when they wanted to challenge the rights of nationalists to assemble or to parade. Usually the authorities took the easy option and banned both assemblies, thereby facilitating the loyalist desires and when the magistrates assembled under the chairmanship of Lord Mayor Otto Jaffe on 29 May, this was one of the options put forward. John Moriarty, City Commissioner of the RIC, warned that if the procession was allowed there would be a riot, and he argued that either both events should be banned or both should be allowed. He asserted that he could not be responsible for the peace if the counter demonstration was banned while the parade to Hannahstown went ahead. Magistrate Joseph Macauley countered by arguing that if both the events were banned, it would mean that

any rowdy could send information of a threatening kind to the City Commissioner and stop any lawful meeting. Only one conclusion could be deducted - that the mob held the controlling power in Belfast and not the police.

Eventually after much argument it was decided to allow both the events to take place and to increase the levels of policing in the city to contain any disturbances (IN 30.5.1899). However other influences were also being brought to bear on Trew to get him to cancel his counter-rally. On the same day that the magistrates met, William Johnston addressed the annual meeting of the Parliamentary Committee of the South Belfast Conservative Association at Sandy Row Orange Hall. Although he was no longer the significant voice he once was within Orangeism, his views on parading were still respected. Johnston made a powerful speech in defence of the right to parade that was widely reported in the press (BT 30.5.1899, NW 30.5.1899). He announced that:

Civil and religious liberty was in danger when men who were not satisfied to allow that liberty to be enjoyed by anybody but themselves.

He would not have ventured to stand on the floor of the House of Commons and to ask that that grievous anomaly and wrong (i.e. Party Processions Act) should be put an end to if he had not been prepared to concede to those who differed from him in politics and religion the same liberty that he claimed for the Orangemen of Ulster (Cheers).

Let them remember they had their own anniversary coming ... and how would they like a counter demonstration ... on the Twelfth of July? They were a splendid majority in Belfast, and because they had the great strength they ought to be generous and not always use it (Hear, Hear).

A few days later the Grand Orange Lodge of Belfast issued a manifesto, opposing Trew's demonstration and calling on Orangemen to offer no challenge to the nationalist parade. The same day, after a meeting with the Lord Mayor, Arthur Trew announced that he would cancel his counter demonstration (IN 2.6.1899). In spite of all this work, and the deployment of extra police and the military throughout the town, the parade was attacked at the Bog Meadows on its return from Hannahstown. Rioting flared again in the early hours of the morning in mixed areas of the city, and the Riot Act was read on the Shankill before some calm was restored. Disturbances continued over the next two or three days. Fortunately the trouble did not develop to the scale of the violence of the previous year.

These were the last major attempts by nationalists to establish their right to parade in the centre of Belfast prior to partition. The overall experiences of these two years made it clear that the Protestant working class were not willing to extend the same rights to Catholics as they claimed for themselves, even if some of their leaders were beginning to acknowledge the contradiction of the arguments. The city authorities were clearly divided on what to do in this situation. Although they generally leant towards a position of recognising the rights of the nationalist community, they were usually swayed in the end by the pragmatic concerns of the potential for public disorder and the arguments of the police that they would find it difficult to hold the line. This meant that any compromise they arrived at was focused more on mitigating the aggression of the Protestants rather than upholding the rights of the nationalists. Nevertheless they were not prepared to give way completely to the threat of violence and were usually ready to bring in extra police and deploy the military if appropriate. This meant that much of the violent confrontation was, initially at least, between the forces of the state and the Protestant working class. The victims, all too often, were those people residing, working, or with a business in mixed communities. Belfast had always been residentially segregated to some extent, but the violence resulting from parades and other political occasions served to extend and consolidate these divisions (Baker 1973, Boal 1982).

The leadership of the Protestant community often played a contradictory role in these events. All too often preachers and politicians made provocative statements while ensuring that there was a degree of obfuscation in their words and then back-pedalling if they were accused of stirring up tension. Statements such as those made by the Grand Lodge in 1898 often gave of contradictory messages, although they appeared to offer a clear condemnation off violent opposition, this was usually balanced by a verbal denunciation of the nationalist parade as well. It is far from clear if the Belfast Orange

Lodge really would have been willing to tolerate nationalist parades in the city, despite the opposition to counter demonstrations that was voiced. Few prominent members of the Protestant community would have gone as far as William Johnston in advocating equal rights to parade for both communities, but there no reason to be overly sceptical about Johnston's statements. He had presented similar arguments in the 1860s and 1870s, and his opposition to the Party Processions Act seems to have been based on a genuine libertarian, rather than partisan, viewpoint. The problem was that not enough of his fellow Orangemen in Belfast and elsewhere agreed with him.

v. The Cause of Labour

Through much of the nineteenth century parading was a contentious and troublesome activity, and is still the case today conflicts over the rights to freedom of assembly were dominated by those groups whose politics were focused on the sectarian divide. But Orangemen and Ribbonmen, Apprentice Boys and Hibernians were not the only groups to use parades as a means of gathering and displaying support for their cause. We have already made note of the significant role that Freemasonry played in establishing parades as a popular activity and have touched on the use of parades by temperance groups. It is also clear from isolated examples of regalia that a range of friendly societies, religious confraternities and Sunday schools also held regular parades (Buckley and Anderson 1988). Few of these events have attracted much interest or attention primarily because their parades were rarely contentious or confrontational, but they are important in so far as they illustrate how far parading was an expected and accepted element of social organisation throughout the last century. One must also include the trade unions within the broad grouping of bodies who engaged in parading but who cannot be bracketed within a simple Protestant/unionist or Catholic/nationalist structure. However, in an analogous position to the Freemasons, trade unions could never be excluded from this structure either, any political engagement was inevitably used to situate the union or the movement more generally with regard to the constitutional issue.

A number of studies have addressed the development of labour politics within Ireland (Boyle 1988; Boyd 1985; Loftus 1978; Morgan 1991; O'Connor 1992), but few have made more than passing reference to the importance of parading within trade unionism. It is worth drawing some of these together to briefly illustrate the wider significance of the practice within Ireland. Early references to assemblies and processions held by journeymen associations in Dublin suggest that, like the Freemasons, they began to organise parades in imitation of the established practices of the Guilds. Through the 1720s and 1730s the Dublin Taylors and the Cork Shoemakers held church parades on the anniversary of their patron saint before retiring for an evening of entertainment and a larger gathering of taylors, masons, bricklayers, draymen, chimney sweeps and other came together in Dublin in 1728 to mark a royal anniversary (Dublin Weekly Journal 26.5.1725; Faulkner's Dublin Journal 26.7.1726, 27.7.1731, 8.8.1732; Dickson’s Dublin Intelligence 3.8.1728). Similar professions of loyalty were demonstrated by weavers in Belfast and Lurgan during the 1750s and 1760s when they held parades to celebrate royal anniversaries and military victories (Crawford 1972:37).

In spite of the celebratory nature of these events, such processions could appear threatening to the authorities and from 1729 onwards a series of laws restricting combinations and assemblies of journeymen were enacted. But as Boyle notes (1988:41)

processions had long been dear to tradesmen, who assumed much of the pageantry of the guilds ... a 1761 broadside ballad celebrates the order and procession of the journeymen woolcombers and weaver who were accompanied by "the regular, registered free and accepted masons".

The legislation outlawing such gatherings was difficult to enforce and readily ignored, demonstrations up to twenty thousand strong were mounted in Dublin in 1780 and 1789 to oppose further legal controls on combinations (Boyle 1988:16; O'Connor 1992:2). However, it was only in the nineteenth century, after trade unions had been decriminalised in 1824, that organising more formal parades became a part of the labour movement repertoire and unions regularly participated in other political assemblies. Loftus records that a wide range of trade unions joined in many of the major demonstrations in support of the Irish nationalist cause after this time. They supported O'Connell in 1830 and attended many later assemblies in his commemoration. They also paraded on St Patrick's Day, in support of the Amnesty Association, the Manchester Martyrs, the Land League, in support of Charles Stewart Parnell and at the centenary commemorations of 1798 and 1803 Risings (Loftus 1978:19-32). Loftus also notes that the unions were strongest in Dublin and the southern urban areas rather than the industrial north where, she points out:

Sectarian divisions seem to have hampered the development of trade unionism in the province... In the 1830s while unions really began to get off the ground in the south, in the north both Orangemen and Ribbonmen used their organisations as a means of maintaining a closed shop in trades which were increasingly the domain of one religion or the other (1978:33).

Furthermore, the clear identification that many trade unions had with Irish nationalism did not enamour them to unionists. Nevertheless, the divisions could be overcome on some occasions as in the case of a demonstration in support of a strike by the Belfast Linenlappers in 1892 for which Catholics and Protestant were willing to parade the streets together. Again in 1907, James Larkin was able to inspire Protestants and Catholics to parade together in support of the Belfast Dockers on a route that symbolically linked Ballymacarrett, the Falls and the Shankill (Morgan 1991:106). But these seem to have been rare public demonstrations of a class solidarity that was readily frustrated by the sectarian divide. This was exemplified by events in Belfast at the British TUC annual conference in 1893. To mark the end of the gathering the Independent Labour Party organised a march through east Belfast to a rally in the Ormeau Park. Loyalist shipyard workers reacted angrily to the idea of a parade led by prominent left-wing supporters of Irish nationalism, from going through their area. The procession was attacked at Templemore Avenue and again at the Ormeau Park and the rally was forced to disperse by hostile loyalists (Boyd 1985:76). Even though the march was not in support of Home Rule it was still deemed to be threatening and unwanted in an Orange area of the city.

These attitudes suggest an explanation of why May Day was not taken up as a workers celebration in the north. In 1890 1 May was designated as a labour holiday and the anniversary was widely celebrated in Ireland over the next few years. However the

biggest support for these demonstrations was in Dublin. The practice of parading on May Day never really took hold in the north, a report of a May Day parade in Newry in 1894 noted that only five or six trades were represented and the less than two thousand people attended the rally (IN 7.5.1894). While workers would occasionally be prepared to unite in support of a common economic cause they were not willing to demonstrate a more general ideological unity. The cause of labour was all too easily equated with the cause of Ireland for it to be supported by Ulster Protestants.

vi. The New Century

Between the turn of the century and the outbreak of the First World War, nationalist parades grew to a scale unknown before, or since. Previously Lady's Day had been marked by a number of small parades, and one or two larger gatherings but now it rivalled the Twelfth in its significance as a demonstration of support for Home Rule. The church still maintained its opposition: the holding of 'useless and unnecessary processions' was denounced in a Lenten Pastoral by the Bishop of Derry in 1902 (IN 18.3.1902). But other sectors of the Catholic community welcomed the developments. In 1906 the Irish News exclaimed that yearly the displays ... are becoming more and more impressive, and more and more illustrative of the wealth of National and fraternal spirit(IN 16.8.1906).

Once the Hibernians were legitimised in the eyes of the church in 1905 they began to hold separate county demonstrations across Ulster, each of which was attended by dozens of divisions, with their banners and bands. The United Irish League, the Foresters and the '98 Clubs also participated in these gatherings, as did members of the Gaelic League on occasion, but more often the branches of the Gaelic League organised their own events, with displays and competitions in Irish dancing and sports. Yet, impressive though these displays were, they were still restricted to 'nationalist' parts of Ulster. Home Rule parades could still make a circuit of the walls of Derry, but nationalists in Portadown were never allowed to parade the town, and in Lurgan they were still restricted to the Pound and Edward Street area, and even here they were still likely to come under attack. Any attempt to extend the geography of parading was usually challenged by Ulster loyalists. The usual form of confrontation was by the threat of a counter demonstration. This was done in Moneymore in 1902 and in Garvagh in 1910. In both cases the protests led to the parades being moved elsewhere. An alternative tactic was to threaten legal sanctions and these tactics led to changes and restrictions being imposed on parades at Stewartstown in 1901 and Randalstown in 1907. In most such cases the organisers of the nationalist parade gave way, but as tensions rose over the likelihood of Home Rule street disturbances continued to overshadow the annual celebrations.

The leadership of the nationalist community clearly recognised the value of holding parades as a means of building and displaying support for the Home Rule cause, but they did not enunciate the issue of the right to parade per se. While they were willing to make verbal arguments in support of their cause they were not willing to push the issue to a physical confrontation. Parading was retained as one aspect of the broader constitutional mobilisation rather than as a means of raising tension or provoking confrontation. Parades were important as a means of displaying support for the cause and as an opportunity to rally the troops but they were never seen as an end in

themselves. The annual parading days were never as clearly connected to specific events as were the parades of the Orange Order. Nationalists did not parade each year to commemorate the United Irishmen, the Fenians or battles and heroes of the past in the way that Protestants celebrated the Boyne and Derry. Nationalist parades were more consciously tied to specific political demands for Home Rule, although by parading for St Patrick and Our Lady nationalists effectively restricted the cause of Ireland to a symbolic framework bounded by Roman Catholicism. In this they were walking a parallel path to the Ulster Unionists who, as we have described elsewhere (Bryan 1996, Jarman 1997), used their parading anniversaries to define themselves within a restricted and restrictive framework of Britishness. Parades developed as a means of drawing boundaries around the two dominant communities to such an extent that, as the trade unions found out, there was little symbolic space for any other identities to co-exist. The parades were therefore inevitably expressions of power and were easily seen as a challenge to the other'. Until partition the balance of power and therefore the balance of rights was relatively even. After partition the balance changed.

Chapter 4

SPECIAL POWERS IN NORTHERN IRELAND

In principle the setting up of Northern Ireland in 1920 was to facilitate the maintenance of the population of the north of Ireland within the United Kingdom. In practice the Government of Ireland Act of 1920 set up a local Parliament and in so doing significantly changed the locus of power in the six counties. Not only did Northern Ireland contain a Protestant majority but that majority was placed in an unprecedented position of power. The way that this power was utilised over the fifty-one years that the northern Parliament was in existence has been widely debated (Farrell 1980, Bew, Gibbon and Patterson 1995). It is nevertheless clear that the perceived threat to the Union from Irish nationalism remained a preoccupation of the Unionist administration however real that threat actually was. As such, public manifestations of Catholicism and Irish nationalism could be perceived as a threat to the state and dealt with accordingly, despite the claim that Northern Ireland was a democratic society. The ramifications of the new relationships of power in terms of public political expression were to become most obvious in the use of emergency powers under the Civil Authorities (Special Powers) Act of 1922, in the development of public order legislation (Bryson & McCartney 1994, Haddon & Donnelly 1997) and through the practice of policing (Weitzer 1995). Put simply, Unionist control of the legislature and Protestant domination of the police force was reflected in the ability of the Protestant community to hold parades and demonstrations and the inability of nationalist and republican groups to do the same. The development of nationalist and Catholic and unionist and Protestant parading 'traditions' was closely related to their power within the northern state.

Organised public expressions of opposition to Unionist control of Northern Ireland can be categorised into three groups. First those of constitutional Irish nationalism of which the most obvious manifestation were the parades of the AOH and the INF. Second, those of the republican movement. In the main these involved commemorations of the Easter Rising in broadly Catholic areas such as west Belfast, Derry, Newry, and areas of mid-Ulster. Third were demonstrations by trade unions and single-issue groups on occasions such as May Day and during periods of intense left-wing action. Whilst each were treated differently by the state, in practice none were ever accorded the rights as parades organised by the loyal orders. It is perhaps significant that all three of these categories found common cause in the development of the civil rights movement in the late 1960s and that the reaction of the forces of the state was consequently extremely violent. Whilst the civil rights movement focused on inequalities in housing, employment and political representation the area it practically highlighted was the right of groups to hold political demonstrations. Only at this time did public protests become a real physical threat to Unionist power.

i. Green Parades in an Orange State

For the first years of its existence Northern Ireland developed within a climate of widespread political violence both north and south of the border. In such conditions all major public gatherings were a cause for concern, so much so that in August 1920 the

Relief of Derry parade was proclaimed (banned) by the British authorities although a demonstration of loyalists took place anyway (IN 13.8, 14.8.1920). Nationalist demonstrations were not a significant concern at this time. The political influence of the AOH was already in decline, in part eclipsed by the successes of the republican movement, but although the membership started to decline, the organisation continued to hold major parades on both St Patrick's Day and Lady's Day. Senior Hibernian members were highly critical of the Unionist regime but continued to favour constitutional nationalism rather than the armed struggle. Conservative in nature, by the mid-1930s the Hibernians was becoming as much anti-Communist as it was anti-partitionist (Foy 1976; Jarman 1997:137-138). The venues for the main parades were largely limited to predominantly Catholic villages and small towns although, as with parades by the loyal orders, localised feeder parades were more widespread.

Threats to the rights of the Hibernians to parade in these circumstances were uncommon but not unknown. In 1923 Unionist controlled Dungannon Urban Council attempted to persuade the government to proclaim the Lady's Day parade because it was claimed that the nationalists planned to hold a political meeting in the main square. Orange arches that had been erected in Dungannon for a Black parade were removed and extra police were drafted in, but in the end the Hibernian parade took place without trouble. Of more significance were incidents that took place in Moy a few years later. In 1927 the local AOH Division was fired upon whilst on their way to the main Lady Day demonstrations in Lurgan (IN 17.8.1927). The following year the Hibernians decided to hold one of their main St Patrick's Day parades in the village. The Government argued that this was provocative and used the Special Powers Act to prohibit the AOH from access to some areas of Moy. The event was heavily policed and there were no reported incidents (IN 19.3.1928).

