

Press censorship and emergency rule in Ireland:

The ban on the *Derry Journal*, 1932 & 1940.

Study submitted in part fulfilment of the requirement for
the award of MA in Journalism.

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26/8/05

PUBLIC NOTICE**CIVIL AUTHORITIES (SPECIAL POWERS)
ACT (NORTHERN IRELAND) 1922 & 1933**

WHEREAS, by Regulation 26 of the Regulations contained in the Schedule to the Civil Authorities (Special Powers) Acts (Northern Ireland) 1922 & 1933, it is provided that the Civil Authority may by notice prohibit the circulation of any Newspaper for any specified period, and that any person circulating or distributing such Newspaper within such specified period shall be guilty of an offence against the Regulations in the said Schedule:

NOW, I, THE RIGHT HONOURABLE SIR RICHARD DAWSON BATES, Bart., D.L., M.P., Minister of Home Affairs for Northern Ireland, being the Civil Authority under the said Act, do hereby, in accordance with the provisions of Regulation 26 of the Regulations made under the authority of the above-mentioned Acts, PROHIBIT the CIRCULATION of the Newspaper entitled "THE DERRY JOURNAL" or under any other title or alias whatever in Northern Ireland from the 3rd day of June 1940, until the 31st day of DECEMBER, 1940.

Given under my hand at Belfast, this 1st day of June, 1940

(Sgd.) R. DAWSON BATES

Minister of Home Affairs for Northern Ireland
Civil Authority

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List of Interviews

Curran, Frank. Journalist with the *Derry News* and former employee of the *Derry Journal* (from 1942). Interviewed 13th May & 3rd August 2005.

Farrell, Michael. Founder member of the People's Democracy movement and author of 'Northern Ireland: The Orange State'. Interviewed 13th April 2005.

McCarroll, Colum. Former owner of the *Derry Journal* and grandson of Mr. JJ. McCarroll (managing director of the *Derry Journal* 1925-37) and Mrs. Mary McCarroll (editor of the *Derry Journal* in 1940). Interviewed 11th May 2005.

List of Abbreviations

Derry Journal

DJ

Derry Standard

DS

Londonderry Sentinel

LS

Abstract

This thesis offers an exploration of a unique incident in Irish history. In 1932 and 1940, the Derry Journal, a cross-border newspaper based in Derry City, was banned in the Free State and in Northern Ireland respectively. This was the only occasion in the history of partition that a 'mainstream' newspaper was banned on both sides of the border. In each instances, the bans were the result of emergency powers legislation passed as a result of the instability occasioned by partition and the republican threat that the two governments felt was pursuing them thereafter. This thesis seeks to examine the relationship between censorship and emergency powers legislation in Ireland through the lens of the banning of on the Derry Journal.

In so doing, the study raises important additional questions. A comprehensive understanding of political conditions in both 1932 and 1940, as well as the nature of the press and its relationship to government on both sides of the border is vital to a full exploration of the topic outlined above. A full consideration of the specific conditions of the Derry-Donegal border – as well as the peculiarities of the Derry Journal as a cross-border paper is equally vital to the thesis.

Ultimately the thesis argues that the sense of threat felt by the two governments in 1932 and 1940 resulted in an over-reliance on emergency powers legislation which engendered a similar tendency towards unduly harsh censorship. In turn, the failure of these attempts at censorship provide a small-scale example of the way in which Western democracies in particular would later move away from censorship towards systems of patronage and spin as the favoured means of ensuring governmental control over the media.

Chapter One

Introduction

Censorship has been used throughout history by states, governments and rulers as a means of bolstering their regimes or their personal power. Totalitarian states – such as Hitler’s Germany, Franco’s Spain, Mao’s China or Stalin’s Russia – have typically made use of extreme forms of media censorship in order to ensure support for both their political cause and a cult of personal rule. Similarly, censorship has been used to conceal domestic atrocities or abuses from the world – as was the case with Nazi concentration camps and the Rape of Nanking – and thus to protect a country’s international reputation despite its domestic improprieties.

Many democratic countries have used censorship in a similar manner to establish – or to maintain – law and order, often in the name of preserving a particular way of life, or to buttress a government that feels itself to be under threat from radical or revolutionary elements within society. Wartime provides the classic justification for censorship in the national interest, needed to prevent the release of information that might be advantageous to the enemy. Censorship can also be couched in a paternalistic manner, in the name of protecting a state’s citizens or promoting a particular ideology or national identity. This can be legitimate, or even necessary – as in regard to extreme violence or sexual perversion – but such censorship will lead ultimately to cultural stagnation if allowed to go too far.

In each case, censorship is justified with reference to a threat – legitimate or otherwise – and hence is symptomatic of insecurity on the part of those in power. It is also an inherently subjective vision, something that – often in tandem with other emergency legislation - seeks to promote a conservative value system as set out by the ruling elite. In the Free State of the 1920’s and 1930’s, censorship was used both to defend the government against the threat of republicanism, and to foster and support a national identity based around Catholic morality and teachings. Similarly, in the North, censorship was combined with emergency legislation to bolster the Unionist state against what it saw as the twin threats of Republicanism and Catholicism. While the North did not experience the degree of moral censorship which was imposed in

the South (through the 1929 Censorship of Publications Act in particular), nevertheless the provisions of the Special Powers Act – which provided the basis for censorship in the Six Counties for until 1972 – were so geared towards the creation of a homogenous Protestant state at the expense of Catholic and nationalist identity that it too can be said to have operated a form of moral, and certainly sectarian, censorship.

Indeed, given the radical difference in character and outlook of the two states - and their antipathy towards one another – it is ironic that both states often felt themselves under threat from the same quarter. Republican publications, followed by Socialist and Communist newspapers, were the primary targets for the censors on both sides of the border, and often the list of banned newspapers in the two states was virtually identical.

A unique – if unlikely - moment when the interests of the two states coincided was in relation to a small provincial newspaper, the *Derry Journal*. Banned on the 4th January 1932 in Donegal, and in Northern Ireland between the 1st and 4th of June 1940, it was the only ‘mainstream’ newspaper to be banned on both sides of the border, by both the Free State and the Stormont government. Founded in 1772, the ‘*Journal*’ was the third oldest newspaper in Ireland (Oram 1993 p105) as well as the city’s largest newspaper, with a circulation greater than the combined circulation of the city’s two other papers, the *Derry Standard* and the *Londonderry Sentinel* (*DJ*, 1st January 1932, p1). As the only nationalist newspaper of the three, the *Journal*’s readership had traditionally been a wide one, catering not only for Catholic readers in Derry City, but also those of County Donegal, County Tyrone, and parts of South County Derry.

The coming of partition had turned the *Derry Journal* into a border newspaper, and it was forced to adapt to the circumstances that had divided its readership into two opposing jurisdictions. Cut off from its co-religionists in the South, the *Derry Journal* would have to live and work within a system that was fundamentally opposed to its identity and values. From Stormont’s point of view, Derry’s large nationalist minority (although partially neutralised by gerrymandering which ensured that the

city council was controlled by Unionists) meant that Unionists in Derry felt particularly precarious, and were more inclined to encourage the suppression of nationalist identity in order to buttress their own feeling of security. Similarly, the *Derry Journal's* influence in Donegal – and Donegal's strong republican heritage – made the Cumann na Gaedheal government which controlled the Free State until 1932 particularly sensitive to any criticism – implied or otherwise – from the *Derry Journal*. The *Journal's* outlook – representative of northern nationalists, but facing firmly South – was unusual for both jurisdictions. It was this anomalous position, astride the border, that would ultimately bring the *Journal* into conflict with both sets of authorities.

The story of the banning of the *Derry Journal* is almost completely unknown in the secondary literature, and largely forgotten in Derry itself. While there has been extensive study of the moral censorship imposed on Irish society during the twenties and thirties (Adams 1968; Brown 1981; Woodman 1985), there has been comparatively little study of the political censorship that complemented it. In this respect, the works by Horgan (1984, 1995 & 2001) have proved an invaluable reference for both the details of the many Public Safety Acts imposed by the Cumann na Gaedheal government, and also a crucial insight into the motivation behind them. These works are all the more significant given the notable lack of primary source material relating to either political censorship in the Free State or the 1932 ban on the *Derry Journal*. Aside from the Dáil debates prior to the passing of the Public Safety Acts, the passage of time and the need for secrecy in such matters has meant that there is little archive material available with even a tenuous connection to the ban. In this context, the newspapers themselves become crucial. Not only is the newspaper evidence extremely useful in creating a picture of the social and political climate surrounding the ban, but they also form the only direct evidence of the ban itself, and hence their study is vital to a fully developed examination of the ban. Yet it is important to remain aware of the problems that such exclusivity can cause. A newspaper is a far from partial source, and any student of newspaper history must take account of both the inherent subjectivity and the editorial line of any paper they study. Indeed it is

arguable that, once these factors are taken account of, the close study of newspapers adds colour to – rather than detracts from – the quality of the academic research. Letters to the editor, too, have proved particularly revelatory, although these must be viewed through an even more sceptical lens.

Indeed, given the lack of primary source material relating to the 1932 ban, the interview I obtained with former *Journal* reporter and editor Frank Curran was vital. The ban appears to be completely unknown to the secondary literature – despite an extensive survey – and without Curran’s memories of the even I too would have remained completely unaware of it.

Similarly, the paucity of academic research on political censorship at that time has made it extremely difficult to piece together complete information on the newspapers that were banned by Cumann na Gaedheal between 1921 and 1932. The many excellent modern historical studies (Lyons 1985; Lee 1989; Foster 1990; Ferriter 2005) cover this to a certain extent, but an in-depth study along the lines of Donohue’s (2001) work on Northern Ireland is sadly lacking. Similarly, while there are several secondary works covering the history of Northern Ireland (Hennessey 1997; Bardon 2001), there is no comparable work on the history of Donegal, and the student must turn to biographies (McInerney 1974; Hegarty 1999) for vital background information on conditions in Donegal in the late twenties and early thirties.

The study of Northern Ireland in the 1920’s and 30’s has been similarly sketchy. While the history of the North under Stormont has been extensively studied in recent years, its primary focus has been to analyse anti-Catholic discrimination in an attempt to explain the rise of the civil rights movement and the outbreak of the Troubles (Bew, Gibbon and Patterson 1995). Indeed, the extent of academic interest in the Troubles has meant that comparatively little attention has been paid to the exclusive study of either the inter-war period or the experience of the Second World War in Northern Ireland. Three notable exceptions are Eamon Phoenix (1994) and Enda Staunton (2001), whose studies have provided an invaluable insight into the nationalist experience of life under Stormont, and Brian Barton (1995), whose

consideration of Northern Ireland during the Second World War is the only such book currently available. Similarly, the classic studies by Robert Fisk (1983) and Dennis Kennedy (1988) - on Irish neutrality and Northern attitudes to the Free State respectively - have added a Southern dimension to the study of Northern Ireland that is of immense benefit when trying to balance the Stormont government's fears with the reality in the Free State.

In contrast, the Special Powers Act has been the subject of several recent scholarly works. Foremost among these studies is Laura Donohue's *Counter-Terrorist Law and Emergency Powers in the United Kingdom* (2001), which provides a thorough and objective analysis of the Act's application, efficacy and intentions. Moreover, it is one of extremely few secondary works that mentions the ban on the *Derry Journal*, even though in so doing she perpetuates the inaccuracy that 'due to widespread protest, the Ministry [of Home Affairs] lifted the ban after only a fortnight' (p88). This account appears to have originated with Michael Farrell's *Northern Ireland: the Orange State*, which otherwise offers a remarkable insight into the extent to which the Special Powers Act impacted upon the psyche of the nationalist community. According to Farrell, the ban was lifted 'after only a fortnight because of widespread protest' (p94). In interview, Farrell said that he believed he had heard about the ban from Eddie McAteer, MP for Foyle between 1953-69. If true, it is a graphic illustration of the extent to which the details of even the later ban were rapidly being forgotten in Derry.

Of course, it is ultimately from the primary evidence that the true nature and impact of the ban on the *Derry Journal* can best be uncovered. Aside from the *Derry Journal* itself - and other contemporary newspapers such as the *Derry Standard*, the *Londonderry Sentinel*, the *Irish News*, the *Belfast News-Letter* and the *Northern Whig* - primary source material is extremely rare. The ban was not mentioned in either the Northern Ireland *Hansard* or the Dáil debates, nor the minutes of Londonderry Corporation, and, regrettably, many of the key documents relating to the Stormont government are as yet unavailable for examination. Similarly, the informal nature of the 1932 ban meant that there was no mention of it in either the Military Archives or the National Archive. In this context, interviews I obtained with Colum McCarroll, the

former owner of the *Derry Journal* and grandson of both JJ McCarroll (who was editor in 1932), and his wife, Mrs. Molly McCarroll, who took over the editorship after her husband's death in 1937 - and with Frank Curran, a journalist – and later editor - with the *Derry Journal* from 1942-88, were vital. Without his interview, I would have had no knowledge of the existence of the 1932 ban; in regard to the 1940 ban, his memories of the event enabled me to firmly establish both the reason for the ban and the reason that it was quickly revoked – facts that, to the best of my knowledge, have been hitherto unknown in the academic world.

Chapter Two

Two roads diverged... the legacy of partition

The decision to partition Ireland at the end of 1920 created chaos on both sides of the new border. The two new states, each one radically opposed to the other, felt themselves to be under threat – in the South, from the anti-Treaty forces who threatened the violent overthrow of the new state; in the North, from the nationalist state at its borders and from the nationalist minority within them. In each case, the two states sought refuge behind emergency legislation designed to quickly restore stability. In the North, the Unionist government under James Craig ensured that Northern Ireland's defence would be mounted behind the twin bastions of loyalism and Protestantism. In the South – which lacked the certainty of the North's sectarian divisions – the antipathy between the pro and anti Treaty forces degenerated into outright civil war.

The Free State - stability restored

For both the existing Dáil government and the Provisional government charged with carrying out the terms of the Anglo-Irish Treaty, the immediate priority was to put a halt to the violence that had become endemic in Ireland in recent years and to restore peace and stability to the country. Ireland's new leaders faced not only long-standing socio-economic problems created by years of fighting, but also the immediate problem of how to facilitate a successful shift from military to civilian government in the midst of new unrest related to the Treaty, the threat of Northern Ireland, and the outbreak of civil war. Successful leadership would require 'the demonstration, ruthless if need be, that here at last was a government was prepared to govern' (Lyons p486).

Yet such security continued to elude the government forces. A strong campaign and quick military victory in the civil war was undermined by the lack of a negotiated peace, and the Republican government continued to regard itself as the legitimate ruler of the country. For the Cumann na Gaedheal government, the lesson of the civil war was that force could - and should - be used to restore law and order whenever

necessary, and in the years to come it would resort to a succession of draconian Public Safety Acts - in 1923, 1924, 1926 and 1927 - to deal with the spectre of resurgent Republicanism.

As conditions became more secure, the focus shifted from simply securing the new state to determining its moral character. The Censorship of Films Act (1923), the 1925 divorce legislation and the 1927 Constitution ensured that Catholicism would become an integral part of the nation's identity. This was the moral background to the 1929 Censorship of Publications Act - the primary legislative basis for censorship over the next forty years - and demonstrated a tendency towards conservatism on the part of the Cosgrave government that would manifest itself in all areas of public life.

Hence Ireland's natural tendency towards stagnation was magnified in the 1920's by a cautious fiscal economic policy that emphasised fiscal retrenchment at the expense of desperately needed investment. By the end of the decade, financial difficulties had forced the government to take the unpopular move of reducing old age pensions and teacher's and policemen's salaries, while an equally conservative social policy, which held that 'the poor were responsible for their poverty' (Lee p124), had rendered the government incapable of addressing Ireland's the widespread social problems. Crucially, the government was unable – or unwilling – to change its policies to address the effects of the Great Depression, which took hold in Ireland from 1930 onwards. Agricultural prices slumped, and the number of unemployed stood at 11.9%, or over 100,000 people (McInerney p131), as opposed to only 78,000 in the 1926 census. These reverses were combined with other defeats for the government. The land annuities campaign in Donegal had seriously dented the government's popularity in rural areas, and the Boundary Commission's decision not to alter the border with the North gave a new permanence to partition that the Cosgrave government had not foreseen.

By the end of the decade tensions were running high between Cumann na Gaedheal and the new Republican party, Fianna Fáil. The government was increasingly seen as the party of stagnation and economic decline, against which Fianna Fáil - that 'slightly political' party (Lee p503) - appeared to offer a way out of the Depression. 1930 and 1931 again saw IRA activity increase, and the murder of Garda

Superintendent Sean Curtin in March 1931 gave rise to strong calls for government action against the IRA. In June 1931, Republicans and Fianna Fáil marched together to Bodenstown in defiance of the Cosgrave government's cancellation of trains to the commemoration (Debates, Dáil Éireann. 1931. Adjournment debate: Wolfe Tone commemoration and cancellation of trains. Vol. 39, 24th June) in a graphic demonstration of their growing strength.