In 1931 there was an increase in tension over parades. Provocative speeches were made at the Twelfth platform at Brookeborough and an AOH hall at Lurgan was daubed with slogans. These acts seemed to spark a chain reaction of events on both sides of the border (IN 17.8.1931). Orange parades had taken place in Counties Leitrim, Cavan and Monaghan since the early 1920s, but in 1931 the IRA issued threats towards Orange and Black parades. When a Black parade in Cootehill, Co. Cavan, to mark the Relief of Derry, was stopped by a crowd after the IRA had described it as an 'Imperialist-led Orange demonstration', speakers at the Black parade in Aughnacloy suggested that this might call for reprisals (BNL 13.8.1931). Although the News Letter countenanced against any action being taken towards the AOH parades taking place three days later, there was a violent reaction with rioting in Armagh, Portadown and Lisburn. In Armagh a crowd attempted to stop the AOH parade reaching the town and in Portadown two bus loads of Hibernians were chased into the Tunnel after a green and white flag had been waved from its window. The following day the B Specials were mobilised to deal with the continued disturbances in Portadown. The News Letter blamed 'Free State Republicans' for banning Orange parades and the AOH for parading through a loyalist area in the City of Armagh. During the Black parades on the Last Saturday speakers criticised the destruction of the Orange platform at Cootehill and praised the role of the RUC (IN 17.8.1931; BNL 17.8, 18.8, 31.8.32). An editorial in the News Letter seemed to sum up the contradictory attitude towards the rights of nationalists and republicans to parade.

The Ulster Government is determined to permit no interference with the rights and liberties of the people under its jurisdiction, no matter what their political views, so long as they are constitutionally advocated (BNL 31.8.1931).

During the 1932 Free State election campaign the major parties attempted to portray themselves as defenders of Catholicism (Lee 1989:168-174). On securing victory one of Eamon de Valera's first actions was to release political prisoners and declare the IRA a legal organisation. Tension between the northern and southern states began to increase and this was reflected in the reaction to public displays of support for nationalism in the north. There were serious disturbances in Enniskillen when Fianna Fáil supporters tried to celebrate the victory (Bardon 1992:535) and on St Patrick's Day two AOH members were shot and injured in Ballinderry Bridge, County Antrim, whilst in a feeder procession prior the demonstration at Kilrea (IN 18.3.1932).

This resurgence of political power for the republican movement coincided with an increase in Catholic religious fervour which was motivated by the holding of the international Eucharistic Congress in Dublin in June 1932. Preparations for the Congress were reflected in decorations in Catholic areas in the north: bunting was hung across streets, arches were erected and shrines were built. Thousands of pilgrims travelled to Dublin, but on their return their trains and buses were attacked in Banbridge, Ballymena, Coleraine, Donemana, Larne, Lisburn, Lurgan, Loughbrickland, Portadown and Kilkeel (IN 27.6, 28.6.1932; Bardon 1992:537-539; Farrell 1980:136-137). A few days later protesters tried to stop an AOH band from parading in Caledon on its way to a church service, and in retaliation a loyalist band was attacked on the Crumlin Road in Belfast while returning from a Somme commemoration. Tension was such that police in Coalisland re-routed an Orange church parade on 10 July (IN 11.7.1932; BNL 11.7.1932). Although on the Twelfth the local Orange lodge was allowed to march through the town. There were also disturbances in Belfast and Larne, shots were fired from an Orange parade in Armagh and a Catholic in Aughnacloy was attacked (IN 13.7.1932). There were yet more disputes on Lady's Day in August, most significant of these was in Caledon where a 'drumming party' of fife and lambeg drums utilised the familiar tactic of the counter-demonstration and played in the centre of the village. As a result the police stopped the local Hibernian feeder parade both before and after the main parade in Dungannon.

The next few years appear to have been trouble-free for both Orange and Hibernian parades but 1935 saw some of the worst sectarian rioting Belfast has even seen. Many of the disturbances were sparked by parades (Hepburn 1996). Trouble began on St Patrick's Day when a nationalist band was attacked near High Street, apparently by a group that had been listening to speakers at the Custom House. Later in the year the celebrations for the Jubilee of George V increased tensions further and from mid-June there were major disturbances. The situation became so bad that the Home Affairs Minister Dawson Bates took the drastic step of introducing a ban on parades. However four days later this was rescinded under pressure from the Orange Order. Parades on the Twelfth led to nine days of disturbances centred on the Docks area of the city. These resulted in the death of seven Protestants and three Catholics while the occupants of four hundred and thirty Catholic and sixty-four Protestant houses were evicted (Hepburn 1996:185).

The Lady's Day parades in 1935 were free of incidents but the parade in Moy again required a particularly large number of police (IN 16.8.1935). Indeed, Moy had been an area of dispute for parades over the previous decade and at the St Patrick's Day parade of 1937 the Moy Division of the AOH was attacked with stones (IN 18.3.1937). Later that year there were also disturbances on Lady's Day in Derry and Lurgan (IN 16.8.1937). The following year the Hibernians in Castledawson cancelled their feeder parade through the village on St Patrick's Day after a protest by two hundred Protestants and there were major disturbances in Portglenone in August when some Hibernians refused to accept the RUC decision to stop the parade through part of the village (IN 18.3, 16.8.38).

ii. Easter Commemorations

In the early 1920s the republican movement was embroiled in the conflict of the emerging Free State. With pro-Treaty politicians in power in Dublin, the anti-Treaty republican forces continued to carry out violent attacks as part of their campaign for an Irish Republic. In October 1931 the Government had declared the IRA and related groups unlawful. In Northern Ireland the IRA had effectively stood-down as a military force and involved itself with left-wing revolutionary groups. Sinn Féin did not stand in the elections of 1929 (Bowyer Bell 1979). As a result during the late 1920s and early 1930s commemorating the Easter Rising was the major public manifestation of republicanism in the north although most events involved no more that a few hundred people. In 1930 the Special Powers Act was used to prohibit processions and meetings on Easter Sunday, specifically in the areas of Milltown Cemetery in west Belfast, at Brandywell Cemetery in Derry, and at cemeteries in Armagh, Dungannon, Carrickmore and Donaghmore. A heavy police presence insured that no gatherings took place in Belfast or Derry although large numbers of people were able to visit the graves (IN 19.4, 21.4.1930). The following year the Special Powers Act was again utilised and police guarded any likely venues for commemorations. They broke up an attempted procession to Milltown, arrested three Republicans for laying wreaths at gravestones in Newry and removed cards and Tricolours from wreaths at Brandywell Cemetery (IN 6.4.1931).

In 1933, despite the banning of the Easter commemoration under the Special Powers Act five thousand people were reported as making their way to Milltown. When the procession was stopped by the police the processionists knelt on the road and recited the Rosary. The law was again used to ban commemorations at cemeteries throughout Northern Ireland in 1935 and 1936 (IN 20.4.1935, 13.4.1936) and in 1937 there were serious disturbances along the Falls Road when police baton charged the crowds that had gathered (IN 29.3.1937). However in 1939 the major republican commemorations in Belfast were allowed to proceed unhindered and IRA battalions marched in west Belfast, although police did insist on the removal of any Easter Lilies.

Easter commemorations in Derry during the 1930s involved a 'cat and mouse' game with the police trying to stop any official commemorations, although people were allowed to visit graves on an individual capacity. In 1931 wreaths were laid at Brandywell Cemetery overnight but the police removed all cards and Tricolours the next day (IN 6.4.1931). Over the next few years republicans were able to hold brief meetings and lay wreaths at the cemetery and in 1938 and 1939 ceremonies were held in different parts of

Derry with the police unaware that the names of the republican dead were being read (IN 18.4.1938, 10.4.1939). The pattern was not dissimilar in Newry where it was possible to gather for a commemorative mass and lay wreaths at the cemetery, but more elaborate events were stopped and arrests were made in 1931 and 1935 when orations were attempted (IN 6.4.1931, 22.4.1935).

Regular attempts were also made to hold commemorations in Armagh, Carrickmore, Clonoe, Coalisland, Donaghmore, Downpatrick, Dungannon, and Tempo throughout the 1930s. But in most cases a police guard was placed on the relevant cemetery. In 1936 two men were gaoled for three months for taking part in a parade in Pubble near Tempo (IN 20.6.1936). While mass was often held, any public displays of republican symbols were dealt with by the RUC. In 1938 men leaving St Patrick's church in Portadown were told by the police to remove Easter Lilies (IN 18.4.1938). While extensive attempts were therefore made to stop such commemorations there were undoubtedly many events that the authorities not aware of, such as a parade by the IRA to the cemetery at Greencastle, County. Tyrone in 1932 (IN 26.3, 28.3.1932).

Both the loyal orders and the Hibernians suspended their parades through most of the war years but the republican movement was active throughout. On Good Friday 1940 four battalions of the IRA marched through areas of Belfast in defiance of a Government ban and two days later the ban on Easter Sunday commemorations was defied in Belfast, Derry, Newry, Toome and Downpatrick (IN 23.3, 25.3.1940). However, the most significant events took place in 1942 when the IRA organised a gun attack in the Kashmir Road area of Belfast as a diversion and to allow the banned Easter Commemorations to take place. The diversion turned into an all out gun battle at which one RUC man was killed and six IRA men were arrested. The leader of the IRA unit, Tom Williams, was convicted and executed for his involvement (IN 6.4.1942; Bowyer Bell 1979:223; Farrell 1980:167). After this debacle Easter Commemorations were kept low-key for the remainder of the war years.

iii The Labour Movement

Northern Ireland suffered from chronic unemployment throughout much of the 1920s and 1930s and under these conditions the Labour movement maintained a presence despite sectarian tensions. Large May Day parades were held culminating in political meetings. The May Day march in 1921, during a period of industrial action, is reported to have involved 100,000 people (Farrell 1980:106). Indeed, for much of the later 1920s, the labour movement appeared as more of a threat to Unionist power than did Irish nationalism. It is significant that the speeches made by Unionist politicians at the Twelfth in 1924, 1925 and 1926 had as many references to 'socialist propaganda', Bolshevists' and 'the followers of Marx' as they did to republicans (BNL 8.7.1924, 14.7.1926, 13.7.1927). In 1925 three Belfast Labour MP's were elected to the Northern Ireland Parliament. The Unemployed Workers Committee, the Belfast Trades Council and the Labour Party planned a march for 6 October, to coincide with the opening of Parliament in Botanic Avenue. The march, to protest at the conditions in which the poor in Belfast were living, was banned by the Home Affairs Minister, Dawson Bates under the provisions of the Special Powers Act a ban enforced by a large contingent of police officers (Farrell 1980: 121-123).

As the depression caused widespread unemployment and a lowering of wages, restrictions on the rights of workers to demonstrate were also introduced in 1932. In the second half of 1932 a campaign for better pay by workers on the Outdoor Relief Schemes gained wide support. A strike began on Monday 3 October and demonstrations took place over the next three days. The RUC attempted to ban the demonstrations, and police and protesters clashed. A mass demonstration was planned for 10 October but the RUC used the Special Powers Act to ban it, and the meetings and bonfires arranged for the previous evening. Two meetings were broken up on the evening of the 9th and the following morning police attempted to break up the demonstrations at the various meeting points around the city. Rioting broke out in east Belfast, on the Falls and on the Shankill. Police tactics involved dividing the workers on sectarian lines and they concentrated their efforts in Catholic areas. Only in the Falls did the police use guns. A curfew was imposed for a week and a meeting to be held on 15 October on the Custom House steps was banned. Communist Party member Thomas Mann, who was to have been one of the speakers, was deported. In October the following year two members of the British Communist Party were banned from speaking at a meeting in the Labour Hall in York Street (Farrell 1980:125-135; Bardon 1992:527-529; IN 6.10, 11.10, 12.10, 13.10, 17.10.1932; BNL 12.10, 13.10.1932).

iv. The Right to Parade (II)

The forces of the state in Northern Ireland allowed public political displays by constitutional nationalists as long as they did not transgress into areas perceived as Protestant. These limited rights that nationalists had to political expression were a function of their ambiguous position within the new northern state. However, there was no ambiguity in the relationship between the state and the republican movement and their political displays were strongly opposed. The varied strands of the labour movement clearly overlapped with the nationalist and republican movements. This allowed Unionists to depict the labour movement as a threat to the state in a way that had particular resonance for workers in the Protestant community. As such, the Unionist government felt able to restrict left-wing political expression by utilising much of the rhetoric with which it restricted republican commemorations.

Having charted this catalogue of restrictions to public political expression in Northern Ireland it is important to place these events in an historical context and to compare the actions of the Northern Irish state with those of its neighbours. Unionist, Orange, politicians increasingly defined Northern Ireland as a Protestant state and saw the Catholic community as a threat to that state. Yet they were doing so in the context of the Free State which particularly under de Valera defined itself as a Roman Catholic state. Of course with a considerably smaller Protestant population in the south the prosecution of a national identity based upon a single denomination was less problematic for the Dublin government than it was for its counterpart in Belfast.

It is easy in hindsight to see the folly of the attempt to create a Protestant, sectarian, state but in the political context of the time it is perhaps comprehensible. Many within the Protestant community saw the Catholic population as a threat to their existence and reacted to any assertive public expressions from that community. This reaction took the form both of suppressing nationalist displays and of expanding unionist commemorations. During the 1930s the loyal orders developed events that appear to

have been an attempt to 'recover' Easter which they saw as being 'hijacked' by republicans. The Apprentice Boys Belfast & District Amalgamated Committee started to parade on Easter Monday (Apprentice Boys of Derry 1989) and Junior Orange parades held on Easter Tuesday also date from this period (Jarman 1997:73).

However, it was not only the northern state that saw a threat in the republican movement, so too did the government of the Free State, although it is not surprising that Cosgrove's Cumann na nGaedheal government opposed displays by the IRA after the Civil War. In 1931 Free State troops were at the Wolfe Tone commemoration at Bodenstown to stop military orders being given by members of the IRA and later that year the IRA and eleven other republican and left-wing organisations were banned. In 1932 de Valera declared the IRA legal again. Large government sponsored Easter commemorations which had previously been banned, were now organised and Fianna Fáil politicians took centre stage at the Wolfe Tone commemorations (IN 26.3.1932). The development of the Army Comrades' Association, known as the Blue Shirts, in 1933 forced de Valera to ban one of their parades in August, and then the organisation itself. Clashes between the Blue Shirts and the IRA also reduced de Valera's tolerance of the IRA and by 1939 the strains were so great that the government once again declared the IRA unlawful and banned the Bodenstown commemorations under the Offences Against the State Act (Bowyer Bell 1979:99-127).

We raise these examples of the actions by the Free State towards public political expression not to suggest that the northern and southern governments were the equivalent of each other but rather to point out that it is common enough for governments to ban public political events by those opposed to the nature of the state. During the same period politicians in Britain were similarly concerned with the undermining of the state and the control of public order. A claimed threat of Bolshevism and widespread scale industrial action led to the introduction of an Emergency Powers Act in 1920 and a state of national emergency was declared during industrial disputes in 1921 and 1924 and again during the General Strike of 1926. In the 1930s the threat of Fascism led to calls for greater controls on demonstrations and the wearing of uniforms on parade. Eventually, in 1936, the first Public Order Act in Britain was passed, in spite of arguments by civil libertarians that this gave the state undue powers (Townshend 1993:80-111). In that sense the government of Northern Ireland acted in the same way as its neighbours did, to protect its interests, the difference being that in this case the threat to the state was seen as coming from a community that made up around a third of the population.

Chapter 5

A GOLDEN ERA?

The post-War period, at least until the mid-1960s, is fondly remembered by many people in Northern Ireland as a relatively trouble free time. It is remembered as a time when Catholics would come out to watch Orange parades, a time when Orangemen and Hibernians would share band instruments or banner polls, a period without parade disputes and without major civil disturbances. The recollections that people have about the post-War period are important because they influence the way they view the parade disputes that have taken place since the early 1980s. Many of those involved in the current disputes grew up in the 1950s and 1960s and their memories of this era frame their understandings of the norms and meanings of the parades. However, if we look in more detail at public political expression during this period a more complex picture is revealed. Parades and demonstrations were held in the context of improving relations between the northern and southern states. There was also a relatively low level of IRA activity despite the border campaign that was waged from 1956 onwards. A greater confidence amongst Unionist may have made the Twelfth a less assertive event and there is evidence that Orange parades had become more relaxed affairs with fewer overt expressions of sectarianism (Bryan 1996). Nevertheless, the Unionist government still saw it as necessary to introduce legislation to control parades through the Public Order Act (NI) of 1951 and the flying of flags, with the Flags and Emblems (Display) Act (NI) 1954.

i. Flying the Tricolour

In the immediate post-war years the attitude of the Unionist administration had not changed from that of the 1930s. The Easter commemorations were banned in 1946, 1947, and 1949. One of the reasons why the 1948 commemorations were not banned may have been because of pressure from the British Labour government whose Prime Minister, Clement Attlee, had been a champion of civil liberties (IN 29.3.1948; Gearty 1997). British concerns rose after the Unionist government banned an Anti-Partition League meeting in Derry on St Patrick's Day. The League had been set up in November 1945 in order to unite disparate nationalist, Catholic, and mainly rural groups, including leading members of the AOH, in constitutional political opposition to the border. As the parade was to carry a Tricolour, Home Affairs Minister Edmond Warnock announced it was banned under the Special Powers Act since such displays would likely lead to grave disorder (IN 1.3, 17.3, 18.3.1948). Warnock added that 'So long as this government lasts and so long as I am Home Affair's Minister, I shall not permit the Republican flag to be carried in Derry City' (Quoted in Farrell 1980:199). Despite the ban from Derry the Anti-Partition meeting was eventually held in Strabane and flags were displayed. In September the same year the government also banned commemorations of the 1798 Rising in Belfast, displays being restricted to the Falls Road (Farrell 1980:199). The following year another Anti-Partition demonstration in Derry was banned although this time around one hundred people were able to attend a public meeting (IN 18.3.1949). The Easter commemorations of 1949 coincided with the southern state leaving the Commonwealth and becoming a republic. The parades in Newry and Middletown in County Armagh were so large that police were unable to

stop them, and there were confrontations when they tried to stop a commemoration in Carrickmore in Tyrone. On Easter Monday the Anti-Partition League defied a ban on their meeting in Newry, while the Apprentice Boys were persuaded by Warnock to move their planned parade from the town to another venue, thus avoiding a confrontation (IN 12.4, 18.4, 19.4.1949).