The government's response was the Constitution Amendment (No. 17) Act. Passed on the 16th October 1931, it was in effect another Public Safety Act that established a military tribunal to try political offences and crimes related to 'membership of proscribed organisations'. The Gardaí were also granted widespread special powers in relation to search, arrest, and the prohibition of meeting, gatherings or publications that were deemed seditious. In practice – as in the *Irish Press* case and possibly in the *Derry Journal's* case - this definition was frequently extended to material that the authorities felt supported the aims of proscribed organisations above the interests of the lawfully established government.

On the 20th October 12 organisations, including the IRA and Saor Éire were declared illegal (O'Drisceoil 2001 p69). If arrested, members would be brought before the military tribunal for sentencing. The legislation was widely seen as too repressive, and contributed to the growing unpopularity of Cumann na Gaedheal. The unwise decision to prosecute the *Irish Press* in the military tribunal for seditious libel heightened this unpopularity yet further, and, along with the difficult socio-economic conditions, contributed to their defeat in the 1932 election and paved the way for the next sixteen years of Fianna Fáil rule.

Northern Ireland – stability enforced

Ruled by the strong hand of James Craig and his Unionist government at Stormont, the Northern state was the very antithesis of its Southern rival. Stormont was determined that Northern Ireland would be – to use the famous phrase – a Protestant state for a Protestant people, closely linked to the rest of the United Kingdom and

fundamentally opposed to the rest of Ireland at its borders. Yet from the very outset, Northern Ireland was itself a state under threat, plagued by insecurities as to its position and future, and one that would – ironically – follow a similar route to its Southern neighbour in its search for security, replacing the bastions of Catholicism and Nationalism with those of Protestantism and Unionism.

The partition of Ireland according to a topography of religious belief and political allegiance had resulted in the incorporation of a substantial Catholic minority which had no wish to be included within the state, and which felt no affinity with it. The inter-communal violence that had characterised Northern Ireland from its inception had convinced the Stormont government that this minority was a potential threat that must be quickly neutralised if the nascent state was to survive. Similarly, the Unionist belief in the inherent hostility of the Free State at its borders - which it believed (with an element of justification) was playing a central role in fermenting and supporting subversive activities in the North - added further impetus to the Stormont government's desire to secure stability and the rule of law throughout the Six Counties. Indeed, failure to do so would have resulted in a questioning of the state's viability and integrity that might well have combined with the uncertainty engendered with the Boundary Commission and by the evident disinterest of the Westminster government to bring about Northern Ireland's collapse. It was this sense of urgency that – as much as deeply held political and religious convictions – led the Stormont government to adopt extensive emergency measures to ensure the security of the state.

First among these was the Civil Authorities (Special Powers) Act (Northern Ireland), which was introduced on the 7th April 1922 to:

empower certain authorities of the government of Northern Ireland to take steps for preserving the peace and maintain order in Northern Ireland (p1).

The Act provided the Civil Authority – the Minister for Home Affairs, in 1922 and 1940 Sir Robert Dawson Bates - with comprehensive powers to suppress opposition, including trial by a summary court without jury and the power to introduce new regulations, which were used almost immediately to intern suspected republicans.

This was supplemented by the most far-reaching provision of all, a clause stating that:

any act of such a nature as to be calculated to be prejudicial to the preservation of the peace or maintenance of order in Northern Ireland and not specifically provided for in the regulations

would also be considered ‘an offence against the regulations’ (Civil Authorities (Special Powers) Act 1922 p1). In effect, this gave the Minister – or his police nominee – a virtual free rein regarding both the implementation and the enforcement of Special Powers legislation, and highlighted the potential for arbitrary rule and the abuse of power facilitated by the Special Powers Act.

Whatever the long term political implications of its implementation, it can be argued that in the short term the Special Powers Act was successful in terms of its stated purpose of ‘the restoration of law and order’ in Northern Ireland. By December 1924 – when the last internees were released (Donohue p48) – Republican activity within the Six Counties had effectively ceased to be a significant threat. Yet the central role played by the Act in the ‘normalisation’ of government in Northern Ireland ensured that it would retain its position at the apex of legislative measures designed to ensure the state’s survival, and the belief in the deterrent effect of the Act would eventually be used to justify its retention in the period of peace that followed.

Once law and order had been re-established within Northern Ireland, the focus of the Act shifted towards the elimination of the perceived republican threat (Donohue p72). Protestants were a majority, but not a confident one, and the violence of events leading up to partition had left a legacy of insecurity amongst Unionists which manifested itself in the repression of nationalist expression in an attempt to reassure themselves of their ideological control of the state (Brewer p99).

Moreover, the refusal to acknowledge the legitimacy of Catholic and nationalist grievances led inevitably to political myopia and eventual censorship as the Unionist ascendancy sought to bolster the existing political order. In turn, the fear engendered by the partisan application of special powers legislation was used to establish social cohesion and control over the Catholic population. Whereas the Free State

government generally repealed such acts once the moment of crisis has passed, in the North the Stormont government came to depend on emergency legislation as a permanent feature of government.

In this manner, the Special Powers Act was used – primarily from 1924 on – to secure the ideological dominance of the Unionist regime through the prohibition of meetings, assemblies, processions, newspapers or publications which, in the opinion of the Minister for Home Affairs, might lead to ‘a breach of the peace or... promote disaffection’ (Civil Authorities (Special Powers) Act 1922 p5-7). These regulations were exclusively applied to the Catholic community, and during the 1930’s were used to ban – amongst others – Easter Commemoration marches, the wearing of Easter lilies, and GAA matches, as well as to censor newspapers, periodicals, books, circulars, films, gramophone records and theatre productions.

However the government’s strong hand in such matters concealed underlying socio-economic difficulties. In 1922 nearly 23% of Northern Ireland’s workforce in Northern Ireland were unemployed; throughout the twenties, unemployment did not fall below 19% (Bardon p515). Northern Ireland’s economy was overwhelmingly dependent on linen, shipbuilding and agriculture, all of which fell into severe decline after the collapse of the post-war boom in 1920. Conditions were exacerbated yet further by the Great Depression, which saw unemployment rise to 27% between 1931 and 1939 (Bardon p529). The Stormont government was unable – or unwilling – to remedy the situation, and instead fostered sectarian employment policies to exclude Catholics from employment and to protect the jobs of Protestant workers.

Unsurprisingly, the thirties saw a rise in sectarian rioting as hunger and poverty took hold. 1932, 1935 and 1938 all saw serious sectarian rioting in Belfast, and in July 1932 over 2,200 Catholics were made homeless due to rioting and intimidation. By the late thirties, unemployment, poverty and sectarianism had created an increasingly polarised society. Northern nationalists felt themselves to be the forgotten race - their politicians, still preoccupied with partition, were of little practical help to their constituents, and Fianna Fáil appeared to have turned their backs on the plight of Northern Catholics. In this context the outbreak of war was an injection of adrenalin, offering not only economic prosperity, but, for Northern Catholics, the possibility of

political credibility as well.

This was particularly significant in border areas such as Derry, thrust into a front-line position by partition. As a predominantly Catholic and Nationalist city, Derry had traditionally looked West – to its natural hinterland of Donegal – and to the South – to the capital at Dublin. The border thrust Derry into a front-line position, as businesses and individuals learnt to cope with the new reality of two opposing jurisdictions. The *Derry Journal* was thrust into the position of a border newspaper, straddling a divide that separated two governments diametrically opposed to one another. The *Journal* was in no doubt where its loyalties lay – but nevertheless it too would have to learn to operate within the confines of the regulations laid down by the Stormont government – and, ultimately, by the Free State government as well.

Chapter Three

Censorship of the Press

From the very beginning, the Free State government showed a remarkable awareness of both the power of the press as a propaganda agent, and the need to control this power – to the extent that, during the civil war, the government had its own press officer, Sean Lester, to co-ordinate the media campaign against the anti-Treaty forces. Under Lester, the government banned public advertising from pro-Republican provincial weeklies, and promoted the publication of pro-government newspapers during the civil war (Horgan 2001 p8). In addition, TDs briefly considered a scheme to start a new pro-government newspaper in the West, an area of the country noted for its Republican sympathies. The government also set up a censorship department, but this was more active in censoring the content of articles – most often removing phrases such as ‘forces’, ‘troops’, ‘army’ or ‘Republicans’ which appeared to give legitimacy to the anti-Treaty forces – than it was in outlawing specific publications, although overtly Republican publications such as *Éire* and *Poblacht na hÉireann* were banned periodically from 1922 on.

However Horgan (2001 p9) offers a useful reminder that ‘the government’s censorship policy was not operating in a vacuum.’ Republican forces engaged in widespread intimidation of newspaper proprietors and destruction of printing presses and papers that were unsympathetic to the Republican cause. In addition, the government believed the Republican forces had pressurised the national dailies into giving them more favourable coverage. In the case of the *Irish Independent*, government censors felt that the paper was

‘insidiously, rather than openly, doing its best for the Irregulars... by the mere working of a passage to imply that this is not a revolt against a constituted government... but a fight between two factions’ (Horgan 2001 p9).

This phase of military censorship effectively ended in 1924, when the *Irish Times* defied a government instruction not to print the ranks ascribed to Republicans in its paid death notices. It was not to be introduced again until 1927, when that year’s Public Safety Act specifically outlawed IRA publications and made it a crime to

publish anything ‘aiding or abetting or calculated to aid and abet an unlawful organisation’ (Public Safety Act. 1927).

However the main impetus towards censorship at the time was moral rather than political. The 1923 Censorship of Films Act established a certificate rating for films, which was to be overseen by the Official Censor of Films. According to the Act,

the Official Censor shall certify the picture unless he is of the opinion that such picture or some part thereof is unfit for general exhibition in public by reason of its being indecent, obscene or blasphemous or because the exhibition thereof in public would tend to inculcate principles contrary to public morality or would be otherwise subversive of public morality. (Woodman p39; Censorship of Films Act 1923).

The Act’s passage was ‘a harbinger of the increased impetus to bring about reform in the printed media’ (Woodman p40). The 1929 Censorship of Publications Act – which would form the basis for literary censorship in Ireland until 1967 – was the result of a campaign waged by Father Devane and others against what was perceived as the infiltration of Ireland by ‘dirty’ and ‘immoral’ English Sunday papers (Adams pp18-32 passim). The campaign took on a momentum all of its own, and resulted in the appointment of a Committee of Inquiry into Evil Literature, which recommended the passing of the 1929 Act. Although the Act contained strong restrictions on books – to the detriment of artistic creativity in Ireland for the next three decades – the main provision for newspapers was the prohibition of anything containing information about contraception, and which in reality affected mainly the imported newspapers. Interestingly, Horgan highlights a class-specific element to the Act’s application:

It was used, for example, to proscribe British newspapers like the *Sunday Chronicle* and *Reynolds News*, which carried small advertisements for family planning requisites. Another paper to fall under the ban was the *Daily Worker*, whose political sentiments were unwelcome but not illegal: its small advertisements for birth control were a convenient excuse for banning both the message and the messenger. On the other hand, publications like the *New Statesman* and *The Spectator*, which carried identical advertisements, never attracted official attention in the same way, presumably because their middle class and better-educated readers were assumed to be impervious to such temptations (Horgan 2001 p14).

Political censorship was not resumed until 1931, when the Constitution Amendment

(No. 17) Act was introduced as a response to growing republican violence and government insecurity in the run up to the election. The Act provided for a Military Tribunal to try political crimes, which included the publication of material deemed illegal by the Tribunal. According to the Act,

it shall not be lawful to print, publish, distribute, sell or offer to expose for sale any book, newspaper, magazine, periodical, pamphlet, leaflet, circular or other document which is issued or published on behalf of an unlawful organisation' (p5).

Anyone who breached the provisions of the Act was liable to arrest and trial in front of the Military Tribunal. The Act also provided for the arrest of any person – or the search of any premises – which the Gardaí believed might be harbouring 'treasonable or seditious' documents.

The Act was first used against the *Irish Press*, the new Fianna Fáil's daily run by Eamonn DeValera. The paper's editor, Frank Gallagher, was arraigned before the Military Tribunal in December 1931, for articles that alleged that members of the Gardaí had treated the government's political opponents roughly, and were acting 'considerably in excess of their legal authority' (Horgan 2001 p31). Gallagher was eventually convicted, and fined £50.

Interestingly, the list of publications banned by the Military Tribunal was almost identical to those banned in the North under the Special Powers Act. *An Phoblacht*, the *Republican File*, the *Irish Worker*, *Worker's Voice*, and the *Irish World and the American Industrial Liberator* were all banned by the Military Tribunal at the end of 1931, and would seem to indicate that the two governments shared similar beliefs about the undesirability of republicanism, socialism and communism.

However, the Military Tribunal – despite its ostensible impartiality – was clearly an organ of the government in much the same way as the Special Powers Act served the interests of the Stormont government. The difference in the South was that 1932 saw a change of government – from Cumann na Gaedheal to Fianna Fáil – and a similar change of orientation for the Military Tribunal (Horgan 2001 p34). The activities of the Military Tribunal were now directed at the paramilitary supporters of the former

government, rather than republicans, and in late 1932 an *Irish Press* reporter, Joe Dennigan, was jailed for contempt because he refused to reveal the name of an anonymous informant that he had quoted in an article on government policy towards illegal organisations. Cumann na Gaedheal's policy of censorship had come full circle.

In the North, the far-reaching powers of the Special Powers Act – and the fundamental position its provisions held within the state – meant that the North's position on censorship was more regularised.

Government censorship of newspapers and other printed material was specifically provided for in three regulations of the 1922 Special Powers Act. Regulation 25 prohibited any written or oral material which

spread false reports or make false statements; or spread reports or make statements intended or likely to cause disaffection to his Majesty, or to interfere with the success of any police or other force; or spread reports or make statements intended or likely to prejudice the recruiting or enrolment of persons to serve in any police force or other force enrolled or employed for the preservation of the peace or maintenance of order in Northern Ireland (p9).

Similarly, Regulation 27 made it an offence to 'publish the contents of any confidential document' (p9). The most important provision, however, was Regulation 26, which gave the Civil Authority the power to 'prohibit the circulation of any newspaper for any specified period' (p9). Interestingly, the regulation dealt with the distribution of newspaper rather than their printing, as this was easier to enforce, and in any case rendered the publication of the newspaper meaningless. This loophole meant that when the *Derry Journal* was banned in 1940, it continued printing, and distributed that day's paper in Donegal only. However in 1943 the Act was changed to prohibit the printing, as well as the distribution, of the offending newspaper (Donohue 2001 p87).

Between 1922 and 1971 (when the law was amended so that the naming of specific publications unnecessary) over 140 publications were banned under the Special Powers Act. According to the Ministry of Home Affairs, this was justified because the publications concerned had contained statements 'intended or likely to cause

disaffection' (Donohue 2001 p88). The powers of censorship were not used until March 1924, when *Éire/The Irish Nation* was banned; *Poblachta na hÉireann* and *Sinn Féin* were banned the following December. The vast majority of publications were banned because of their overtly republican views, for example, *An Phoblacht*, *Fianna* and *Saoirse na hÉireann*, which were banned virtually continuously from 1926 to 1945 (Donohue 2001 p88). As in the South, the remainder were predominantly socialist or communist in tone – *Worker's Life* (banned 1927-30) and *The Irish World and American Industrial Liberator* (banned 1930-45) had both socialist and republican overtones, whereas *The Red Hand* and *Irish Workers Weekly* (both banned 1940) were both issued by the Communist Party (Donohue 2001 p88-90). It is important to note, moreover, that in the majority of cases ending of a ban was not indicative of a change of heart on the part of the government, but a sign that the publication was no longer in print.

Donohue (2001 p91) cites *An Siol: the Voice of the Resurgent North* (banned 1936-1945) as a useful insight into the multitude of criteria that could attract a ban from the Stormont government. *An Siol* was published fortnightly by the Republican Publicity Bureau in Belfast, and included GAA results, republican poetry and quotations, accounts of recent government raids, calls to take arms against the English, and the IRA's position on social issues. Its editor, Charles Leddy, had been a Brigade Officer in the IRA, and had served time in the Free State, during which time he had stood in the general election as the republican candidate for West Belfast. Charles Wickham, secretary to the Minister for Home Affairs, Dawson Bates, recommended that the paper be banned due to

its content, the political views and activities of those responsible for issuing it and the steady improvement in its printing and circulation. (Donohue 2001 p91).