During the same period there was a catalogue of disputes at political meetings. On 12 August 1946 police baton charged a Socialist Republican demonstration on Carrick Hill because they were displaying a Tricolour and the Starry Plough of the Irish Citizen's Army (IN 13.8.1946). There were also a number of incidents during a particularly violent election campaign in February 1949. A meeting in support of Jack Beattie (Anti-Partition Labour) in east Belfast was broken up by loyalists, as was another meeting in Havelock Street the night after and there were disturbances every evening in the Docks area of the city. Elsewhere an Anti-Partition meeting in Garvagh was broken up by three loyalist bands, and the Labour candidate in Antrim was completely unable to hold any public meetings (Farrell 1980:186-187; Bardon 1992:600-601). The following year during the Westminster elections Unionist demonstrators stopped Irish Labour candidates from holding meetings in Katesbridge and Crossgar (IN 18.2, 22.2.1950) and a Nationalist election victory parade in Enniskillen ended in disturbances when the police attempted to take a Tricolour from the crowd (Farrell 1980:199).

One consistent factor in these disputes over the right to hold parades and political meetings during the late 1940s and 1950s was the use of the Irish Tricolour. While the AOH now had much less political influence and its parades were relatively uncontroversial they could still provoke controversy usually related to the carrying of a Tricolour. In 1950 a Hibernian parade in Moneymore was banned and another in Aughnacloy ended in clashes with the police when they tried to seize a Tricolour (Farrell 1980:199; IN 16.3, 18.3.1950). On St Patrick's Day 1951 three Anti-Partition League members were arrested in Derry after a violent struggle with police over flags and the following year saw even greater disturbances when the RUC confiscated a Tricolour. On Lady's Day 1951 there were clashes in Enniskillen when police tried to remove a Tricolour from marchers and a few days later a crowd of Unionists stopped a Catholic band from parading through Tempo (IN 16.8, 21.8.1951, 18.3.1952, 19.3, 16.4.1953; BNL 14.8.1951; Farrell 1980:200-206). The holding of Gaelic festivals and sports events could also be problematic. Newtownbutler in Fermanagh was the centre of controversy in 1955 when a Feis was banned and the village flooded with the police to ensure that no displays were mounted. However, minor disturbances broke out when some people decided to hold a parade in defiance of the police presence and the ban (IN 25.7.1955).

ii. 'Traditional' Parades and Legitimate Displays

The 1951 Public Order Act was in many ways similar to the Public Order Act of 1936 in England and Wales that was introduced after street clashes between fascists and communists. The 1951 Act gave police power to re-route or impose conditions on a parade wherever there appeared to be the possibility of serious disorder. If the situation required the Minister for Home Affairs could ban parades in an area for up to three months. Unlike the English and Welsh legislation the Northern Ireland Act required that the police be given forty-eight hours notification of a parade unless the procession was

'customarily held along a particular route' (Haddon & Donnelly 1997:19-21). This effectively exempted the loyal orders from giving notification. In so doing it instituted within law the inequalities of power which had allowed a continuity for many Protestant/Unionist 'traditions' which had expanded whilst Catholic/nationalist 'traditions' had been restricted. There were no longer any 'traditional' parades by Catholics in the centre of Belfast, in Lurgan or even in Derry because historically they had been opposed by loyalists, by the state and by the police.

Most parades by the loyal orders were unproblematic. However, disputes that arose in Ballerena and in Dungiven in County Derry, and on the Longstone Road in County Down do indicate that on occasions both the RUC and the government did worry about assertive loyalist parades disturbing community relations. Through 1947 and 1948 there were confrontations between Orange and nationalist bands in Ballerina around Magilligan railway station. The local RUC officers seemed to think that the loyalist band was the more irresponsible and acted to stop them from parading a particular route. However, senior Orangemen put pressure upon Home Affairs Minister Edmond Warnock and he told senior RUC officers that they men should facilitate the band in its parades (Patterson 1997). A few years later in 1952 a dispute arose on the Longstone Road after a new Orange Hall had been built in a predominantly nationalist area. On this occasion Home Affairs Minister Brian Maginess banned the parade. His decision was upheld in 1954 by the new Minister, G.B. Hanna. But once again pressure from within the Unionit Party and the Orange Order was such that by 1955 the ban was lifted and a Twelfth parade took place despite bombs being placed on the road the day before (Farrell 1980:207-208; Bryan 1996:158-160). The other persistent dispute of this period, in Dungiven, had its origins in an attempt by a loyalist Bovevagh band to march through the town to celebrate the Queen’s Coronation in 1953. Tension arose again in 1958 when the band marched through the town unannounced and a few days later there another dispute arose when a Union flag was hung in the grounds of the Catholic church. The government feared that violence in Dungiven might boost the IRA's campaign and in 1959 Home Affairs Minister W.W.B. Topping banned an Orange parade through the town. At the Twelfth that year government Ministers, particularly Topping, were heckled and a couple of months later he resigned. The following year the new Minister, Brian Faulkner, allowed the parade to take place (Farrell 1980:222; Moloney & Pollak 1986:90-93; Bryan 1996:158-162). It was clear attempting to stop an Orange parade would have grave repercussions for any Unionist politician bold enough to countenance such an act.

Part of the reasoning behind the 1954 Flags and Emblems Act clearly derived from the recurrent disputes over displays of the Tricolour. But it was also enacted in response to disputes over the flying of the Union Flags for the Coronation of Queen Elizabeth II during the summer of 1953 (Bryson & McCartney 1994:145). Unionist decorations were not only put up in Protestant areas but also in some Catholic areas. There were numerous incidents of bunting and flags being torn down, of Tricolours replacing Union flags and visa versa. Police intervened in one such dispute in Derrymacash, outside Lurgan, and eventually it was agreed that all flags in the village should be taken down (Moloney & Pollak 1986:62-63). The 1954 Act made it an offence to interfere with the Union Flag and empowered police officers to remove any flag that might cause a breach of the peace. The Tricolour was not named but the intention in the Act was clear. Although, as Bryson and McCartney point out, in many ways this new law did not add

to the powers which the police already had available to them, the very existence of the new Act caused annoyance amongst nationalist (Bryson & McCartney 1994:144-156).

Of course assaults on public symbols were carried out by members of both communities. The burning or removing of Union Flags and attacks on Orange arches were not infrequent (Purdie 1990:29). The crucial difference however was in the reaction of the institutions of the state to such actions. In July 1962 two Catholic girls were arrested for singing a republican song at the Twelfth. In June 1964 a trainee nurse was prosecuted for producing a Tricolour near an Orange parade and in November that year a man arriving from the Republic was prosecuted for having a Tricolour in his car. Individuals were also prosecuted the following year for burning a Union Flag and destroying red, white and blue bunting and there were also a number of disputes over the flying of Union flags at places of work (Purdie 1990:29).

iii. Tolerating Commemorations

The reaction of the police to republican displays through the 1950s was inconsistent. Many Easter Commemorations were relatively small events but others involved thousands of people. Displays of the Tricolour and the Starry Plough were commonplace and sometimes hurley sticks were carried. On many occasions the police were therefore reluctant to take any action but at other times they confiscated flags and made arrests. In Newry in 1950 an estimated four thousand people took part in the parade and ten thousand turned out a year later. The commemorations involved members of Newry Council, the Anti-Partition League and the Transport and General Workers Union. On this occasion the Irish News notes that the police provided good traffic control (IN 26.3, 10.4.1950). However in 1957 arrests were made in Newry as a result of the carrying of Tricolours at the Easter Commemoration, and other parades were banned in the following years although these were largely ignored (IN 22.4.1957, 7.4.1958, 30.3.1959, 18.4.1960, 23.4.1962). Participants in parades in Lurgan in 1952 and 1953 either had flags taken from them or were asked not to carry them because they were seen as provocative (IN 6.4.1953). And in August 1959 the AOH were refused permission to walk along the main street in Lurgan due to the threat of disorder(IN 13.8.1959). On the other hand in June 1957 there were clashes in a Catholic area of Lurgan after a loyalist band from Kilkeel had been allowed to parade with a Union Flag (IN 17.6, 18.6.1957). There were also complaints in Parliament about the carrying of the Tricolour in Pomeroy in 1954 and 52 people were injured when the RUC tried to take a Tricolour from a procession through the village to welcome the return of abstentionist MP Liam Kelly from prison (IN 20.8.1954).

In contrast, republican commemorations in other areas during this period took place relatively unhindered and there was something of an expansion of public events to mark key individuals or events in nationalist history. In 1949 the Antrim branch of the National Graves Association erected a memorial to Roger Casement in Glenariff and on 6 August 1950 the same branch attracted a large crowd for the unveiling of another memorial at Cushendun (IN 7.8.1950). An annual commemoration of Casement's execution (3 August 1916) took place on the first Sunday of August at Murlough Bay, Co. Antrim. Finally in 1953 there were significant nationalist parades and commemorations to marking the 150th anniversary of Robert Emmett's rising. All of which passed of without incident (Irish Independent 14.9, 21.9.1953).

Despite the growth in the number of republican commemorations most were relatively small and although there were regular incidents these were minor. The reaction of the police to the parading of Tricolours remained inconsistent. In 1963 the police stopped participants in a parade, commemorating the centenary of Wolfe Tone's birth, from carrying a Tricolour (Purdie 1990:30, 44). Republicans in Newry and Armagh were prosecuted in 1964 because a Tricolour was carried at Easter commemorations although in October of that year a Tricolour was placed in an office window in Newry apparently to provoke the police, yet they took no action (Purdie 1990:30). There was some controversy over a proposed Easter Commemoration in Waterfoot, Co. Antrim in 1965 with the parade restricted to a route of only 100 yards and the Tricolour banned. Eventually the parade was called off and a service held in the local cemetery instead (IN 17.4, 18.4.1965).

In 1963 Terence O'Neill succeeded Lord Brookeborough as Prime Minister and in January 1965 he met the Taoiseach Sean Lemass in both Belfast and Dublin. There is much debate over how far O'Neill was willing to reform Northern Ireland towards a state in which more Catholics could feel a part, but what is without question is that he had a significant effect on Unionist politics within the Protestant community. A 'liberal' shift by Unionist politicians left them open to accusations of disloyalty and of putting the Union at risk and this left fertile ground on which hard-line politicians could move. At the Twelfth speeches in 1965 shouts of Lundy were hurled at George Clark. Amongst more hard-line Unionists, the Revd. Ian Paisley was proving to be the most adept at campaigning. In part this was due to his skills within the sphere of public political expression: exploiting the situations which we have been discussing. The most infamous example of this took place on 27 September 1964 when he threatened to walk up the Falls Road and remove a Tricolour from offices of the Republican Party. The following day the RUC decided that under the Flags and Emblems Act they ought to remove the flag. When it was replaced with another Tricolour a few days later the police smashed the windows to gain access to it and the most serious street disturbances since 1935 broke out (Bardon 1992:632). In other words, due to the relationship of the institution of the state with public political displays, through legislation and the actions of the police, it was relatively easy for hard-line politicians to engineer incidents by threatening demonstrations or counter-demonstrations. Despite, or perhaps because of, the restrictions placed upon the rights of nationalists to express their political identity, inaction by the police or courts was regarded by some Unionists as a sign of weakness.

iv. 1966

The fiftieth anniversary of the Easter Rising and the Battle of the Somme coincided with growing discontent in both communities. Ian Paisley continued to agitate against both O'Neill's reforms and the ecumenical movement in various churches. On 31 March Gerry Fitt, standing as a Republican Labour candidate, won the seat of West Belfast in the General Election. Large Easter Commemoration events took place in the month that followed for which the government mobilised ten thousand five hundred B Specials (Moloney & Pollak 1986:130). On 3 April there was a pageant in Casement Park and on 10 April five thousand people walked from Beechmount Park to Milltown, carrying various republican flags including the Tricolour, to attend an Easter Commemoration ceremony. Whilst an estimated twenty thousand people lined the route (IN 11.4,

12.4.1966). Somewhat surprisingly the Government expressed its approval over the co-operation that organisers of the commemorations had given (IN 13.4.1966).

A week later, on 17 April, one of the biggest parades ever witnessed on the Falls took place. Paisley announced he would hold a counter-march from the Shankill to the Cenotaph and the Ulster Hall, this would pass close to where the republican parade was to start. As a result the Stormont government banned a train carrying republican supporters from Dublin, set up stringent border checks on vehicles and further increased the strict security measures placed upon the parade on the Falls Road (Boulton 1973:36-37; Moloney & Pollak 1986:130-131; IN 15.4, 16.4, 18.4.1966). Up to fifty thousand spectators watched, many waving Tricolours, as twenty thousand people paraded to Casement Park. Among those who took part were the Belfast Trades Council, a number of trade unions, the old IRA, the Wolfe Tone Clubs, the Irish National Foresters and the GAA. A small bomb exploded in a telephone box near the Milltown Cemetery, but otherwise the day passed off peacefully (IN 18.4.1966).

Other Easter parades took place in the Bogside area of Derry, in Newry, Toome and Coalisland. A particularly large parade took place in Lurgan with the AOH, INF, GAA and the old IRA all taking part (IN 11.4, 12.4, 14.4.1966). In Belfast, Portadown, Clady and Strabane the RUC removed Tricolours that had been displayed whilst in the Loup, near Magherafelt, a parade was banned, although a smaller assembly took place the following day on private property (IN 12.4.1966). These large and assertive Easter commemorations seemed to reflect the developing politicisation of the Catholic community. Inter-communal tensions revealed themselves in a catalogue of attacks on churches, schools and other significant buildings throughout the year, and in stories of intimidation directed at residents in various areas of Belfast (Purdie 1990:32). On 6 June, Ian Paisley took a demonstration against the 'Romanising tendencies' of the Presbyterian Church past the Catholic Markets area, leaving a riot in his wake. On 20 July he was jailed for his part in the events and the government banned all non-traditional parades for three months. More significant was the re-emergence of loyalist paramilitary activity. On 7 May the Ulster Volunteer Force petrol bombed a Catholic owned pub killing one person, on 27 May they shot a Catholic near the Falls Road and on 26 June they shot another three Catholics, one of whom died (Boulton 1973; Moloney & Pollak 1986:137).

The Easter Commemorations of 1966 set a pattern for the years that followed with larger and more militant events taking place in the context of the developing Civil Rights movement and worsening communal tensions. In March 1967 Home Affairs Minister, William Craig banned all commemorations of the 1867 Fenian Rising and banned the network of Republican Clubs which were seen by Unionists as a front for the IRA. A couple of student parades protesting the ban took place peacefully in the days that followed (Purdie 1990:202). At Easter Craig banned a republican rally from Armagh after Paisley threatened a counter march and in November a group of left-wing students planned to march from the University to the City Hall but were re-routed when Paisley organised a counter-demonstration in Shaftesbury Square. The practice of holding a counter-demonstration on a route that others wished to march would become a classic Paisleyite tactic in the years that followed (Farrell 1980:245; Moloney & Pollak 1986:149).

Chapter 6

'YOU CAN MARCH - CAN OTHERS?'