This implies that 'subversive' content was not enough to attract a ban, but that its circulation had to be significant enough that the Stormont government perceived it as a threat. Moreover, it is ultimately illustrative of the arbitrary nature of government rule under the Special Powers Act, whereby a single Minister had the power to ban any newspaper he chose.

Chapter Four

The ban on the Derry Journal, January 1932: ‘A mystery that remains unexplained’

The 1932 and 1940 bans on the *Derry Journal* – which make it the only ‘mainstream’ newspaper to be prohibited on both sides of the border - stand out as a unique event in the history of post-partition Ireland. The ‘*Journal*’ was – and still is – the main local newspaper in Derry City, with a circulation ‘exceeding by several thousand copies the joint issue of the other Derry papers.’ (*DJ*, 4th January 1932, p1). Founded in 1772, it had been a Unionist newspaper until it was taken over by the Catholic McCarroll family in 1925. Its managing director, James Joseph McCarroll, was a committed Nationalist who later became the MP for Foyle. In his maiden speech at Stormont on the 31st May 1929, he made his views clear:

I come from a constituency and a city where gerrymandering has been carried out to the most extraordinary extent in the world, that is, to such an extent that the majority of the community is in the minority on the municipal council. Coming from that city, I feel bound to say, on the first occasion possible, that we do not regard as final the settlement that has been set up here, which divides this country into two parts, and which has set up this Parliament here and a Parliament in Dublin (*Hansard*, Vol. 11. p102).

According to the 1972 Bicentenary supplement to the *Derry Journal*, McCarroll gave firm instructions to his editor, Patrick J. Flanagan, that the newspaper should reflect his ‘staunch Nationalist beliefs’ (p2).

In 1932, his start of year editorial – ‘National Stocktaking’ (1st January 1932, p5) - left readers in no doubt as to the paper’s political orientation. Not only did the article contain strong condemnations of Britain and her imperial record, it also called on the Irish people to choose the ‘right’ candidate in the forthcoming election – according to the *Journal*, Fianna Fáil – or

‘be dragged along on the road they have been going – providers for John Bull’s dinner table, a dumping ground for his goods, a British ranch where beasts flourish and men and women drop from worklessness into starvation and death.’

It was precisely this stance that won the *Journal* the support of letter-writer ‘Lamh

Dearg': 'The Journal is the only paper that stood up for us Six County people' (The Journal Ban. 11th January 1932, p4).

JJ McCarroll would have been unaware that just three days later, on the 4th January, the *Derry Journal* would be confiscated in Donegal. At some time that morning, members of the Garda Síochána began calling on newsagents in Donegal, and, without warning, confiscated that day's *Derry Journal*. Newsagents were told that 'no copies were to be sold until official permission was given' (Banning of *Derry Journal*. 6th January 1932, p5).

The ban prompted a highly indignant response in the paper's next issue, on the 6th January. Under the headline 'Banning of *Derry Journal*: Papers Held Up in Free State', the *Journal* described the ban as 'a mystery that remains unexplained', stating: 'No reason was anywhere vouchsafed for the order.' (Banning of *Derry Journal*, 6th Jan 1932, p5). The *Journal* itself carefully chose to refrain from speculation as to the reasons behind the ban, and instead reprinted articles from other newspapers in support of its cause. According to Frank Curran, a former journalist and editor of the *Derry Journal*, the *Journal's* management team were at this time trying to work out what had happened.

As soon as the Journal heard of the ban they went and made enquiries in Dublin, but could get no satisfactory explanation from the government. They persisted for several weeks, and while they got an apology for the papers being lifted and an assurance that the *Journal* was not banned, they couldn't get any explanation. They were never any explanation of who gave the order, what prompted it, or anything else.

Even after more than 70 years the details of the ban are still shrouded in confusion, and it is impossible to determine with any degree of certainty the reasons for the ban. According to Frank Curran, the *Journal's* staff were similarly mystified by the ban. 'No-one could understand it. Still nobody has accepted responsibility for making the order.'

The most comprehensive account of the ban comes from within the pages of the *Derry Journal* itself, which published a long article on the ban on the 6th January, and continued to publish material relating to it for up to two weeks afterwards. There was

immediate confusion as to the authenticity of the ban, as its enforcement appears to have varied in different parts of Donegal. While the paper was confiscated in Inishowen, the *Derry Journal* reported that ‘in a few places, such as Ballybofey, Stranorlar, Convoys, Newtowncunningham, and Ballyshannon, the sale was not interfered with.’ (Banning of *Derry Journal*. 6th Jan 1932, p5), and the *Londonderry Sentinel* reported that ‘at Ballybofey and Donegal no prohibition was enforced.’ (From the *Londonderry Sentinel*. DJ, 6th Jan 1932, p5). According to the *Irish Daily Telegraph*, however, the Guards did not confiscate the paper, and merely instructed newsagents not to open the parcels of papers or to sell any copies.

There was confusion, too, over the nature and extent of the ban. The *Irish Daily Telegraph* reported that the ban was to remain in force until further notice, (From the *Irish Daily Telegraph*, DJ, 6th Jan 1932, p5) whereas the *Londonderry Sentinel* reported that ‘In some cases the official embargo applied to the one issue, but in others to the whole week’s, or was indefinite’ (From the *Londonderry Sentinel*, DJ 6th Jan 1932, p5). However – whether intentionally, or due to the strong reaction in the media – the ban was rescinded almost immediately. The *Derry Journal* stated that ‘The ban, we understand, was removed yesterday [Tuesday 5th] evening, and in some Donegal towns the Guards informed the newsagents that they were at liberty to sell Monday’s issue’ (Banning of *Derry Journal*. 6th January 1932, p5). The *Journal* also published an additional statement from the paper’s owners, stating that the *Derry Journal* had ‘not been banned’:

We understand that the Ministry of Justice have issued a statement in which they say that the “*Derry Journal*” has not been banned. No copy has been submitted to the Military Tribunal, and it was not intended to submit any copy. Instructions have been issued that the paper was not to be interfered with in future, unless it contravened the regulations.’ (Has not been banned. 6th Jan 1932, p5).

The *Irish Press* offered more details (From the *Irish Press*, DJ 8th Jan 1932, p12):

Yesterday the solicitor acting for the DJ, having obtained legal opinion from Dublin on the action of the Garda authorities, got in touch with the Letterkenny headquarters of the Garda authorities, and was informed that the ban had been removed. Chief Superintendent O’Mara denied that there was a ban. When asked... if the paper would be allowed to circulate today

(Wednesday) he replied “I am doubtful: you will see.”

While the *Journal's* representatives were sent from government department to government department in Dublin trying to discover the origin of the ban, the Unionist press was certain as to the ban's origin. The *Londonderry Sentinel* reported that, according to the Civic Guard Headquarters in Letterkenny, ‘the instructions to withhold the sale of the paper came from Dublin’ yet, when inquiries were made in Dublin, ‘the information forthcoming was that nothing was known there of the ban. (From the *Londonderry Sentinel*, DJ 6th Jan 1932, p5). This is an accurate prediction of the events of the next two weeks, whereby the Guards in Donegal would maintain that their orders came from Dublin, while in Dublin the government continued to insist it knew nothing about it.

The Unionist press was equally certain as to the reason for the ban. In its article on the ban, the *Northern Whig* described the *Derry Journal* as ‘a severe critic of the Free State government’, and the *London News-Chronicle* (From the *London News-Chronicle. Derry Journal*, 6th Jan 1932, p5) stated that ‘the seizure is due to the newspaper's anti-Government leading articles.’ The *Irish Daily Telegraph* backed this up: ‘They [the *Derry Journal*] are unable to assign any cause for it [the ban] unless it is a reprisal for its general policy, which is opposed to the Cosgrave government’ (From the *Irish Daily Telegraph. Derry Journal*, 6th Jan 1932, p5).