There is no need to repeat the full details of the civil rights movement as it has been adequately recounted and discussed in a number of other places, and on which this account draws (McCann 1993; Farrell 1980; Moloney & Pollack 1986; Purdie 1990; ” Dochartaigh 1997). The discontent around which the different strands of the civil rights movement coalesced were the inequalities in housing, employment and political representation, but one of the most prominent ways in which this discontent was manifested was through demonstrations. The result was that the area of inequality that was most directly challenged was over rights of public political expression. It was difficult to directly challenge housing policy and employment practice but the right to march could be physically contested. The civil rights movement directly challenged the control that the institutions of the state had placed upon political expression that sought to oppose Unionist power. In many ways the civil rights campaign was a dispute over the right to march, a dispute that had, in one form or another, continued throughout the period that Northern Ireland had its own Parliament.

i. The Right to Parade (III)

On 24 August 1968 the Northern Ireland Civil Rights Association (NICRA) organised a protest march from Coalisland to Dungannon with a meeting planned for the Market Square. Ian Paisley announced he would hold a meeting at the same time and place. Around two thousand people, with some nationalist bands, took part in the NICRA protest march that reached Thomas Street in Dungannon before they were confronted by the police. Behind the police were around fifteen hundred Unionists and Paisleyites singing 'the Sash' and 'God Save the Queen'. Some on the NICRA march tried to continue but the RUC pushed them back and eventually a meeting was held in front of police lines. In a statement afterwards NICRA condemned the police for not allowing their peaceful demonstration to proceed. On 5 October the Derry Housing Action Committee (DHAC), in conjunction with NICRA, organised a march to go from the Waterside through to the Diamond in the walled part of the city. The Apprentice Boys immediately announced a parade for the same day and Home Affairs Minister William Craig banned both parades. When about four hundred civil rights demonstrators attempted to start their parade the police baton charged them, in full view of television cameras. Some demonstrators did walk over the bridge and into the city and unfurled a CND banner, but the police were soon battening the crowd that gathered around it. The violent confrontations spread to the Bogside and continued for a number of hours. Following a loyalist march in the city on 6 November, at which Catholic youths had thrown smoke bombs, Craig banned all marches in Derry until 13 December - the Apprentice Boys hold the annual Burning of Lundy on or near 18 December. Nevertheless, civil rights demonstrators held a march on 16 November, support for the movement was broadening and an estimated fifteen thousand people took part. Although the police lined Craigavon Bridge with a group of loyalists behind them, they were unable to stop the parade. Over the days that followed, the ban on demonstrations was defied on a number of occasions, including one event that involved walking around

the walls. The ability of the police to enforce a ban on the political expression of the majority community in the city was coming to an end.

On 9 October a left-wing student demonstration against the behaviour of the police in Derry was organised to go from Queen's University to Belfast city centre. The parade was re-routed when Paisley and his supporters occupied Shaftesbury Square and then stopped when another group of Paisleyites blocked its alternative route to the city centre. After a sit down protest they returned to the university. As a result of this the students formed a new organisation - People's Democracy - and paraded to the city centre on 16 October. A similar event on 4 November was opposed by a Paisleyite counter-demonstration, but after making their way individually to the city hall the People's Democracy meeting was held, but the return parade was again re-routed from Shaftesbury Square. On 30 November a civil rights demonstration was unable meet in the centre of Armagh because of a Paisleyite counter demonstration and this tactic was repeated to stop civil rights demonstrators reaching the centre of Dungannon on 4 December. Paisley was later jailed for his actions in Armagh.

On New Years Day 1969 members of People's Democracy set off on a march from Belfast to Derry. Loyalists attempted to block their route at Antrim, Randalstown, Toome, Maghera and Bellaghy, but on 4 January the marchers were ambushed at Burntollet Bridge outside Dungiven. Some of those involved in the ambush were in the B Specials and it was obvious that the police had been complicit in what had taken place. The next day, when the remainder of the march arrived in Derry, disturbances ended with policemen going on the rampage in the Bogside. Barriers were erected around the area in an attempt to keep the police out, turning the Bogside into what became known as 'Free Derry'. The civil rights marches questioned the state's control of public space and the forces of the state reacted violently. In largely Catholic areas such as Derry the limitations of the police to impose control became clear despite their increasing use of physical violence. Political and social spaces were created within which the Republican movement could develop with new vigour.

After the election in February 1969 a divided Unionist administration introduced a new Public Order Bill. This required a longer notice for parades - from forty eight to seventy two hours; made participating in an illegal parade an offence; made counter-demonstrations that attempted to stop a legal parade illegal; increased the ability of authorities to permit one parade whilst banning all others; and banned other forms of civil disobedience. Crucially, however the bill reaffirmed that the police should have regard to the 'desirability of not interfering with a public procession customarily held along a particular route' (Hadden & Donnelly 1997:20). In other words, traditional parades were still exempt. The Bill passed into law as the Public Order (Amendment) Act (NI) 1970 but even as it was being debated there were protests at Stormont and around the country.

Parades and demonstrations were the focus of public politics and civil disorder right through 1969. A Peoples Democracy march in Newry on 11 January ended in violence when the police banned the demonstration from the centre of the town. A St Patrick's Day parade was held in Belfast for the first time since partition and three bands and around five thousand people marched along the Falls (IN 18.3.1969). In April, with major civil disorder developing in Derry after yet another civil rights march was banned

for fear of a loyalist counter-demonstration, O'Neill resigned as Prime Minister to be replaced by Chichester-Clark. On 6 May the government gave an amnesty for all those who had committed offences connected with demonstrations. In June 1969 the Wolfe Tone Society announced plans to hold a parade in Belfast to commemorate the life of James Connolly. The previous year a similar march had taken place on the Falls although another planned for Derry had been banned. On the 15th the parade in Belfast had to be abandoned when loyalists opposed it with a counter demonstration. The loyalist parade was to be allowed into the city but it was called off when the Connolly parade did not materialise (BNL 13.6, 14.6, 16.6.1969). In the same month two Orange parades were given access through Dungiven. At the second, protesters held placards: 'YOU CAN MARCH - CAN OTHERS' (BNL 30.6.1969). Civil Rights demonstrations took place in Strabane (29 June), Newry (5 July), Armagh (7 July), and Enniskillen (26 July), the demonstration in Armagh lead to disturbances, and in Enniskillen 37 people were arrested (BNL 4.7, 5.7, 7.7, 8.7.1969). On the Twelfth of July there were riots near Unity Flats in Belfast when the Orange parade was attacked; and there were disturbances in Derry, Dungiven and Lurgan after Orange parades. On 2 August a Junior Orange parade provoked riots after it was allegedly stoned from the Unity Flats.

On 12 August the annual Apprentice Boys parade to commemorate the Relief of Derry took place. There had been many calls for it to be banned or re-routed, and members of the Apprentice Boys met with the Derry Citizens Defence Association to discuss how they might control members of their respective communities. But the parade went ahead and resulted in running battles between residents of the Bogside and a combination of the RUC and loyalists. The siege of the Bogside, popularly seen as the start of the Troubles, had begun. Eventually British troops replaced the RUC and B Specials on the front line.

Only on 13 August, two days before the AOH parades and with all but the Last Saturday Black parades completed, did the Government announce a six months ban on parades. The Times argued that 'by waiting until now to ban the parades, the Stormont Government convicts itself of partiality in the eyes of the minority' (14.8.1969). In the end an AOH parade took place in Dungannon, although one in Lurgan was cancelled, and in December while the Apprentice Boys did celebrate the Burning of Lundy they did so without a parade (IN 4.8.1969). By the end of the year many working class Catholic areas in Derry and Belfast had become No-Go areas for the security forces. What had started as a campaign that questioned the control of public space by Unionism had developed into an even clearer demarcation of territory.

ii. Shifting Power, Shifting Parades

The relationship between politics and territory was rapidly changing. Certain areas were no longer controlled by the RUC, while the B Specials were disbanded in April 1970 to be replaced by the Ulster Defence Regiment. Although the British Army and Westminster were keen to recover stability they had little empathy with Orangeism and would have undoubtedly seen many loyalist parades in the same way that they would have viewed republican and nationalist parade: as a policing and security problem. Nationalists may not have been gaining power but the Protestant community, and in particular the Orange/Unionist political block, was beginning to lose its power and authority. As Unionist unity finally disintegrated, the Alliance Party was formed and

the Paisleyite faction increased in strength. Unionist impotency was highlighted by the No-Go areas and by an increase in IRA activity. Within such a climate parades became even more important occasions for asserting a political community. This period saw the wider development of 'Kick the Pope' bands at a time when local loyalist defence groups as well as the UVF were starting to join, and even replace, the police as reliable defenders of the Protestant community in working-class areas.

The civil rights campaign had vividly illustrated the lack of rights to political expression that nationalists had in Northern Ireland's towns and cities, but over the next couple of years it was the dominance of Orange parades that became the focus in a debate over public order. Although the security forces were, in the main, supportive of Orange parades significant changes started to take place. On Easter Tuesday, 31 March 1970, a junior Orange Parade in the Springfield Road area was given Army protection. This resulted in serious clashes with Catholic youths. On 2 June a loyalist band parade was re-routed away from the Ardoyne, this time resulting in clashes with Protestant youths (Bardon 1992:677-678). It has also been suggested that the new RUC Chief Constable, Sir Arthur Young, former London police commissioner, wanted all parades banned. On 14 June there were yet more clashes in Dungiven as Orangemen came from all over Northern Ireland to support the local brethren in their march (BNL 15.6.1970). Unionist politicians were caught: on the one hand the parades looked like they would cause major civil disturbances, on the other hand, any attempt to ban the parades was political suicide - the parades went ahead. On 27 June serious inter-communal rioting developed after Orange parades in west and east Belfast. Four people were killed and the IRA intervened to defend Catholic areas. The Grand Orange Lodge announced that all small private lodge parades would be stopped and only District, Somme and Church parades would be sanctioned while Prime Minister Chichester-Clark announced that he had agreed some further re-routing with the Institution.

Within such a dynamic political environment changes within the nationalist community were also reflected in parades and demonstrations. The IRA had split into the Provisional and Official wings and as a result two republican commemoration parades were held in Derry in 1970, the Officials marched to the Guildhall whilst the Provisionals stayed within Free Derry. Disturbances developed after a Union Jack was raised at Strand Road RUC Station and part of the crowd tried to break down the main gates. Similarly rival events took place at Milltown Cemetery whilst in Lurgan a more familiar confrontation took place when the Easter commemoration clashed with Paisleyite supporters conducting a counter-demonstration (IN 20.3.1970). Repressive operations by the British Army in nationalist areas particularly in the Lower Falls in the week before the Twelfth increased the popularity of the IRA. The focus of resistance was shifting from civil rights to an armed struggle and it had become difficult to hold a peaceful demonstration.

On 23 July the Stormont Government once again banned all parades and demonstrations, only memorial services were excluded. A loyalist band parade in Garvagh was stopped although a 'parade' to an Orange service in Kilsherry, Co. Tyrone was allowed, apparently because Orangeman 'did not walk in organised files' (BNL 23.7, 24.7, 25.7, 27.7, 28.7.1970). Unionist politicians and members of the loyal orders were bitterly divided over the ban. There were votes of no confidence in the Prime Minister from a number of Orange lodges and the County Grand Lodge of Belfast criticised the

'continuing ineptitude of the Government'. Some members of the Apprentice Boys held a walk to a new hall in County Down where Ian Paisley spoke and Paisley later led a parade in Enniskillen and called for Parliament to be recalled. The Protestant Unionist Association in Londonderry said it would defy the ban on 12 August and some Unionist MPs suggested there should be limited parades. The Apprentice Boys eventually organised a service, but did not have a parade. However, a group did try to march over the bridge and there were disturbances both on the Waterside and in the Bogside. At the end of the month the Black Institution decided it would march on the Last Saturday and six members of the Black were summonsed after a parade in Maralin, County Down. (BNL 29.7, 30.7, 31.7, 4.8, 5.8, 6.8, 8.8, 10.8, 12.8, 13.8.1970). On 26 August, three days before the Last Saturday parades should have taken place, the Home Affairs Minister, Robert Porter resigned due to 'ill health', perhaps another ministerial casualty of the parading issue. Also, Cabinet Minister Brian Faulkner, who once led Orangemen down the Longstone Road, was thrown out of the Ballynahinch Branch of the Apprentice Boys No Surrender Club for his support for the ban. On the Last Saturday there were parades in Ballymoney, Belfast, Omagh, and Rathfriland. Although Lundy was burnt in December in Londonderry, there were no reported parades (BNL 27.8, 28.8, 31.8, 21.12.1970).

The security situation was starting to have a significant effect on loyal order parades. On Easter Tuesday, 13 April 1971, there were serious disturbances and shots fired as a junior Orange parade returning from Carrickfergus passed the Short Strand area in east Belfast (BNL 14.4.1971). The new Prime Minister, Brian Faulkner, announced in June that an Orange parade planned for Sunday 14th in Dungiven was banned. Limavady District Orange Lodge decided to go ahead with the parade resulting in hundreds of Orangemen clashing with troops outside the town (BNL 14.6.1971). In west Belfast the Whiterock Orange parade, which passes along the Springfield Road, was re-routed from Mayo Street to Ainsworth Avenue, but resulted in clashes just as it had the previous year (BNL 18.6, 19.6, 21.6.1971). A march organised by Paisley for 28 June, celebrating the Golden Jubilee of Stormont, was re-routed away from the Short Strand area and an Orange parade in Coalisland was also re-routed (BNL 28.6, 1.7.1971). Just as with the No-Go areas it was becoming clearer that the power to control public space was shifting. The realities of the security situation meant that it was no longer possible for Orange parades always to take the route of their choice.

iii. Internment and Bloody Sunday

It was difficult for the conservative AOH to respond to what was taking place. The development of the civil rights movement, with its left-wing agitators, and the re-emergence of the republican movement, against which the Hibernians had long spoken out, hastened the decline of an organisation whose political influence had been waning for many years. In 1971 the AOH imposed a voluntary ban on their members holding or participating in parades, a policy which remained in force until 1975. On St Patrick's Day that year the parade organised by the James Connolly Band included the INF, the GAA and the Republican Clubs but not the Hibernians. But not all AOH members were happy with the decision, and dissent was expressed in Ballerin, County Derry where the local Division went ahead with their banner unfurling ceremony on St Patrick's Day in defiance of the ban (IN 18.3.1971; Jarman 1997:137-141). The 1971 Easter commemorations in both Belfast and Derry reflected the split that has taken place

within the republican movement. In Belfast the parade organised by supporters of the Provisionals attracted seven thousand people whilst the Official's commemoration attracted around half that number (Bew & Gillespie 1993:34). In Derry, where the Officials were stronger, two thousand people marched to Waterloo Place in the city centre, whilst the twelve hundred supporters of the Provisionals held their commemoration within Catholic areas. Both Derry parades ended in clashes with the police and army. In the Loup the annual commemoration was banned after the local Free Presbyterians threatened to demonstrate and in Lurgan the Commemoration Committee agreed not to unfurl a Tricolour until they reached they graveside so as to avoid the clashes of the previous year.

In Spring 1971 the Provisionals had launched a concerted bombing campaign supplementing attacks on the RUC and British troops. On the 11 July a number of bombs went off on the route of the Twelfth, and at some Twelfth platforms the following day Orangemen heckled the leaders who they saw as politically impotent (BNL 13.7.1971). On 9 August the Unionist Government introduced internment without trial. The army and RUC picked up 342 people although few proved to be active members of the IRA. Twenty-two people died in the violence that followed as disturbances in Belfast, Derry and Newry reached a new intensity. In Belfast, in particular, hundreds of Catholics and Protestants were forced to move homes. In the weeks that followed there were numerous protest meetings and strikes; moderate nationalists showed their indignation by resigning from public positions and supporting a rent and rates strike; and the republican movement saw a large increase in its membership and conducted an even more vigorous military campaign. Further arrests and the torture of some of the internees simply heightened the significance of the new policy for nationalists; yet to many loyalists the Unionist administration, and the security forces, looked increasingly ineffectual. In September 1971 the Ulster Defence Association (UDA) was set up and soon it too was conducting parades in areas such as the Shankill and east Belfast (Bardon 1992:281-286).

On 9 August Faulkner had also announced a ban on parades and demonstrations. In the main loyalists held to this new ban but within the nationalist community a large public anti-Internment campaign developed. On 12 September a rally of fifteen thousand people took place at Casement Park and many smaller events took place all over Northern Ireland. On Christmas Day over one thousand people began a march from Belfast to one of the internment holding centres at Long Kesh. Eventually the Army and RUC stopped the demonstration on the M1 motorway. But more demonstrations took place over the weeks that followed. On 30 January 1972 NICRA organised a march from the Creggan to the Bogside in Derry. Most of the crowd, of between five and ten thousand, massed for a meeting around Rossville Street whilst some rioting broke out near barricades. The response of the British Parachute Regiment, used in Derry for the first time, was to fire on the crowd shooting dead thirteen people, a fourteenth person dying later of his injuries. Bloody Sunday, as it came to be known, joined Internment as one of the defining moments for the republican movement against British occupation. Niall ” Dochartaigh suggests that in Derry after Bloody Sunday 'both the Provisional and Official IRA became major forces in the Catholic community, attracting more recruits than they could handle and operating openly in the no-go areas' (” Dochartaigh 1997:279). Many Catholics still saw a united Ireland as only a distant theoretical goal, and even more remained opposed to the IRA's military tactics, but after Internment and

Bloody Sunday opposition to the northern state as it was presently constituted had become universal. Eventually, at the end of March 1972, the British government ordered the suspension of the Northern Ireland Parliament and introduced direct rule and William Whitelaw became the first Secretary of State for Northern Ireland.

iv. From the Right to March to No-Go

It is interesting to note the changes that took place in the disputes over parades between 1967 and 1972. To begin with, focusing as they did upon reforms within the context of Northern Ireland, the Civil Rights demonstrations transgressed communal boundaries. Marches into Belfast, Derry, and Dungannon physically and symbolically asked questions of the Northern Irish state. The blocking of the demonstrations both by elements within the Protestant community and the police visibly underlined the inequalities in power and the inequalities in rights that existed within the state. Until 1969 there was little in the way of nationalist questioning of the rights of Protestants to hold the parades that went through or near predominantly Catholic areas. Indeed, to do so would have stood in some contradiction to the campaign civil rights activists were running since at dispute were the lack of equal rights. In 1969 this began to change. After persistent clashes between the police and the residents of predominantly Catholic areas there was a greater emphasis within the Catholic community to try and assert control of the areas in which they lived. This appears particularly clearly in the Bogside where there was a concerted attempt to exclude the security forces and the area proclaimed 'Free Derry'. Symbolically members of that community were beginning to attempt to shut the state out of their areas, rather than marching in to areas perceived as Protestant to demand their rights within the state. This shift reflects a political move away from a civil rights agenda towards a nationalist and republican agenda; a shift from the politics of NICRA to that of the IRA. For example, at the Easter commemorations of 1971 in Derry the Official IRA, who were more closely associated with NICRA and the civil rights agenda, organised a commemoration that ended at the Strand Road police station and street confrontations. The Provisionals on the other hand confined their commemorations to the Bogside. Note also that at Bloody Sunday the confrontations took place around the barriers defending the Bogside, not through attempts by the marchers to move into the city. In 1970, 1971 and 1972 many of the civil disturbances centred on Orange parades, particularly when the facilitating of such parades meant that the security forces encroached on nationalist areas. As such, the Apprentice Boys parade through Derry in 1969 was more clearly perceived as an invasion of a nationalist area, as were the Whiterock Orange parades on the Springfield Road in west Belfast and Orange parades around the Ardoyne. Put simply civil rights had been replaced by No-Go areas as a form of resistance; the movement to reform Northern Ireland had shifted to one that defended communal territories; and mass public demonstrations were eventually replaced by a military campaign.

The inequalities in housing, employment and political representation during the Stormont era are a matter of record. What we have tried to do in the preceding pages is to catalogue the inequalities in rights to public political expression. The dominance of the Protestant community in government and in policing led to the overwhelming dominance of that community over public space. Parades and symbolic structures such as War Memorials and flags marked most town centres as being Protestant and British. Symbolic expressions of Irish nationalism, of Catholicism and of Irish Republicanism

were restricted to areas perceived as predominantly Catholic or in the case of republicanism sometimes banned altogether. The AOH held their St Patrick's and Lady's Day parades in a limited number of venues. But any overt displays of Catholicism received a hostile response if they transgressed certain boundaries, while displays of the Irish Tricolour and commemorations of the Easter Rising were treated as a direct threat to the state and often banned. Each of these constraints on nationalist political expression and civil rights had persisted throughout the Stormont era, even though in 1972 these restrictions largely remained in place they were now also being challenged in a more systematic and widespread way.

Chapter 7

THE RIGHT TO MARCH

The suspension of Stormont in 1972 significantly altered relationships of power in Northern Ireland. The Ulster Unionist Party was no longer in control and Unionism further fragmented. Political interests and political power were more directly based in London, governed by security concerns and various approaches to solving the 'Northern Ireland problem'. The political environment in which all public demonstrations were to take place had changed. The extent of these changes took time to reveal themselves but as the republican movement gained increasing political support after the Hunger Strikes it began to extend a number of events to areas from which they had previously been excluded. Furthermore by the mid-1980s the RUC were beginning to take a tougher line on some Orange parades. These changes were reflected both in new Public Order legislation that appeared in 1987 and then a series of high profile disputes over Orange parades that culminated in further legislation introduced in 1997.

Changes within nationalist politics also influenced that nature of public political expression. Unlike previous constitutional nationalist groupings the Social Democratic Labour Party (SDLP) did not utilise the Hibernians as part of its political campaigns. Despite a number of its prominent members coming from the Civil Rights Campaign, most notably John Hume, the party has not, in the main, used mass parades and demonstrations in its political enterprise. Consequently, St Patrick's Day and Lady's Day have had a lower political profile than in the past and Hibernian and Foresters parades have become predominantly social events. The republican movement has regularly utilised large public gatherings and has gained access to areas such as the centre of Belfast through political pressure. But the Hibernians and Foresters have only recently felt able to extend their parading routes, this has been possible because they are no longer seen as a political threat by the Protestant community.

i. Consolidation rather than Confrontation

Since the demise of the civil rights movement a central concern of constitutional nationalist organisations has been to avoid confrontation and to conduct their commemorations within predominantly Catholic areas. Hibernian parades have reduced considerably in size since the 1950s. There was a crowd of over ten thousand at a parade in Kilrea in 1978 but most events over recent years have been considerably smaller than this (IN 16.8.1978). In the main it has been a conspicuous policy of the Hibernians and Foresters to avoid conflict over their parades, and most problems that have arisen have been associated with periods of wider sectarian tension.

The Hibernians lifted their self-imposed ban on parades in 1975 although there had been a few unofficial parades prior to that (IN 18.3.1974, 18.3.1975). In the late 1970s and early 1980s there appears to have been regular agitation by unionists in Larne over Hibernian parades held along the Antrim coast. In 1979 loyalists tried to stop Hibernians coming over from Scotland and there were disturbances as they gathered before a parade in Carnlough. In 1982 there were accusations from Larne loyalists that Hibernian supporters had waved Tricolours provocatively in the High Street; and in 1985 loyalist politicians in the town complained of the possibility of a parade in

Carnlough. Elsewhere in County Antrim in 1982 a band in Portglenone was stoned, and in 1989 loyalists stoned the first Hibernian parade in Armoy for thirty-five years (BT 15.8.1979; IN 18.3.1982, 16.8.1985, 16.8.1989; East Antrim Times 27.8.1982; Larne Times 29.3.1985).

Tensions became particularly high through 1985 and 1986 when there were major disputes over Orange parades in Portadown and the signing of the Anglo-Irish Agreement worsened community relations. The disputes in Portadown, over the right of Orangemen to use the Catholic Tunnel area of the town for a number of their parades, seems to have been sparked by a dispute over a St Patrick's Day parade. On 17 March 1985 the St Patrick's Accordion Band was prevented by the RUC from marching from Obins Street past the mainly loyalist Park Road and onto the Garvaghy Road. A demonstration and prayer meeting by a small crowd of loyalists, including Arnold Hatch, Mayor of Craigavon, convinced the police that there was a serious risk of public disorder. On its return from a St Patrick's Day rally in Cookstown that band again tried to walk the route, resulting in clashes between bandsmen and police. Local SDLP representative Brid Rodgers was quick to contrast the attitude of the RUC during these incidents with the role the RUC played in facilitating Orange parades in the Tunnel every July. It was not long before there developed a more concerted effort by local nationalists to stop some of the Orange parades (Bryan, Fraser & Dunn 1995).

The Portadown dispute raised tensions in other areas. There were several incidents on Lady's Day 1985. In Ballerin there was trouble when police tried to remove Tricolours from a Hibernian parade. In Garvagh Hibernian coaches were stoned and in Kilkeel there was a massive police operation to allow two nationalist bands to parade before going to a Foresters event at Warrenpoint (IN 16.8, 16.8.1985; IT 15.8.1985). The following St Patrick's Day police arrested nine people as the two bands again paraded through Kilkeel and there were clashes between nationalist and loyalist crowds (BT 18.3.1986). Also in 1986 a Foresters St Patrick's Day parade in Lurgan attracted significant attention when the National Front threatened a counter demonstration. Ulster Unionist MP Ken Maginnis was amongst those giving his support for the right of the Foresters to parade in Lurgan. On the day the police clashed with loyalist demonstrators in the High Street whilst the parade took the planned route at one end of the town (BNL 17.3, 18.3.1986; BT 17.3.1986). On Lady's Day in 1986 there were clashes between nationalist youths and police after the main Hibernian parade at Toome and there were yet more incidents in Kilkeel where eighteen people were arrested after a nationalist band paraded during the evening (IN 16.8.1986; BNL 16.8.1986).

As with Orange parades the involvement of independent bands in Hibernian parades can be problematic for the organisers. In Draperstown in 1980 and in Magherafelt in 1984 bandsmen clashed with the RUC as the police tried to remove Tricolours from the parade (IN 16.8.1980, 16.8.1984). In recent years the Hibernians have discouraged certain paramilitary style bands from taking part in their events. In the main however, incidents related to Hibernian and Foresters parades have been relatively minor when compared to those arising out of both Orange and republican parades. Senior members of the AOH have gone out of their way to stress that their parades should only take place in areas, generally in the countryside, where they are welcome.

There have also been a variety of St Patrick's Day events other than those organised by the Hibernians and Foresters. In Downpatrick and Armagh parades which are generally perceived as non-political have taken place in most years and since 1969, there have been a variety of St Patrick's Day parades in west Belfast and on the New Lodge Road. These seemed to have varied in terms of political involvement depending on other circumstances. The first parade appears to have been organised by the James Connolly Band in west Belfast and by 1974 the parade involved the INF, Republican Clubs, Communist Party of Ireland and the Connolly Youth. In 1978 and 1979 there were large events involving the GAA, INF, AOH, Sinn Fein Relatives Action Committee and the Republican Prisoners Welfare Association. But by 1981 the event, now organised by the St Patrick's Day Association, had become more of a carnival with a number of floats taking part. By 1983 the Irish News was describing it as a non-political event and 'basically a parade for children'. However, Sinn Féin and the Workers Party took part in the parade in 1984, with the INF holding a separate parade, and there were clashes between youths and soldiers after the parade in 1985. In 1986 there was a parade in the New Lodge but according to a Sinn Féin spokesperson the parade on the Falls Road was cancelled due to lack of interest. In 1988 there was a large St Patrick's Day demonstration on the Falls, the day after Michael Stone killed three mourners at the funeral of the IRA members shot by the SAS in Gibraltar, this finished with a meeting at which Gerry Adams addressed the crowd. The following year the theme of the parade was the Irish language and in 1991 the event coincided with the arrival of the Birmingham six in Belfast. Yet in 1992 and 1993 there appear to have been no events of note on the Falls (IN 18.3.1969, 18.3.1970, 18.3.1971, 18.3.1972, 18.3.1974, 18.3.1977, 18.3.1979, 18.3.1981, 18.3.1983, 18.3.1984, 18.3.1988, 18.3.1989, 18.3.1991; BT 18.3.1985, 17.3.1986).

ii. Commemorating Resistance

The Hibernians and the Foresters are now politically marginal in Northern Irish politics and the relatively unproblematic nature of their parades must be seen in this context. However, republicanism, particularly through Sinn Féin, has developed as a mass popular movement, utilising a variety of commemorative occasions that have often been constrained by the forces of the state and opposed by loyalists. There are four major annual republican commemorations in the north: the Easter Rising; Bloody Sunday (30 January 1972), marked by an annual parade in Derry; the Hunger Strikes, commemorated by parades in early May; and the anniversary of Internment, commemorated on the second Sunday of August. As well as these major events an extensive range of small commemorative parades are held across the north to mark the anniversaries of individual republicans. Whilst each of these events are recognised as being important by the republican movement and have served to symbolise resistance to the British presence in Ireland they draw in different ways on the nationalist community reflecting political differences as well as a common purpose.

The Easter Rising has remained the most widespread commemoration in the republican calendar. Since the early 1970s the Easter Commemorations have reflected the divisions in the republican movement with the Provisional and Official (later the Workers Party) wings of the republican movements holding separate events. More recently the Irish Republican Socialist Party (IRSP) and Republican Sinn Féin have also hold their own commemorations. On occasions, such as 1973 and 1975 there were clashes between rival

parades and in 1977 there was a gun battle after a bomb had killed a young boy watching the Officials parade. In the main, however, the commemorations organised by the National Graves Association and supported by the Provisional IRA and Sinn Féin have dominated (IN 23.4.1973, 31.3.1975, 11.4, 12.4.1977). The modern equivalent of the Easter Rising has been the commemoration of the Hunger Strikes. The traumatic events of 1981 when ten republican prisoners died in a campaign to gain special category status as political prisoners provides another important political anniversary for the nationalist community. The political power of the events at the time were revealed in the election of hunger striker Bobby Sands as MP for Fermanagh & South Tyrone and in the massive turnouts for the ten funerals of the Hunger Strikers. These events served to unite the nationalist community, highlighting the republican cause, in a way that the Easter commemorations did not. It reinvigorated Sinn Féin adding a political front to what had up until then been a predominantly military struggle. Whilst local commemorations take place near the homes of all the Hunger Strikers the most significant demonstration is held in west Belfast on or around 5 May, the anniversary of Bobby Sands death. The Black Flag marchers that had taken place in 1981 were held annually in the years that followed between Andersonstown and Dunville Park.

If Easter and the Hunger Strike commemorations have signified sacrifice then Internment and Bloody Sunday have been used to highlight injustice in British rule appealing both to the Catholic community and to wider international interests. The Bloody Sunday commemorations in Derry are clearly important for the wider republican community but they draw on a slightly different political community then the Easter Commemorations. First, they have a particular local resonance for people in Derry both in and outside the republican movement. Second, the election of hunger striker Bobby Sands as MP for Fermanagh South Tyrone the election of hunger striker Bobby Sands as MP for Fermanagh South Tyrone remembrance of Bloody Sunday acts as a more specific reminder of injustices that the British state has been unwilling to fully investigate. As such, along with campaigns such as the Birmingham Six and the Guilford Four, the Bloody Sunday Campaign has drawn wide political support from within Britain and has also led to the development of more generalised concerns with human rights. The first commemoration of Bloody Sunday was organised by NICRA and although they held an event the following year the larger commemorations were organised by Sinn Féin and they sustained the event thereafter. For the 20th Anniversary the relatives of the fourteen families formed the Bloody Sunday Justice Campaign and attempted to draw in as wide a constituency as possible to get a new inquiry into the events. The original Bloody Sunday campaign changed its name to the Pat Finucane Centre and concentrated on human rights and justice issues. The demonstration, held on the Sunday nearest the 30 January has reflected these changes.

The British government introduced internment without trial on 9 August 1971. Initially three hundred and forty two men were arrested. Further detentions occurred in the following weeks (Bew & Gillespie 1993:36-37). Strikes and demonstrations were organised in the immediate aftermath with a broad spectrum of the Catholic community opposing the policy and the Provisional IRA receiving a boost in membership (Farrell 1980:283). In 1973 there were massive protests against imprisonment without trial as well as impromptu rallies at midnight bonfires, although NICRA organised some early events Sinn Féin were the main organisers of most events (IN 5.8.1973, 10.8.1974, 10.8.1975). Annual demonstrations were held in a number of predominantly Catholic

towns as well as in Belfast with rallies being used to publicise the wider political demands of the republican movement. In Belfast, particularly in the 1970s, many of the events ended with clashes with the police and army until, in the mid-1980s, in an effort to create a more positive and productive cultural environment, the West Belfast Community Festival was organised in the week prior to the Internment demonstrations. This shift from sporadic street violence aimed at the security forces to more positive community involvement leading to greater confidence and empowerment deserves closer consideration.

iii Resistance: From Confrontation to Community?

As we have discussed in the previous chapters there has been an ongoing conflict concerning the Easter commemorations. At an ideological level the commemoration clearly stands opposed to the state of Northern Ireland and much of the symbolism surrounding the event expresses this. Of more consequence however are the ways that such events have practically displayed physical opposition to the state. First, by the public displays of paramilitary strength that sometimes takes place during the commemorations and which effectively stand to oppose the legitimacy of the RUC in the wielding of physical force. Second, in the more direct confrontations that take place between members of the nationalist community and the RUC and British Army usually in the form of stone throwing and car burning. Particularly in the 1970s and 1980s there was an ongoing battle between the RUC and the republican movements over the control and content of the Easter commemorations. In other words the holding of the Easter Commemoration remained part of a culture of resistance in nationalist areas (Sluka 1995; de Rosa 1997).

In 1972 there was still a legal ban on parades placed there by the Faulkner government but the new Secretary of State for Northern Ireland, William Whitelaw, seemed keen not to have to stop the commemorations. A spokesman for the Six County Republican Executive announced that as long as their parades were unhindered they would respect Orange parades (IN 1.4.1972) and the police appear not to have interfered. In 1976 however, an armoured army vehicle broke down the gates of the cemetery chasing boys who had thrown stones at them on the Falls (IN 19.4.1976). Through the late 1970s the army and police stayed largely out of site accept for the helicopter hovering over the cemetery. In 1980 a bomb exploded at the Officials cemetery plot placed there apparently by the Loyalist Tara group (IN 12.4.1982). In 1981 the Easter Commemorations took place against the background of the Hunger Strikes. There was serious rioting in a number of areas including Bellaghy when the police prevented a march taking place from the house of hunger striker Francis Hughes to the centre of the village where, with a classic Paisley counter-protest tactic, the DUP were holding a service (IN 20.4.1981). Another device exploded at the Milltown Cemetery in 1982 and the RUC forced the IRSP to hold their commemoration outside the cemetery whilst devices were removed (IN 9.4.1985). In 1983 the RUC stopped a mini-bus and arrested people in uniform after the Easter commemorations (IN 5.4.1983), and in 1986 the police smashed through the gates of the cemetery and maintained a strong presence to stop paramilitary appearances (IN 1.4.1986). Into the 1990s the police and army have maintained a large presence around the Milltown Cemetery although there have been few incidents. In strongly republican areas, such as Newry and Crossmaglen, there have been appearances by the paramilitaries, sometimes with weapons, and in other areas,

such as Armagh, the route taken by the parade prior to the cemetery commemorations has extended (IN 5.4.1988, 28.3.1989, 12.4.1993). In Derry, as in Belfast, given that the route from the Bogside to the City Cemetery in the Creggan is through a completely nationalist area the main reason for the police presence seems to be to reduce the likelihood of paramilitary displays. Consequently, confrontations were not uncommon and in 1989 two people were arrested after the ceremony (IN 28.3.1989).