The *Derry Journal* was a staunch supporter of both the Fianna Fáil party and De Valera himself, with the strength of the paper's devotion to the constitutional republican cause matched only by its dislike for the Cumann na Gaedheal government. According to the *Londonderry Sentinel* (From the *Londonderry Sentinel. Derry Journal*, 6th Jan 1932, p5) this was the product of a local disagreement in 1928, when the Donegal TD Hugh A. Law had lost his bid for re-election as one of the paper's directors. Another Cumann na Gaedheal director, Senator John McLaughlin, had promptly resigned in Law's support, and since then the paper had ‘carried on a conflict in which the government has been subjected to severe criticism.’ From there, the disagreement degenerated into a bitter war between the government and the *Derry Journal's* Donegal operation. Cumann na Gaedheal withdrew government advertising from the paper on the grounds that the paper was not printed

and published in the Free State, and ‘started a rival organ to support the Government party.’ In return, the *Journal* took up a strongly pro-Fianna Fáil stance, to the extent that, in the run-up to the 1932 election, it published elaborate instructions to its readers that they should vote only for Fianna Fáil.

The *Irish Press* case in December 1931 had shown that the government was willing to take censorial action against an opposition newspaper; under extreme pressure in the run-up to the election of February 1932, it is quite possible that a local TD, Cumann na Gaedheal official, Guard or even an official from Dublin had decided to take action against the *Derry Journal* for its anti-government stance. Moreover, local circumstances – the historical support for republicanism and the IRA in Donegal; the strength of the land annuities campaign in Donegal; and the personal influence of opposition figures such as Peadar O’Donnell or Neil Blaney Snr. – may have led Cumann na Gaedheal to impose the ban in an attempt to curtail support for Fianna Fáil.

The possibility of local intervention in the ban is lent further weight by the *Londonderry Sentinel*, who reported that a newsagent in Rathmullan had received prior warning of the ban. (Banning of the Derry Journal. 1932. *LS*, 7th January, p5). ‘There one of the agents learned on Saturday night that no copies of Monday’s *Journal* could be sold.’ Moreover, on the 11th January (The *Journal* Ban. *Derry Journal*, 11th Jan 1932, p4), a letter to the *Journal* from ‘Lamh Dearg’, or ‘Red Hand’, supports this interpretation:

It [the ban], as I am definitely in a position to state, occasioned no surprise amongst a certain set who in matters of this kind at anyrate, are usually well informed. For myself I heard on Saturday last that the issue of the following Monday would be suppressed... it was also stated that the *Journal* would be stopped for a month, if not longer.

‘Lamh Dearg’ goes on to explain that ‘small coterie’ of ‘country muddlers’ had known well in advance that the *Journal* would be targeted, but the public outcry against the ban was so great that they were forced to reconsider their actions: ‘It was beginning to dawn on the fringes that someone had blundered.’ ‘Lamh Dearg’ then goes on to lay the blame firmly at the feet of Cumann na Gaedheal in Donegal.

The coterie who were behind the latest move did their utmost about three years ago to get the *Journal* kept out of Donegal by another method. The effort failed. Next came the banning of the *Journal* by the Government in the matter of official advertisements. Then followed the unsuccessful attempt to provide a substitute and antidote for the *Journal* amongst newspaper readers in Donegal, and lastly, a rather clumsy effort, to bring the *Journal* within the remit of the Safety Act has also ended in disaster.

Within the ranks of the *Journal* itself, there appears to have been no doubt that the ban was implemented as a reprisal for the paper's policy of opposition to Cumann na Gaedheal. The paper responded in an editorial on the 11th January, entitled 'The Boomerang Ban' (1932, p5). In it, the *Journal* strongly criticised 'the kept organ of the Government', and reaffirmed the strength of its own commitment to republicanism.

Our crime is that we have refused to follow those who bartered the nation's birthright, who, at the call of shallow, self-seeking opportunism, foreswore the ideal of a nation one and indivisible, who betrayed the principles of Collins and Griffith, and who seek to subject the liberties and conscience of the nation to a fanatical and unscrupulous tyranny.

In many respects the ban was a propaganda victory for the *Journal*. Not only did the *Journal* continue its policy of strong government opposition, but it could state triumphantly:

One of the gratifying results of the incidents of last week has been a greatly increased demand for the *Journal* in all parts of the country. Requests have reached us for copies of the paper from different areas as far apart as Cork and Galway. Since we have adopted an independent national policy the circulation of the paper has steadily advanced throughout Ireland, and it is now read in districts where before it was not known (The Hold-Up of the *Derry Journal*. 11th Jan 1932, p5).

An equally plausible – but slightly more specific - reason for the ban was the paper's coverage of Fianna Fáil Convention for Donegal, which had taken place that weekend and which received substantial coverage in the banned issue of the paper. The *Belfast News-Letter*, *Irish Press* and *Irish Times* all believed that that particular issue of the *Journal* had been banned because 'it contained reports of Republican meetings in Co. Donegal during the weekend' (From the *Belfast News-Letter*, DJ 6th Jan 1932, p5).

Indeed, the coverage of the Convention may have provided a focus for the government's resentment of the *Journal*, and hence they may have felt justified in imposing a ban in order to defend Gaedheal's election chances in Donegal.

Interestingly, in an article of the 18th January, the Donegal Fianna Fáil TD Neil Blaney (Snr.) denounced the banning of the *Journal* for this very reason:

‘A few gentlemen in the country knew a number of meetings were being held by Fianna Fáil the day previously, and that a report of these would open the eyes of some people who had been deluded, and in a fit of temper they very likely phoned the Gardai authorities’ (Fianna Fáil in Inishowen. *Derry Journal*, 18th January 1932, p5).

The newspapers also give much consideration to the role of the Gardai and the Military Tribunal in the ban. There appears to have been a widespread belief that the seizure of the *Derry Journal* was at the behest of the Military Tribunal that, since its creation at the end of 1931, had taken over control of political censorship. The *Irish Times* reported that in Carndonagh, believed to have been the first place to have received notice of the ban, ‘it was apparently mentioned in conversation that this [the ban on the sale of the *Journal*] was pending the hearing of some case by the Military Tribunal.’ However, when the *Irish Times* inquired at the offices of the Military Tribunal ‘if the suppression of the *Derry Journal* followed on the issue of a certificate by the Military Tribunal, it was stated that no information would be given’ (From the *Irish Times. DJ*, 6th January 1932, p5). The *Irish Press* received a similar response:

On enquiry at the office of the Military Tribunal in Dublin an *Irish Press* reporter was informed by an official that he could not say whether an application to have the paper declared seditious had been made or not, and if there were any such proceedings he was not aware of them (From the *Irish Press. Derry Journal*, 6th January 1932, p5).

Yet despite this the *Irish Press* were convinced that the ban was the result of an order from the Military Tribunal:

It is understood that an examination of today's issue is being made by the Military Tribunal, and the question of whether the paper will be allowed to be sold will depend on its findings. I am informed that until further notice all issues of the paper will be subject to the same conditions prior to its sale. This ban applies in all Free State areas.

Ultimately, however, the Cumann na Gaedheal government retreated behind the cover of this confusion. A statement from the Minister of Justice reprinted in the *Journal* on the 6th January stated categorically that ‘no copy has been submitted to the Military Tribunal’, and therefore the paper was not under investigation by the Tribunal (Has not been banned. 6th January 1932, p5). However, an article on the 8th January (From the *Irish Times*. *DJ*, 8th Jan 1932, p12) in the *Irish Times* clarified the situation:

It was stated at Government buildings, Dublin yesterday that the steps taken by the police in County Donegal yesterday with regard to the *Derry Journal* were due to some misapprehension at present unexplained. The issue of the newspaper on Monday last, regarding which action was taken, had not been submitted to the Military Tribunal, and consequently no order had been made with regard to it.

Hence the *Derry Journal*, as a cross-border newspaper, had fallen foul of the censorship regulations that required that all newspapers submit a sample copy for approval to the Military Tribunal, on the basis of which the newspaper would be allowed to publish thereafter. Not only is such an explanation extremely convenient for the government, it does not explain why the *Derry Journal* – which had been operating in Donegal since 1772 – had been allowed to publish without interference prior to January 4. There was also an attempt to lay the blame on independent action by the Gardaí. According to the *Irish Independent*,

the action against the *Derry Journal* was taken on the initiative of the Garda Síochána, who, if they consider that a newspaper contains any matter which contravenes the Constitution Amendment Act, have the right to seize and demand that the paper be submitted to the Military Tribunal (From the *Irish Independent*. *DJ*, 6th January 1932, p5).

A less credible - but nevertheless significant – reason for the ban on the *Journal* is the allegation of possible republican involvement with the paper. One possibility, that the *Journal* was banned because of ‘extensive quotations’ from it appeared in the banned Republican newspaper the *Republican File*, is strongly condemned by a letter-writer (Wanted to know. *Derry Journal*, 11th Jan 1932, p4):

If being quoted by the *Republican File* is cause for banning a newspaper, then that is greater reason for banning the three Dublin dailies, a host of Irish

provincial papers, and some foreign. For the *Republican File* quotes extensively from all these, and more extensively than from the *Derry Journal*. This must of necessity be the case in a paper that, like the *Republican File*, is almost entirely made up of extracts from other newspapers.