Confrontations at Internment commemorations involved everything from clashes between the police and youths, the hijacking and burning of cars to gun attacks on police stations (IN 5.8.1973, 10.8.1974, 10.8.1975, 12.8.1977). In 1976 the rioting in west Belfast continued right through the following day, and in 1984 Sean Downes was killed by a plastic bullet when the RUC attempted to arrest NORAID spokes person, Martin Galvin (IN 9.8.1976, 13.8.1984). Similarly with events commemorating the Hunger Strike there have been a number of incidents that have resulted in clashes between youths and the police although these have been peripheral to the main event (IN 10.5.1982, 8.5.1984, 11.5.1987).

Since the late-1980s however, there appears to have been a reduction in the number of disturbances associated with the anniversaries. The RUC presence at the Milltown cemetery at Easter has remained high but the tension that has characterised the event for many years appears to be less. This may be due to the requirement of Sinn Fein's political campaign to highlight political issues through a set piece speech covered by the media rather than have the message getting lost in a predictable confrontation with the police. It is also probably true to say that there is a greater acceptance of the legitimacy of the republican political displays by the institutions of the state. Apart from changes in the policing, the developing discourses around 'cultural traditions' and community relations has undoubtedly influenced the official stance towards nationalist political expression in general. Calls to ban Easter commemorations, in the way that they were in the 1930s, are almost inconceivable.

More noticeable perhaps has been the development of the West Belfast Community Festival in the week preceding the Internment commemoration. The festival has significantly changed the atmosphere in which the demonstration takes place, becoming a broader celebration of the vitality and creativity of the nationalist community directing the focus away from a commemoration of the past and instead focusing on the future (Jarman 1997:151). Again, these changes paralleled the development of Sinn Fein's political strategy to broaden the base of the republican community. Just as the republican strategy has shifted in degrees from the armed struggle to the political struggle so the importance of the commemorative occasions in highlighting political events has grown. This has become particularly marked since the start of the IRA cease-fire of 1994 and the development of a political discourse to accompany the peace process. One of the more effective ways of prosecuting such a political campaign has been to point out the continuing inequalities in political expression in the public sphere, such as the rights of the nationalist community to use town and city centres. As such, there have been some significant campaigns to claim the right to march, a move away from the No-Go areas, and back into the realm of civil rights.

iv. The Extension of Parading Rights

The dispute over the rights of Orangemen to parade in the Obins Street or Tunnel area of Portadown in 1985 and 1986, and more recent disputes over the Ormeau Road in south Belfast and the Garvaghy Road in Portadown, meant that public attention has tended to see the right to march as a claim made by the loyal orders in predominantly Catholic areas. But throughout much of this century, and particularly during the civil right campaign, limitations upon non-unionists right to political expression have been just as significant. Since the mid-1980s there has been a gradual extension of the rights of nationalists to use town and city centres. These changes seem to have taken place for three reasons. First, due to the political campaigns prosecuted by the nationalist community, in the main by republicans, to extend their demonstration routes. Second, due to a shift in the attitude of state institutions to certain forms of nationalist political expression. Third, the reduced political role of the Hibernians has made their events more tolerable for many Unionists.

As we have catalogued in the previous chapter expressions of Irish nationalism were effectively excluded from Derry for the period of Stormont governance. With the removal of gerrymandering and the introduction of a more representative City Council it was inevitable that the centre of Derry would again reflect non-Unionist political expression as it had up until the First World War. The political dynamics in Belfast however were quite different. No expression of Irish nationalism had been given access to the centre of the city. During the 1970s and much of the 1980s the centre of the city was regularly the target of the IRA's military campaign and Catholic areas of west Belfast developed a strong sense of self-containment. Even within Catholic west Belfast the right to march was not uncontested. The Hunger Strike march in 1986 in west Belfast was considered by the RUC to be illegal (IN 6.5.1986), as was the Internment rally in August since neither apparently gave the required five days notice. Gerry Adams argued that the Internment rally now was a traditional march and therefore did not require such notice to be given. Six people were charged with holding an illegal parade (IN 10.8.1986). In 1987, after two years of disputes in Portadown, the government introduced the Public Order (NI) Order that removed the special category of processions 'customarily held along a particular route' and increased the period of notice for all processions from five to seven days. The Easter and Hunger Strike Commemoration's in 1987, under the new public order legislation, were also considered illegal (IN 21.4, 11.5.1987).

The electoral success of Sinn Féin in the Belfast Council and their involvement at the City Hall seems to have altered the relationship between the republican community and the city in general. At the start of the 1990s there were moves to extend republican parading rights. In 1990 the RUC banned Hunger Strike demonstrations from the New Lodge and Markets areas of the city which led to an action in the High Court where the decision of the RUC was upheld (Andersonstown News 19.5.1990; IN 6.5.1991). But for the Internment rallies republicans were given permission to march along the Ormeau Road although with strict conditions: no flags, no IRA slogans to be shouted, and keep to one side of the road (IN 8.8.1990). The following year the RUC refused to give permission for a Hunger Strike commemoration through the city centre from the Short Strand and Markets to west Belfast. But later that year an Internment parade from the Short Strand was given permission to march past the City Hall en route to west Belfast (IN 6.5.1991). In 1993, despite protests from unionist politicians, the main Internment demonstration was allowed into the city with the rally being held outside City Hall.

Gerry Adams and Martin McGuinness made speeches directly in front of the statue of Queen Victoria. Through the late 1980's the crowd at Internment rallies had been three to four thousand strong; in 1993 an estimated fifteen thousand people attended. The City Hall is now the annual venue for the Internment rally (Jarman 1993; de Rosa 1997), and there have been a number of subsequent republican political parades in the city centre.

Extensions to republican parading practices can be found in other areas of Northern Ireland. In 1987 and 1988 the Easter Commemoration route in Armagh was extended along Railway Street and through the Shambles (IN 21.4.1987, 28.3.1988). After a number of disputes over both loyalist and republican parades in Castlederg, a Nationalist Rights Committee demonstration was given access to the town in May 1995. On 26 July 1996 the Bogside Residents Group organised a demonstration from the Waterside to Waterloo Place as part of its campaign over loyal order parades in nationalist areas, thereby replicating the situation in which police had attacked Civil Rights activists in October 1968. On this occasion the demonstration was allowed to form up in the Waterside and proceed across Craigavon Bridge into the city. An intermittent campaign for nationalist parades to be allowed into the centre of Lurgan started in 1995 after a Saoirse parade on 30 July was opposed by unionists, including David Trimble and Peter Robinson, and blocked by the RUC and in October 1995 various pickets were. On 3 March 1996 a large 'Nationalist Right to March' rally was stopped by the RUC from entering the town centre and only on 31 August 1997 was a demonstration given access.

We think it likely that there are also other unpublished examples that suggest the access to public space given to political groups within the nationalist community has increased. As we suggested above this is in part due to changes in the attitude of the state and in part due to the developing political campaign within the republican movement. Certainly on a number of occasions the republican movement has either voluntarily, or after conditions have been imposed by the RUC, accepted changes on particular events, such as furling flags, or re-routing a few demonstrations when they have bordered loyalist areas. In the Suffolk area of west Belfast there was a dispute in 1995 as the police re-routed the Hunger Strike commemoration away from the end of the Blacks Road and the parade has been voluntarily re-routed in the years that followed. In part this seems to be a pragmatic political response to highlight the intransigence of Orangemen in not re-routing some of their parades in nationalist areas.

In the main the Hibernians and Foresters have been careful to restrict their parades to predominantly nationalist villages and have avoided larger towns, yet in recent years the Hibernians have returned to Armagh in 1987, Downpatrick in 1992 and Newry in 1994. In 1993 the Hibernians held their first ever parade in Derry although they avoided most of the city centre, however, in 1995 they did walk a route that took in the Bogside and the city centre. In 1997 the Foresters held their first parade in Belfast although they did not use the city centre. Many within Unionism no longer see the Hibernians as threatening and in some senses they have become the acceptable manifestation of nationalist culture. However, the Hibernians do carry Tricolours and Papal flags and leaders of the organisation have remained determined to avoid possible disputes through their choice of parading venues. In August 1996 they cancelled their planned parade in

Moy, Co. Tyrone, in the wake of the Drumcree crisis and in 1997 it was reported that they re-routed a feeder parade in Kilkeel (IN 15.8.1997).

We are by no means suggesting that the inequalities in access to public space that existed under Stormont have been rectified. There remain glaring examples, such as Portadown, where the RUC are likely to refuse nationalist applications to parade on grounds that the risk to public order are too great, and other places where a Catholic community would not even consider any form of symbolic expression in public. We simply note that there have been some significant changes over the last twenty years. This having been said, another aspect to the use of public space must be considered. Organised opposition to loyalist parades in Catholic areas has increased markedly in the 1990s. Before we make some concluding observation this movement needs some consideration.

v. The Right to Parade (IV)

In March 1992 a campaign group called the Lower Ormeau Concerned Committee (LOCC) began to agitate for the re-routing of loyal order parades away from a section of the Ormeau Road which has a predominantly nationalist community on one side of it. The campaign was precipitated by the murder of five people in a bookmakers shop in the area by the UFF and received widespread publicity when Orangemen parading through the area waved five fingers at protesters on the side of the road. The Northern Ireland Secretary at the time, Sir Patrick Mayhew, stated that the behaviour of the Orangemen would have 'disgraced a tribe of cannibals' (IN 11.7.1992). In the years since then there have been a growing number of residents groups mainly, but not all, nationalist protesting at loyalist parades in their area. The most significant of these are the LOCC; the Garvaghy Road Residents Group in Portadown and the Bogside Residents Group in Derry. The Garvaghy Road Residents Group (later the Garvaghy Road Residents Coalition - GRRC) was formed in 1995 with the aim of getting the Drumcree church parade and the Twelfth feeder parades re-routed. The Bogside Residents Group have opposed the Apprentice Boys parade around the section of the city walls overlooking the Bogside. Residents groups have also campaign against parades in Bellaghy, Dunloy, Newtownbutler, Armagh, north Belfast, Dromore (Tyrone), Lurgan, Newry, Pomeroy, Roslea and Strabane. The make-up of the various groups has varied from place to place but whilst there is often a broad spectrum of the nationalist community involved the spokespersons for the groups have usually been republicans. The perception amongst unionists has been that what has taken place is a republican conspiracy and this was given credence by the reports on the RTE Prime Time programme that Gerry Adams had congratulated the hard work done by republicans in the different areas.

It is a common aspect of ethnic politics, such as those in Northern Ireland, that one side views the actions of the other side as part of a broad conspiracy. The truth is invariably more complex and is as much about groups having interests in common as about the development of a centralised plan. Concern over loyal order parades did not suddenly arise in 1992 on the Ormeau Road. Loyal order parades had been a focus for disturbances between 1969 to 1972; in the early 1980s there were a series of disputes over loyal order and band parades in Castlewellan, Downpatrick and Ballynahinch in County Down. Furthermore the Drumcree Faith and Justice Group had been protesting

at parades on the Garvaghy Road since the late 1980s. Indeed, as we have tried to catalogue in previous chapters, campaigns over the rights, or lack of rights, to parade have been a common feature of Irish politics in the north. Also, quite apart from specific campaigns by nationalist groups, it is clear that during the 1980s the RUC had developed concerns about some loyalist band parades and the changing nature of certain Orange and Apprentice Boys parades (Bryan, Fraser & Dunn 1995:21). Quite simply, concern over the right to march has been an important facet of community relations for many years - it was certainly not invented by the LOCC or the GRRC.

It is more significant to ask why and in what form these disputes have arisen when they have. To begin with it is worth stating the obvious: there is a significant well of resentment towards the loyal orders, particularly the Orange Order, within the nationalist community. The role of the Orange Institution in the Stormont regime, and within the police and its continued connection with the Ulster Unionist Party means that for most nationalists, and we suspect most Protestants, the Institution as well as being a religious or cultural organisation is first and foremost political. It was intimately involved with a state that most Catholics perceive as sectarian and oppressive. This resentment has been channelled by and articulated through the residents groups even though one could make a reasonable argument that the Orange Order wields considerably less power than it used to. Ironically, or perhaps significantly, many Orange parades have become more overtly sectarian and assertive, some would say triumphalist, as the Institution's power has waned (Jarman & Bryan 1996). The more removed oppression of the state under Stormont has been replaced by symbols of inter-communal street warfare in the form of paramilitary flags and regalia. The threat felt by Catholics is more direct then ever it might have been under Stormont. The corollary of this of course is that many Protestants feel equally, and with justification, threatened by the Tricolour and the paramilitary trappings of republican events. The difference, for all the reasons we have discussed over the preceding chapters, is that those republican manifestations less often impinge upon loyalist areas. In short, the material for the political campaign run by the various residents groups was very much in place.

A number of other factors however allowed the campaigns to prosper. First, the IRA, and then the CLMC called cease-fires in August and October respectively of 1994. This had two consequences for the development of residents groups. It allowed constitutional nationalists and republicans to work together in the groups in a way that previously they had not. This seems particularly significant in terms of the Garvaghy Road where in the late 1980s some tension had existed between groups and individuals opposed to the Orange parades. That is not to say there are still not tensions in most residents groups towards the approach they might take to running the campaigns but the coalitions have stayed together. Also, the existence of the loyalist cease-fire, reducing the possibility of violent reprisals, gave many residents more confidence to be seen to oppose these events in public.

It is also clear that the issue has proved a useful and successful rallying point for the republican movement during the IRA's August 1994-February 1996 cease-fire and during the campaign for all-inclusive talks that followed the ending of that cease-fire. Particularly in 1996 and 1997 the demand by residents groups that the loyal orders should meet them in face to face talks over disputed parades mirrored the wider political environment in which Sinn Féin were demanding all inclusive talks. The general

avoidance of members of the loyal orders, on the basis that they would not speak to convicted terrorists, similarly mirrored that attitude of senior unionist politicians to the peace process. However, in other aspects the debate over the right to parade proved a little more problematic for republicanism. Through 1995 and 1996 residents groups made much of the demand that they should be able to give their consent to whether a parade should go through their designated areas. Yet this argument is strikingly similar to that which unionists would make over their right to keep the six counties out of a united Ireland. In both cases a boundary appears to be arbitrarily drawn and the majority within that boundary then dictate the rights to political expression. It is interesting to note that the residents demand for consent assumed a lower profile in 1997 and was replaced by the more generalised argument for the need to have face to face talks.

The most important political reality which the parades issue brought to the fore could not have been planned by the republican movement. The response of the unionist community to the stopping of the Drumcree Church parade in 1995, and particularly in 1996, once again revealed the frailty of the state in the face of widespread unionist violence. Whether by design, or through inept handling of the dispute by senior Orangemen, the campaign to get the 1996 Drumcree parade down the Garvaghy Road relied on widespread violence bringing the authority of the a state to its knees. Thus, despite the ending of the IRA cease-fire five months earlier, it was the unionist community that appeared to the outside world as the physical aggressors. When the RUC finally changed their decision and allowed the parade to go down the Garvaghy Road they appeared to be, in the end, acting in the interests of the Protestant community. If the recent burgeoning of residents groups has much to do with republican agitation, as unionists insist, then unionists should ask themselves how they managed to give the republican movement such good material to work with.

There is a further, and we think crucially important factor which created the environment in which the recent parading disputes were likely to prosper. As we have tried to show in the previous chapters, the unionist political community, through such things as the loyal order parades and the actions of the police, effectively dominate public space in Northern Ireland. The simple change that has made much of the difference is that the RUC have become increasingly less likely to uphold that position. The changes to the force, which admittedly for many nationalists and all republicans have been too little, have been enough to mean that they are no longer necessarily willing to support a status quo of unionist dominance of public areas. Attempts to police the communities in an even-handed manner was bound to expose the inequalities that had previously existed. If the RUC is to make the transition to a force which, in the eyes of the world, will treat all sections of the communities with equity, then it would have to deal with the fact that some groups were given rights to march almost everywhere, whilst for others such rights were restricted. For the RUC this process has failed to bring greater acceptance of the force from the nationalist community and has increased its alienation from the unionist community.

vi. Shifting Power

The evidence we have discussed in this chapter suggests that since the early 1970s the forces of the state have become more tolerant of republican political expression and less

tolerant towards certain elements of loyalist political expression. This change has taken place in a situation where the loyal orders had, and to an extent still have, a massive domination of public space. Since the 1960s unionism has lost much of its political power and has fragmented. The Orange Order has seen an overall reduction in its membership with elements of both the middle class and working class leaving (Bryan 1996). A number of loyal order parades have developed a more overtly aggressive style as communities have become more divided. The British state has increased its direct involvement in Northern Ireland pursuing policies driven by some very different interests then were present with a local Parliament. The RUC, the British Army and changes to legislation have reflected the interests of the British state and have modified the policing regime in Northern Ireland. Official discourses around the acceptance of 'two traditions' has developed and shaped public policy. At the same time the republican movement has developed a strategy of resistance that relied first on violent struggle, but then increasingly on political development. These factors and others have led to changes taking place over the utilisation of public space. Much of the tension over parades over the past few years has resulted from these changes.

Seen in the context of the rights and restrictions surrounding parades and demonstrations in Ireland the recent disputes should not be a surprise. Northern Ireland has been going through a process of transition in which the loci of political power have been changing. It is still part of the British state but that is a state with different interests than those that formerly dominated in a Northern Ireland. Through years of struggle many within the Catholic community have understood that whilst pushing Britain out of Ireland may remain a distant goal, effective agitation, such as that on parades, can bring political empowerment. What is equally clear is that whilst the state has made some adjustments in its relationship towards various communities in Northern Ireland the level of toleration within communities to the public political expressions of others has remained extremely low. The result is that the police have invariably had to aggressively enforce or protect the right to demonstrate or protest. Taking into account the well document history of the relationship between the Catholic population and the RUC and the increasing friction between the police and parts of the working-class loyalist population continuing confrontation over public political expression remains depressingly likely.

Chapter 8

SOME CONCLUSIONS

i Power and Public Space

The right to public political expression is a right cherished within the western democratic tradition. Article 11 of the European Convention on Human Rights states that 'Everyone has the right to freedom of assembly and to freedom of association with others'. This right is qualified by suggesting that 'No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others'. There is no absolute right to hold a parade or demonstration. Rather a duty is placed upon the state to make judgements on the limitations that might be placed upon the right to free assembly in a democratic society. A survey of western democratic societies reveals that such a judgement is made in different ways in different societies (Hadden and Donnelly 1997; Jarman & Bryan 1998). The relative merits of the differing systems might be argued over (Kretzmer 1983), but what is surely without question is that the right to freedom of assembly should be judged on the same basis for everyone in a particular society. It seems to us therefore that it is the responsibility of the state to facilitate the rights of all regardless of an individual or a communities direct access to power. What we hope has become clear in the preceding chapters are that, prior to partition, during the Stormont era, and since the introduction of direct rule the state has frequently, even consistently, failed to do this. Rather the right to freedom of assembly has often been used as a tool by one group to threaten or oppress another group. Mass assemblies have been a function of local power not of democratic rights.

The practice of holding parades and demonstrations has been widely utilised by the variety of political/religious communities in the north of Ireland. It has therefore reflected particular political interests during any historical periods. It can be better be understood by looking at the relationship between the state and various political communities; by looking at how that relationship is articulated through legislation and the police; by looking at local conditions in particular areas; and by looking at the responses that local communities feel able to make within the wider political environment. It is possible, we believe, to try and distinguish some of the factors that have influenced the ability of local communities to exercise the right to free assembly.

(1) Population Balance & Communal Deterrence

It is clear that in some areas the relative difference of size of the two communities has made political displays by a minority community impossible. Frank Wright (1987, 1996) has characterised the formation of organisations such as the Ribbonmen and the Orange Order in terms of being forms of communal deterrence in an environment in which representative violence is present; individuals are attacked because they are identified as representing a particular group.

The condition of representative violence is very simple. If anyone of a greater number of people can be 'punished' for something done by the community they come from, and if the

communities are sufficiently clearly defined, there is a risk that anyone attacking a member of the other community can set in motion an endless chain of events. Everyone might be a target for something done in their name and without their approval (Wright 1987:11)

Public demonstrations particularly at the end of the eighteenth century and in the first half of the nineteenth century were an expression of local community division even if they took place as part of a church service. Within a cycle of representative violence pubic displays could prove threatening to the other community. Parades played a role in defining the identity of the differing communities but they also actually and symbolically developed as an expression of physical violence. The carrying of symbolic weapons and of banners bearing military images remains a part of many parades today. The founding of many organisations, the physical displays by those organisations, and the symbolic repertoire used were all aspects of communal deterrence

The control of public space through symbolic displays was to an extent bound to be dependent on the relative size of the particular communities. This, as we have catalogued, is particularly clear in Portadown where attempts by the Catholic community to reflect their religious or political aspirations were restricted to the small Obins Street area of the town, and the raising of a green arch could readily precipitate civil disturbances. During the period when the Royal Irish Constabulary was relatively representative, policing was forced to reflect the will of the majority population and in places such as the city of Derry, where Catholics formed a substantial part of the population, their rights to parade were more likely to be facilitated.

The local economic and political dynamics involved in communal relationships are complex but detailed historical analysis can reveal much (Gibbon 1975; Wright 1996). Crucial in such an analysis is an examination of the role of the institutions of the state specifically the police and the judiciary.

(2) The Police

The most obvious tool of the state in controlling public space is the police. The holding of assemblies in Ireland has been closely related to changes in forms of policing and the role of magistrates. At particular periods in the nineteenth century the state clearly utilised Protestant organisations of communal deterrence, relying upon the physical violence wielded by the Protestant community, to control the action of sections of the Catholic community. But for much of the century the police could be equally repressive towards all forms of assembly. Disturbances in the 1820s were so common that the government was continually looking for ways to restrict parades. But for legislation to be effective from the 1830s through to the 1870s a national Constabulary was developed which replaced local forces. Although the RIC were still likely to reflect the realities of local communal strength, and more likely to defend Orange interests, they would act to limit political expression if it became too much of a threat to public order. Confrontations between parades and the police were common in Belfast, Derry, Lisburn, Lurgan, Portadown and Armagh throughout much of the nineteenth century. Put simply, when the police were broadly representative of the wider community, it attempted to control excessive assertiveness by any political community but within a political structure that tended to favour bourgeois/Protestant/Unionist political interests.

The function of the police in controlling the right to assembly becomes more important after partition and the formation of the RUC. The lack of Catholic representation and the partisan nature of the B Specials along with the use of Emergency Powers provisions meant that public space was dominated by Unionist political interests. This is not to say that the interests of local Protestant communities and the police force were always one and the same. Disputes over loyalist parades in Ballerina, Dungiven and the Longstone Road during the 1940s and 1950s reveal occasions when local police felt that the assertiveness of the Protestant community had crossed a line that threatened public order and that those parades should be restricted. But the more significant point is that almost any nationalist political expression could be seen as threatening to public order and therefore restricted. In the case of constitutional nationalism restrictions were based upon the balance of local populations and the symbolic assertiveness of displays of Tricolours. Public displays that seemed likely to provoke a reaction from the Protestant community were dealt with by the police and consequently nationalist parades were restricted to predominantly Catholic areas. Only the development of the Civil Rights movement, and increased media coverage, exposed these inequalities to the world.

Under Direct Rule both Protestant and Catholic communities were given rights of political expression but the limits to those rights as policed by a predominantly Protestant force were completely different. Expressions of constitutional nationalism have proved relatively unproblematic since the SDLP has not utilised public demonstrations within its political campaigns and the most important nationalist parading organisation, the Ancient Order of Hibernians, has declined in strength and avoided street confrontation. Even so, carrying the Tricolour and the Papal flag has been opposed by unionists in some areas. The relationship between the republican movement and both the forces of the state and the Protestant community has provided far more conflict. Particularly in the 1970s and 1980s, when republicanism was dominated by its military campaign, many commemorations were an extension of the wider resistance to the state and many in the Protestant community, unsurprisingly, perceived the displays as threatening. Since most commemorations were restricted to predominantly Catholic areas the major confrontations depended on the political environment and the tactics that the police and army deployed during the events. However, it is noticeable that there has been a growing acceptance by the forces of the state of republican political expression and, as the focus of that expression has shifted from the paramilitary to the political, from the IRA to Sinn Féin, demonstrations and commemorations have begun to gain greater access to city and town centres. In some respects the form of opposition to the state has returned to the tactics of the civil rights movement and away from than military confrontation.

It is also clear that under direct rule the methods of policing loyal order parades has changed. As many loyalist parades reflected the influence of paramilitary groups in the displays of the blood and thunder bands tension has increased. Since the early 1980s the RUC have become less willing to facilitate loyal order parades in predominantly nationalist areas and since 1995 the police have banned, re-routed or placed conditions on loyal order and loyalist band parades in a number of areas, while the loyal institutions have themselves re-routed others. Whilst unionist organisations still dominate in the control of public space there has, in the 1990s, been significant developments in the access police have given all political groups to civic areas.

(3) Government and Legislation

The third level at which the control of public political expression has taken place is at the level of government. For much of the nineteenth century political movements could be perceived as a problem if in their public manifestations they led to civil disturbances. Parades by Ribbonmen and Orangemen in the 1820s and 1830s were seen as a problem and as such various forms of legislation were used to suppress organisations and their public activities. After 1872, when the Party Processions Act was removed from the statute book, the development of the railway system allowed for the organisation of larger public events and the Home Rule and Unionist movements gave impetus to various organisations. The tenant rights movement utilised large meetings in its campaign, the Orange Order grew rapidly through the 1880s and 1890s and by the turn of the century the Ancient Order of Hibernians could organise similarly large meetings. The Orange Order in particular had drawn in more members of the urban bourgeoisie and rural landed classes and, with the franchise extended, MPs used Orange demonstrations to display themselves to their electorate. Demonstrations and mass meetings were a more significant part of the political process than they had been in the first half of the century. In these conditions there was little likelihood of legislative controls being introduced in spite of the persistent civil disturbances that accompanied political displays.

The reaction of the Stormont administration to the different Catholic, nationalist and republican public displays varied. In the main institutions such as the Catholic Church and the AOH did not transgress communal boundaries and were not seen as a direct threat to the state. On the other hand, expressions of Irish nationality through the display of the Tricolour and Easter commemorations were seen as threatening. Of course, given the military campaigns by the IRA and the political stance of various Dublin governments, a perception of threat was not without foundation. However, the use of the Special Powers Act to suppress political opposition to the state had more to do with sustaining the position of a Unionist elite than it did with the unlikely possibility that the elements of the republican movement or the southern government could force a United Ireland. In this respect it is interesting that left-wing political movements were not only often dealt with as if they were simply expressions of Irish nationalism but Unionist Party leaders regularly asserted that Bolshevism, Republicanism and Catholicism were all part of the same conspiracy to bring down the northern state. This was most evident during the campaigns on the Outdoor Relief Schemes in 1932. As such, the sustaining of a state of emergency and the use of the Special Powers Act to a great extent became tools to enable the Unionist elite to maintain power.

Restrictions of public political expression took place within a changing political and economic environment. The complex relationship between diverse loci of power - Stormont government, the Northern Ireland Civil Service, British government, the Orange Order, the RUC, and various class factions within the Protestant community - meant that reaction to nationalist public political expression was not consistent. For instance, in 1945 pressure from the new British Labour Government brought some relaxation in the use of the Special Powers Act although many of pre-war restrictions were effectively instituted in the Public Order Act of 1951 and the Flags and Emblems Act of 1954. More importantly, in the 1960s, a politically assertive Civil Rights movement developed at a time when debates about the position of Catholics within

Northern Ireland had started to develop within Unionism and television could record the moments of oppressive police action by the RUC. This meant that ability of a Stormont regime to maintain its control on public political expression was undermined. Indeed, the control of parades and demonstration could now be used as a political weapon with which Civil Rights activists and republicans could expose and split the Unionist Party.

In general, successive Stormont governments used a variety of legislative devices to control the public arena in such a way as to limit alternative forms of political expression. This of course is something that every state does, but it is not unreasonable to characterise the limitation on the rights to parade, placed by Unionist regimes on large sections of the population, as oppressive. The fears and anxieties that lay behind these restrictions need to be understood but in the final analysis they led to clear inequalities of treatment between different communities in Northern Ireland. After the introduction of Direct Rule in 1972 the attitude of successive British governments has been either to maintain the status quo or to go some way to solve 'the problem' by actively introducing reforms. But reform, or movement away from the status quo, was viewed by unionists as undermining their position. In terms of the control of public space the most significant change came with the introduction of the Public Order (Northern Ireland) Order 1987 which removed any specific rights for public processions granted to parades customarily held upon a particular route. In legislation at least traditional parades were to be treated as any other parades.

There is a common thread running through the changes in the relationship between the state and the right of public political expression. The main arbiter of the right to parade has continued to be the police guided by public order legislation. Unlike countries such as the USA, with a written constitution and a Bill of Rights, judgement on rights to public political expression rarely seem to be made by the judiciary. Indeed, any American examining the parade disputes since 1995 is bound to be struck at how little of it has been fought in the courts. This has meant that the government has wielded great power in controlling public political expression.

(4) Tolerance

The fourth way in which parades have been restricted may be described as self-censorship. It is clear that assertive public expressions of political identity can quickly become the site of confrontation and communal violence. Such confrontations inevitably disturb the more general sense of community that has existed particularly in rural areas. Rosemary Harris, and other social scientists since, has noted the commonalties that exist between the Protestant and Catholic communities and the social ties that mitigate against complete division (Harris 1972, Bufwak 1982, Buckley 1982). The maintenance of relationships between the two communities requires tolerance and what might be characterised as 'decency' in public (Buckley & Kenney 1995). This element to social behaviour is common to both communities. Conservative elements will look to preserve the status quo and try to avoid the more confrontational aspects of inter-communal relationships, whilst still maintaining the integrity of the two communities. Parades may serve to strengthen bonds within communities but they threaten fragile inter-communal relationships. As O Dochartaigh points out 'When people on both sides put themselves out on the street and allow themselves and their politics to be seen, it disrupts aspects of a delicate communal harmony based on a sort of wilful mutual ignorance' (" Dochartaigh 1997:37).

This, we suspect, goes some way to explaining why, on a number of occasions under Stormont, the Home Affairs Minister and the RUC felt that some Orange parades had become too assertive and transgressed communal boundaries. It also explains why institutions within the Catholic community, specifically the Catholic Church and the AOH, have been less assertive in expressing their public identity. The conservative nature of the Catholic Church meant that it was rarely likely to push public political boundaries. The only occasion this took place was during the Eucharistic Congress in Dublin in 1932 when open public displays in the north played a part in increasing sectarian tensions. The AOH went too greater and greater lengths to avoid confrontations as the century progressed. It restricted its events to areas where confrontations were unlikely and between 1971 and 1975 imposed a voluntary ban on parades. In other words, despite a continued allegiance to a United Ireland, significant elements within the Catholic community accepted their inferior position in terms of the use of public space as a cost in maintaining public order.

ii Understanding Cultural 'Tradition'

An examination of nationalist and republican parades and commemorations reveals how much the development of particular forms of cultural 'tradition' are dependent upon political power. In Northern Ireland the holding of parades is generally perceived to be predominantly a part of the Protestant 'tradition'. We have tried to show that the development of such a 'tradition' has relied upon the maintenance of political power and that conversely the withering and under-development of a Catholic parading 'tradition' has much to do with the relative lack of power of that community. By looking at relationships of power we can start to understand why there are no longer nationalist parades around the walls of Derry; why there are no 'traditional' nationalist routes through the centre of Lurgan, and why there nearly ten times as many loyalist parades as there are nationalist are every year. Similarly, by looking at relationships of power, we can begin to understand why there are no longer any Orange parades in the Falls area of Belfast; or why in 1997 no 'traditional' Orange parades went down the Ormeau Road or through Dunloy.

There are many social reasons for taking part in parades and demonstrations and we do not hold to the view that parades in Northern Ireland are simply about communal power. Orange parades are not simply a manifestation of 'croppies lie down' and republican commemorations are not in themselves a demand for 'Brits out'. They are complex events that work at a range of symbolic and sociological levels. Nevertheless, access to public political expression, and the development of 'traditional' events in the north of Ireland has been mediated through access to power. Communal opposition is often expressed through the arena of mass public political displays by one party often at the cost of another. Rarely, if ever, have there been attempts to offer the right of public political expression as a right held equally by all regardless of political and communal affiliation. Ironically, even the revered Orangeman William Johnston who held that everyone (even the Fenians) should have equal rights to parade, has since been used by one community to claim rights that that community has consistently denied to the other. In 1954 G.B Hanna, Home Affairs Minister, remained faithful to the principles that William Johnston espoused during the disputes over Orange Parades on the Longstone Road.

I am quite satisfied that, were I to ban a Republican or any other opposition procession or meeting in one part of the country and not only to permit an Orange procession in a Nationalist district, but to provide police protection for that procession, I would be holding our entire administration up to ridicule and contempt (IN 16.4.54).

Unfortunately most of his Cabinet colleagues disagreed.

iii. Irish Nationalism and the Right to March

The relationship of Irish nationalism to the assertion of the right to parade has oscillated between two positions. Parades have been utilised as an important part of a variety political campaigns and during periods when those campaigns have mobilised large numbers of the community the parades have appeared particularly assertive. However, on other occasions, rather than aim to assert the right to parade, nationalists have challenged the right of loyalists to hold parades in certain areas. These two positions have been dependent upon particular political circumstances and the mobilisation of local communal power. In times when large numbers of people have been willing to mobilise, in support of Home Rule, during the Civil Rights movement, during the Hunger Strike, and through the more populist campaigns Sinn Féin has developed in Belfast and Derry, nationalism has been able to challenge the previously held boundaries in which their political displays were held. At other periods, and in other geographical locations, where the ability to extend rights of political expression have appeared impossible, then selected opposition to loyalist parades has taken place.