A similar denial is issued in the editorial of the 11th January: ‘The suggestion that the ban was ordered by some official owing to extracts from our paper appearing in the *Republican File* is too thin’ (The Boomerang Ban. 11th January 1932, p5). The letter-writer, ‘Q’, then goes on to allege that either the allegations are false, or there must be some form of collusion between the government and the Military Tribunal.

‘It would be interesting to know on what data the allegation is made that “extensive quotations” from the *Derry Journal* appeared in banned issues of the *Republican File*. There is only one proof copy of these issues and that proof is retained by the CID or Military Tribunal, both of which are above and outside party. How then did the authors of this statement obtain the supposed “informations” on which they based this allegation?’

Other similar allegations of Republican involvement with the *Derry Journal* include what the *Journal* describes as the ‘lying accusation’ (The Boomerang Ban. 11th January 1932, p5) that the banned issue contained an article by the prominent IRA man and former editor of *An Phoblacht*, Peadar O’Donnell. This seems unlikely – the only two articles in the banned issue – which still exists in its Six County edition - of the *Journal* that might be termed contentious are the report on the Fianna Fáil convention and an obituary for a former nationalist leader, James O’Doherty, and there is nothing in the tone or content of either article to fit the pen of a ‘socialist republican’ like O’Donnell. In the same editorial, the *Journal* also denounces allegations – which appear to have no basis elsewhere – from Cumann na Gaedheal’s Donegal newspaper of

us refusing to publish denunciations of murders by Archbishop Harty, the most Rev Dr. Fogarty, and also by The Nation, which was then published on behalf of the Fianna Fáil party. It was also wilfully and maliciously attributed to us the views concerning the murder of Superintendent Curtin which appeared first in the Cork Echo which is owned by Senator Crosbie, a member of the Cumann na Gaedheal.

One of the most interesting results of the ban is the extent to which the *Journal* was supported not only by other nationalist newspaper, but by publications that were

usually antithetical to the tone and cause of the *Journal*. Whether it was a genuine case of newspapers coming together in defence of press freedom - or merely a golden opportunity to criticise the Free State government - even the *Belfast News-Letter*, that most Unionist of newspapers, was eager to claim the *Journal* as one of its own. On the morning of the 6th of January, its headline stormed: 'An Ulster newspaper – sale prohibited in the Free State' (From the *Belfast News-Letter*, DJ 6th Jan 1932, p5). The *Journal* itself claimed to be unsurprised: 'All agree that no one with any sense of fair play would support a Government party that would tolerate such a low, mean action against opponents' (The Boomerang Ban. 11th Jan 1932, pp4-5). It is tempting to interpret this as a rare example of a usually sectarian press uniting in the face of a common threat to press freedom; however, Horgan's (p33) account of the reaction of the Unionist press to the controversy over the Eucharistic Congress in June 1932 sheds some light on the matter. In this instance – as many have been the case with the *Journal* ban - the outcry in the Unionist press was more the result of a chance to criticise the Free State government than it was any desire to champion the freedoms of the press.

Chapter Five

The ban on the Derry Journal, June 1940: A pro-German newspaper?

By 1940, Derry had changed. Britain's entry into the war – and the speculation that Churchill would grant a 32 county Irish Republic in return for the South's entry into the war on the Allied side – had fundamentally changed the complexion of North-South relations. So too had the Free State's decision of neutrality. While the Unionist MPs argued in Stormont on how best to serve the war effort, they were all agreed on the danger posed by what they saw as an evidently pro-German Free State and the potentially disloyal Northern Catholics. War had raised the stakes, and the Stormont government was determined to do whatever was necessary to ensure the wartime security of the state.

The *Journal* had changed too. In 1937 its managing director, JJ McCarroll, died, and his widow, Mrs. Margaret (Molly) McCarroll, took over as managing director. According to the Bicentenary supplement, she 'very ably guided the paper through the unprecedented difficulties of the war and the immediate post-war period' (p2). She maintained the nationalist – and anti-partitionist - orientation of the *Derry Journal*, and, on the outbreak of war in September 1939, outlined the newspaper's position in an editorial:

In face of the impending calamity of another Great War... we have looked with the rest of Nationalist Ireland to its leader to give voice and effort to the national determination to stand clear from this savage and most tragic of convulsions. This much he has done, with the absolute steadfastness and support of all political parties in the liberated portion of our Motherland, backed by the consensus of Irish opinion throughout the world' (Ireland and the ordeal. 4th September 1940, p4).

Such a policy – of firm neutrality along the lines of the Free State government – was extremely unusual. The Belfast-based *Irish News*, the largest nationalist newspaper in Northern Ireland, had 'maintained the Redmondite tradition' (Patterson 2002 p33) and taken a pro-Allied stance on the war:

How best to protect the country in 1940 is a much more important question than “Who began the civil war” or “Where were you in 1916?” (Burying the political hatchet. 30th May 1940, p4)

In practice, however, the *Journal's* neutrality was pro-Irish rather than pro-German. An open letter reminded readers of their responsibilities on the 3rd September 1939:

This war is not of Ireland's making, nor of Ireland's seeking. It arises from the greed of rival imperialisms... We may have sympathy with the Polish people... and we can feel also for the common people of Britain. But for the people of our own land our sympathies must be greatest. We must not allow ourselves, by propaganda or by emotion, to swerve from the determination that not one drop of Irish blood should be shed in this un-Christian war, save what may have to be sacrificed in enforcing neutrality against all who try to use our shores and our resources for their own imperialist ends (Sympathy with misguided people, p4).

Throughout the war, the *Journal* clearly identified itself with the Irish cause, and not the British one. An article entitled ‘Rally round the nation’ (3rd June 1940, p5) – ironically published in the banned edition of the *Derry Journal* - referred to the Irish Defence Minister's appeal to the people to help repel an invasion; similarly, ‘Ready to join an Irish army’ (5th June 1940, p5) criticised partition for preventing inhabitants of Northern Ireland from joining a Free State army. Yet the *Journal* was careful to maintain its neutral stance, and carried full accounts of the war in Europe and the British war effort, albeit without the sense of identification with the British cause that was customary in Allied wartime publications. Yet it was the *Derry Journal's* coverage of the war that was ultimately to draw the attention of the Stormont government, and would result in the ban of June 1940.

The *Derry Journal* was banned under Regulation 26 of the Special Powers Act on the 1st June 1940. The ban was to run – as was customary – until the end of the year, but, exceptionally, the Minister of Home Affairs revoked the ban on the 4th June, after only 4 days (Ban on *Derry Journal* lifted. *Derry Journal*, 5th June 1940, p4). As a tri-weekly newspaper – in 1940 the *Derry Journal* was published only on Monday, Wednesday and Friday – the paper was in effect banned for only one day, Monday 3rd June. The confusion in the secondary literature – both Donohue (2001 p88) and Farrell (1986 p94) state that the ban lasted for two weeks – in all likelihood stems

from a delay in publishing the official notice of the ban's revocation. Even though the ban was revoked on the 4th June – and a private notice appeared in the *Derry Journal* on the 5th June to this effect – the official notification from the Ministry of Home Affairs was not published in the *Journal* until the 10th June (Government notice, p4).

The *Derry Journal's* unusual position as a cross-border newspaper meant that – ironically - it was able to announce the news of the ban in its own pages, albeit in the Donegal edition only.