These two positions are not necessarily contradictory, and are both an expression of inequalities of power, but it is not politically easy to campaign for both at the same time. The Civil Rights movement was eventually forced through the violence of communal deterrence to withdraw from public demonstrations and the dominant strategy of communities became to defend their areas. Through much of the 1970s and early 1980s the military nature of opposition limited any form communal campaigns both for and against parades, but from the mid-1980s as a shift took place from the military to the political, strategies of communal control changed. The success of residents groups on the Ormeau and Garvaghy Roads has led to a high profile for the campaigns to stop some loyalist parades. But these campaigns have probably been maintained at the cost of profiling the lack of access that nationalist communities have had to towns such as Lurgan. The claim made by residents groups in 1995 and 1996 that communal consent should be sought before people had the right to hold a demonstration had serious ramifications for more generalised claims of civil rights and raised as yet unanswered questions over the rights of local communities to set the boundaries for political expression.

Whilst the inequalities of public political expression are highlighted through attempts to be more assertive in demanding parades in civic centres or by trying to block loyalist parades the fundamental problem of managing civil rights has yet to be dealt with. What a cessation of military violence does allow is the possibility that the issues raised by the Civil Rights movement and lost in physical confrontation can once more come to the fore. Inequalities can be dealt with by the development of a common understanding of rights rather than through physical confrontation during the utilisation of the right to march.

iv. The Search for Solutions

The fundamental answer to issues over the right to public political expression relies in the first instance upon equality. Everyone should have equal access to the right to parade and demonstrate. Everyone's right should be judged in a consistent manner. This principle should hold true whatever political system governs the north of Ireland. The difficult problem for communities in Northern Ireland is to reach an agreement over just what the limitations on the rights of political expression should be.

Should a parade or demonstration be allowed anywhere regardless of the tension it might cause in the communities through which a march is taking place?

If limitations need to be placed upon the rights of political expression what exactly should those limitations be?

If members of a community feel threatened by a parade how do you judge the level of threat and when do you decide that a parade be banned or re-routed?

Should every community be allowed to dictate exactly who is and who is not allowed to demonstrate in their area?

There is not a democratic society anywhere in the world that has not had to wrestle with these problems and there are no perfect solutions. We suggest that one of the possible ways to start answering these problems is not by coming up with a strict set of rules but rather by putting in place a process through which judgements can be made. Until recently in Northern Ireland the process has involved an uneasy and unsatisfactory relationship between the RUC, the government, and local communities and has focused to heavily on the role of public order. There has been no Bill of Rights on which fundamental decisions could be made and in contrast to many other countries there has been very little role played by the judiciary. As such there has been very little case law on which decisions might be made. In January 1997, The Independent Review of Parades and Marches published in report (The North Report) which led to the setting up of the Parades Commission which under legislation to be introduced prior to the Summer of 1998 will be empowered to make determinations of parades and demonstrations. This will provide a new process through which decisions are made although the RUC and the Secretary of State retain extensive powers. The proposed system is some way from being a judicial system although it may have greater flexibility to initiate mediation between opposed groups than would be the case in a more judicial format. It remains to be seen whether the Parades Commission is the right form of institution to arbitrate on these issues but what must evolve out of these changes is a more vigorous debate on the role of the state in managing public political expression on the nature of civil rights.

Whatever political structures are agreed in Northern Ireland and whatever means of arbitrating disputes over public political expression is deemed to be workable it is clear that a vibrant culture of civil rights needs to be developed. There must be a greater toleration of diverse opinion along with the recognition that the claiming of rights brings with it responsibilities. The development of such a culture will require substantial

reforms to legislative and policing institutions; it will require the active commitment of British and Irish governments - which may have repercussions for the constitutions of both states; and it must be fostered by empowering the members of the community.

Chapter 9

Some Recommendations

For much of the 1970s and 1980s the conflict in Northern Ireland, fought through political violence, meant that communities and the state were driven by military and security interests. Political rights, civil rights, were of secondary importance. But the cease-fires and the peace process have changed the political environment. In attempting to produce a widespread agreement over the political status of the north we have to think about how a variety of community relationships should be managed. In doing so we would be returning to a civil rights agenda. A key part of developing new and peaceful forms of political engagement will be the management of public political expression. To believe that parading disputes will go away when 'a solution' is found is to misunderstand the nature of the problem. The management of public political expression must be a part of the solution not the result of it. If we do not learn to manage political rights within the public arena then we run the risk of allowing 1969 to be repeated.

For a political solution to work then the rights of citizens regardless of their political identity must be central and this will require significant reforms. We will be approaching a political solution when the state acts to create an environment in which citizens believe that its institutions provide fair and equitable methods of dealing with political grievances such that recourse to political violence can not be seen by any within the population as legitimate.

Providing Equal Access to Political Rights

Whatever political environment is developed for Northern Ireland, it will be important that the state provides equal access to public political expression. The right to both an Irish and British political identity should be equally protected. This does not mean that simplistic judgements are made on the quantity of parades. We are not suggesting nationalist parades should be encouraged and loyalist parades discouraged simply because of the inequalities that nationalist political expression has suffered, rather that both loyalist and nationalist have equal rights in access to public space.

The key will be that decisions on public political expression are made on an equitable basis. This we believe demands the development of rights based culture that until now the British legal system has been unable to provide. The incorporation of the European Convention of Human Rights into British legislation, announced by Home Secretary Jack Straw in October 1997, is to be welcomed but can only be the start as far as Northern Ireland is concerned. A full Bill of Rights and a judicial system capable of arbitrating those rights will be required within new political structures. These will not in themselves solve disputes but they will provide recourse for individuals and communities that feel that basic civil rights have been denied to them. This should in turn give those communities greater confidence.

Understanding 'tradition'

At a general level it is important to recognise that cultural traditions, such as various parades and commemorations, have not existed in a political vacuum but rather have developed through relations of power. We believe that it is important that policy makers and holders of resources should engage in developing a greater understanding of cultural practices and power. In this regard we believe that it is wrong that legislation on the rights to hold processions should include any reference to 'the desirability of allowing a processions customarily held along a particular route' as appears in the Public Processions etc. (Northern Ireland) Bill [Section 8.6(e)] published in October 1997. Respect for local identities is important but no one community should have any greater right than another. A procession customarily held upon a particular route - a traditional parade - still reflects inequalities of power. The legislation should emphasise the desirability of allowing all processions but acknowledge that this must be balanced with the rights of others within the community.

Protecting Minority Communities

Minority communities do not simply exist at the macro level of politics. Catholics are a minority in Northern Ireland and Protestants are a minority on the island of Ireland, but on the more local level there are many minorities and it is on the local level that parades and demonstrations have been used to enforce communal power. The Catholic community in Portadown, the Protestant community on the city side of Derry, ethnic communities in a number of areas, the gay community in Northern Ireland, all suffer very localised feelings of powerlessness. Local minority groups must feel protected and must feel that the state is willing to give them access to the rights that majority communities have. Unfortunately, whilst judgements are made in which public order considerations predominate then the majority populations in a particular area effectively retains a right of physical veto over the actions of the minority community.

The Parades Commission

It remains to be seen whether the Parades Commission will be a long-term part of a system for arbitrating on parade disputes. Whilst we recognise the potential of such a body in the present climate, and believe that the Commission can play an important role in a peace process, it may be that under new political conditions a more judicial or accountable body might serve the same functions. The Parades Commission has come into existence because of the failure of other institutions and it has a difficult role to fulfil in the coming years. It is likely that mistakes will be made and it would be foolish to believe that the Commission will in itself be a quick fix. The Parades Commission will only prove successful if it is provided with the conditions to develop a just, equitable, system. To achieve this may require further legislative changes, a greater involvement from the judiciary, and reform of policing.

Policing

The whole environment for policing and controlling public political expression must change. At present the main focus of policing parades has been to control public order. The police have had to be the arbiters of exactly who has the right to parade and they have done so by making judgement on public order. It is neither wise nor reasonable for the police to be making decisions over the rights to public political expression. Whilst the police must of course make judgements on public order they must in the final

analysis be servants to judicial and arbitrary institutions that define and decide on reasonable rights to political expression. In providing a policing service they must be fully accountable for their actions.

Stewarding

Policing large crowds in the form of parades and demonstrations is a difficult task at all times. The RUC are not the only police force within western democratic systems that have come under criticism for their policing of highly charged political events. A police force is duty bound to maintain public order but equally it must be fully accountable for its actions. However in a system where reasonable access to political rights are available it is the duty of those claiming those rights to do so in a responsible manner. This requires that those organising events also police themselves. The maintenance of public order is not a policing problem but one for the community as a whole. We would reiterate one of the recommendations of the North Report by calling for improved training for stewards so that those controlling events are able to act quickly at possible moments of conflict. Stewards should also fully understand the rights that demonstrators and protesters have in relation to the police and visa versa. If the communities of Northern Ireland are to expect the police to be more accountable then it is only reasonable that members of those communities are aware of their responsibilities as well as those of the police. To repeat, public order is an issue for the community not just for the police.

Developing Civil Rights

If, as we believe is possible, the political arena in Northern Ireland is turning from an agenda led by political violence, to one focused on civil rights then there will be new challenges facing all elements of the community. In many ways we are inadequately prepared for peace.

The British legal system has consistently failed to provide guidance in the area of civil rights and it may require more than simply the incorporation of the ECHR to improve the situation.

Reforms to the RUC will be urgently required with particular thought given to the policing of public political expression and the variety and level of responses to potential public order problems.

A greater understanding of civil rights issues needs to be developed particularly with reference to public political expression and the rights and responsibilities of those involved parades and protests.

Political accommodation will not mean the end to political conflict in Northern Ireland. Consequently it will be important that communities develop agreed ways to manage political differences without resorting to the use of physical force.

REFERENCES

Baker, S.E. (1973). Orange and Green: Belfast 1832-1912. In Dyos, H.J. and Wolff, M. (eds.), The Victorian City: Volume Two Images and Realities. London, Routledge and Kegan Paul.

Bardon, J. (1992). A History of Ulster. Belfast: Blackstaff Press.

Beames, M. (1983). Peasants and Power: The Whiteboys Movement and their Control in Pre-famine Ireland. Brighton, Harvester Press.

Bew, P., Gibbon. P. & Patterson, H. (1995) Northern Ireland 1921-1994: Political Forces and Social Classes. London: Serif.

Boal, F.W. (1982). Segregating and Mixing. Space and Residence in Belfast. In Boal, F.W. and Douglas, J. (eds.), Integration and Division. London, Academic Press.

Boulton, D. (1973). The UVF, 1966-73: An Anatomy of Loyalist Rebellion. Dublin: Gill & Macmillan.

Bowyer Bell, J. (1979). The Secret Army: The IRA 1916-1979. Dublin: Gill and Macmillan

Boyce, D.G. (1991). Nationalism in Ireland. London, Routledge.

Boyd, A. (1985). The Rise of the Irish Trade Unions. Anvil Books.

Boyd, A. (1987). Holy War in Belfast. Belfast, Pretani Press.

Boyle, J. (1988). The Irish Labour Movement in the Nineteenth Century. Washington, Catholic University of America Press.

Bryan, D. (1996). Ritual, Tradition & Control: The Politics of Orange Parades in Northern Ireland. Unpublished PhD Thesis. University of Ulster Coleraine.

Bryan, D., Fraser, T.G.F & Dunn, S. (1995). Political Rituals: Loyalist Parades in Portadown. Coleraine: Centre for the Study of Conflict.

Bryson, L. & McCartney, C. (1994). Clashing Symbols: A Report on the use of Flags, Anthems and other National Symbols in Northern Ireland. Belfast: Institute for Irish Studies.

Buckley, A.D. and Anderson, K. (1988). Brotherhoods in Ireland. Cultra, Ulster Folk and Transport Museum.

Cohen, M. (1993). Urbanisation and the Milieu of Factory Life: Gilford/Dunbarton 1825-1914. In Curtin, C., Donnan, H. and Wilson, T. (eds.), Irish Urban Cultures. Belfast, Institute of Irish Studies.

Connolly, S.J. (1992). Religion, Law and Power: The Making of Protestant Ireland, 1660-1760. Oxford, Clarendon Press.

Crawford, W.H. (1972). Domestic Industry in Ireland: The Experience of the Linen Industry. Dublin, Gill and Macmillan.

Crossle, P. (1973). Irish Masonic Records. Dublin, Grand Lodge of Ireland.

Curtis, L. (1994). The Cause of Ireland: From the United Irishmen to Partition. Belfast, Beyond the Pale Publications.

de Rosa, C. (1998). 'Playing Nationalism'. In Buckley, A.D. (ed.). Symbols in Northern Ireland. Belfast: Institute of Irish Studies.

Doak, C. (1978). Rioting and Civil Strife in the City of Londonderry during the Nineteenth and Early Twentieth Centuries. MA Thesis, Belfast, QUB.

Farrell, M. (1980). Northern Ireland: The Orange State. London: Pluto Press.

Foy, MT.. (1976). The AOH: an Irish politico-religious pressure group, 1884-1975. Unpublished MA Thesis, Queens University Belfast.

Garvin, T. (1981). The Evolution of Irish Nationalist Politics. Dublin, Gill and Macmillan.

Garvin, T. (1987). Defenders, Ribbonmen and Others: Underground Political Networks in Pre-Famine Ireland. In Philpin, C.H.E. (ed.). Nationalism and Popular Protest in Ireland. Cambridge, Cambridge University Press.
Gearty, C. (1997). Orangemen Out of Step with Rhetoric on the Right to March. Irish Times 26.6.97.
Hadden, T. & Donnelly, A. (1997). The Legal Control of Marches in Northern Ireland. Belfast: Northern Ireland Community Relations Council.
Hepburn, A.C. (1996). A Past Apart: Studies in the History of Catholic Belfast 1850-1950. Belfast, Ulster Historical Foundation.
Hill, J. (1984). National Festival, the state and Protestant Ascendancy in Ireland, 1790-1829. Irish Historical Studies, XXIV: 93.
Jarman, N .(1993). Intersecting Belfast. In Bender, B. (ed.). Landscape: Politics and Perspectives. Oxford, Berg.
Jarman, N. (1997). Material Conflicts: Parades and Visual Displays in Northern Ireland. Oxford, Berg.
Jarman, N. & Bryan, D. (1996) Parade and Protest: A Discussion of Parading Disputes in Northern Ireland. Coleraine: Centre for the Study of Conflict.
Joy, H. and Bruce, W. (1792-3). Belfast Politics or A collection of debates, resolutions and other proceedings of that town in the years 1792 and 1793. Belfast.
Kelly, J. (1994). The Glorious and Immortal Memory': Commemoration and Protestant Identity in Ireland 1660-1800. Proceedings of the Royal Irish Academy, Vol. 94C.
Kretzmer, D. (1984). Demonstrations and the Law. Israel Law Review 19,1:47-153.
Lee, J.J. (1989). Ireland 1912-1985: Politics and Society. Cambridge: Cambridge University Press.
Loftus, B. (1978). Marching Workers. Belfast and Dublin, Arts Councils of Ireland.
McCann, E. (1993). War and an Irish Town. London: Pluto Press.
Moloney, E & Pollak, A. (1986). Paisley. Co, Dublin: Poolbeg Press.
Morgan, A. (1991). Labour and Partition: The Belfast Working Class 1905-1923. London, Pluto Press.
Nelson, S. (1984). Ulster's Uncertain Defenders: Loyalists and the Northern Ireland Conflict. Belfast: Appletree Press.
O'Connor, E. (1992). A Labour History of Ireland 1824-1960. Dublin, Gill and Macmillan.
" Dochartaigh, N. (1997). From Civil Rights to Armalites: Derry and the Birth of the Irish Troubles. Cork: Cork University Press.
O'Donnell, P. (1975). The Irish Faction Fighters of the Nineteenth Century. Dublin, Anvil Books.
O'Keefe, T.J. (1988). The 1898 Efforts to Celebrate the United Irishmen: The '98 Centennial. Eire-Ireland, 23:2.
O'Keefe, T.J. (1992). Who Fears to Speak of '98': The Rhetoric and Rituals of the United Irishmen Centennial, 1898. Eire-Ireland, 27:3.
Patterson, H. (1997). RUC and Orange Order frequently at odds. Irish Times, 11.7.97.
Purdie, B. (1990). Politics in the Street: The Origins of the Civil Rights Movement in Northern Ireland. Belfast: Blackstaff Press.
Rafferty, O. (1994). Catholicism in Ulster, 1603-1983: an Interpretative History. Dublin, Gill and Macmillan.
Sluka, J. (1995). Domination, Resistance and Political Culture in Northern Ireland's Catholic Ghettos. Critique of Anthropology. 15,1:71-102.

Smyth, J. (1993). Freemasonry and the United Irishmen. In Dickson, D., Keogh, D. & Whelan, K. (eds.), The United Irishmen: Republicanism, Radicalism and Rebellion. Dublin, Lilliput Press.
Smyth, P.D.H. (1979). The Volunteers and Parliament, 1779-84. In Bartlett, T. and Haydon, D.W. (eds.), Penal Era and Golden Age: Essays in Irish History 1690-1800. Belfast, Ulster Historical Foundations.
Stewart, A.T.Q. (1993). A Deeper Silence: The Hidden Roots of the United Irish Movement. London, Faber and Faber.
Townsend, C. (1993) Making the Peace: Public Order and Public Security in Modern Britain. Oxford: Oxford University Press.
Webb, J.J. (1929). The Guilds of Dublin. Dublin.
Weitzer, R. (1995). Policing Under Fire: Ethnic Conflict and Police-Community Relations in Northern Ireland. Albany, State University of New York.
Wright, F. (1996). Two Lands on One Soil: Ulster Politics before Home Rule. Dublin, Gill and Macmillan.