The *Derry Journal*, the oldest of Irish provincial newspapers, with a history of uninterrupted circulation since 1772, appears only in its Twenty-Six County Edition to-day. By an order issued from Stormont on Saturday by Sir Dawson Bates, Minister of Home Affairs, the publication and distribution of the '*Journal*' is prohibited in the Six North-Eastern Counties of Éire under the Civil Authorities (Special Powers) Act from to-day until December 31st next. (Stormont ban on *Derry Journal*, 3rd June 1940, p4)

The *Journal* went on to state that it was 'totally unable to throw any light on the reasons underlying this amazing decision', but nevertheless chose to reassert its position and political orientation despite the ban:

The *Derry Journal* can claim to be regarded as the acknowledged vehicle of Catholic and Nationalist opinion in the North-West and commands a very extensive circulation much farther afield. By this temporary suppression on the grounds so far undisclosed and quite incomprehensible that opinion, in the Six County area, is being deprived of its recognised organ of expression. This much can be said now – that the *Derry Journal* as a constitutional organ could plead guilty to nothing, except – if this be an offence – defending at all times the rights and interests of the Catholic and Nationalist minority in the Six Counties. (Stormont ban on *Derry Journal*, 3rd June 1940, p4)

In their reports on the ban, the other Derry newspapers - the moderate Unionist *Derry Standard* and the staunchly Unionist *Londonderry Sentinel* – condemned the *Journal*, the *Standard* describing it as 'a strongly Nationalist organ' (*Derry paper banned*, 3rd June 1940, p3), and the more staunchly Unionist *Londonderry Sentinel* described it as 'the tri-weekly Londonderry Republican newspaper' (*Derry newspaper banned*, 4th June, p3). Both papers implied that the *Derry Journal* had been banned for reasons of wartime security. The *Derry Standard* reported that:

the local police... stated that the Order had been issued by Sir Dawson Bates, acting on orders from England' (Derry paper banned, 3rd June 1940, p3)

and according to the *Londonderry Sentinel*, Dawson Bates had said that:

the step had been taken on national grounds and not political grounds. The authorities had never banned a political opponent for that reason' (Derry newspaper banned, 4th June 1940, p3)

While the truth of this statement is questionable at best, it nevertheless supports the interpretation that the *Journal* was banned for reasons of wartime security.

Frank Curran, a former journalist who worked for the *Derry Journal* between 1942 and 1988, says that the employees had no idea why it was banned.

The order came down from Belfast from Dawson Bates that the Journal was banned, and that was it, no explanation, nothing.

Michael Farrell, author of *Northern Ireland: The Orange State* (1980) and an expert on the use of emergency legislation, says that this was not unusual:

They [the Stormont government] were not obliged to give a reason, the Minister could just give the order. My recollection of these type of bans is that Stormont simply banned things they didn't like.

Interestingly, this is reinforced by an anecdote from the Hansard records of the time, in which the Minister for Civil Defence, John Nixon, raises the matter of recent difficulties he has had with the BBC:

A fortnight ago I heard the five o'clock BBC broadcasting slighting remarks about Russia. I think we have enough enemies, and I wrote to Mr. Duff-Cooper and got his reply. He stopped it forthwith.

Colum McCarroll, a former owner of the *Derry Journal* and grandson of Molly McCarroll, says that she immediately went to Belfast to try to get the ban lifted.

My grandmother got on the train to Belfast and spoke with the Minister and they very quickly changed their minds on it. She literally went to Belfast and confronted him. I remember her saying that she was treated most graciously when she got to Belfast, which she was rather surprised at.

According to Curran, Dawson Bates told Molly McCarroll that he had decided to ban the paper because the government considered some of the headlines in the *Derry Journal* were pro-German, 'but he agreed to lift the ban because Mrs. McCarroll had protested. It was as if he'd made his point.' However, Curran believes that there is more to the decision to ban the *Derry Journal* than possible pro-German headlines.

Probably somebody within the Unionist government at the time didn't like our crowd [the *Derry Journal*]. Bates was one of the hard liners in that government, so he probably said he'd just ban it... It was as if they were teaching us a lesson.

There is no doubt that the *Derry Journal's* treatment of the war – and its staunch support of the Catholic and nationalist interest in the North – stood in stark contrast to that of other newspapers. The Stormont government expected that newspapers in Northern Ireland should 'help... in the presentation of the British case both overseas and at home' (A newspaper's function. Londonderry Sentinel, 4th June 1940, p2). Evidently the headlines in the *Derry Journal* – 'Fierce fighting on the Somme – German penetration at some points – Allied troops "fought magnificently"' (7th June, p5) or 'Desperate battle for Dunkirk – German attempt to cut off retreating Allies – British troops successfully evacuated to England' (31st May, p5) – had failed to live up to the standards expected by the Stormont government. This is most obvious when contrasted with the headlines in the Unionist press – 'Writing a glowing page in history; heroism of the Allies in Flanders death-trap; Royal Navy's part; covering and effecting evacuation of troops; huge Nazi air losses' (*Derry Standard*, 31st May 1940, p5). The morale-boosting tone of the *Standard* is completely lacking from the *Journal*. Instead, it reports the facts in a balanced, almost detached tone, listing the German and the Allied position in turn. Above all, its neutral stance means that there is no sense of personal investment in the war. As a Catholic and nationalist – and neutral - newspaper, there can be no identification with either the Stormont regime or the Westminster government that are waging the war. In this context, Stormont

government's interpretation of the *Journal* headlines as pro-German is ultimately revelatory of the fundamental divide – between Nationalist and Unionist, Catholic and Protestant – which remained as wide as ever in 1940, and of the Stormont government's refusal to recognise the legitimacy of minority grievances in its drive to maintain the ascendancy of Unionism.

Yet there may be – as Curran has implied – additional motives for the ban on the *Derry Journal*. The outbreak of the Second World War and the relatively minor IRA campaign that it provoked had 'led inexorably towards an increased reliance on the Special Powers Act' (Ewing and Gearty 2000 p389) as Stormont felt itself to be once again under threat from republicanism. Indeed, for much of the war, the Stormont government believed that the most pressing threat to the state came from the IRA, which, they feared, might ally with the Irish government and help Germany to invade via the Free State. In this context, the Catholic minority was seen as a hostile 'fifth column' (Phoenix p399), which had to be dealt with in the interests of state security. Moreover, the negotiations between London and Dublin in May and June 1940 – during which Churchill famously offered De Valera a united Ireland provided Ireland entered the war on the Allied side – heightened the Unionist sense of abandonment by Westminster, and, consequently, the belief that they would have to take firm action if they were to ensure the state's survival.

This sense of insecurity was greatly magnified in Derry, where a gerrymandered Unionist council ruled over a large nationalist majority. The loss of the Treaty ports in 1938 had given Derry immense strategic significance as the westernmost of the Allied ports; conversely, its position on the border and the city's nationalist sympathies caused the IRA to recommend, in May 1940, 'a German landing in Northern Ireland in the vicinity of Derry' (Duggan 1989 p99). Although in reality nationalist opposition to the war in Derry was not as widespread as might have been expected – Catholic Derry was traditionally Redmondite rather than republican in its sympathies – the Stormont government believed that the security of the state depended on nationalist opinion being kept in check. The *Derry Journal* was one of the primary means of nationalist expression in the city, with a strongly anti-

partitionist and Catholic line. In this context, the allegation of pro-German headlines can be seen as a useful way to warn off the nationalist press and to remind them that control of the state ultimately lay with the Stormont government.

Whatever the ultimate purpose of the ban, it – surprisingly – held no long-term consequences for the *Derry Journal*. According to Frank Curran, the *Journal* ‘never heard a word about it again’. The owners and management took out an advertisement in the *Journal* to confirm to its readers that the ban had been unconditionally revoked, and the newspaper had not compromised its political stance in order to be reinstated:

This paper continues, as in the past, to uphold and defend at all times the rights and interests of the Catholic and Nationalist community which it is proud to serve. (Personal. 5th June 1940, p4)

The *Derry Journal* had been forced to take on the Stormont government – and had won.

Chapter Six

Conclusion

The banning of the *Derry Journal* in 1932 and again in 1940 was a unique example of a time when the fears and interests of the Free State and Northern Ireland briefly coincided. Despite a radical difference in outlook and opinion, the priority of the two states was essentially to keep order, and this they did, regardless of any ideological, national or religious allegiance with the force they felt was opposing them.

It is also a useful illustration of the extent to which emergency rule was a common characteristic of government during the twenties and thirties, not just in Ireland but in Europe and the rest of the world. Emergency legislation was not merely a temporary measure to permit the government to regain control of an unstable situation; indeed, in the Free State, the resort to Public Safety legislation became almost a reflex action, the automatic response to any incident appeared to hint at the instability of the civil war. In the North, the Special Powers Act served to engender an arbitrary system of rule, whereby a large (by provincial standards) newspaper could be banned apparently on a whim, without the need for an explanation. Had Molly McCarroll not travelled to Belfast to demand to the Minister that the *Journal* be reinstated – or had the 1932 ban not occasioned such an outcry – the paper would theoretically have remained on the list of proscribed publications, depriving the nationalist majority of Derry – or the republicans of Inishowen – a legitimate means of expression. Moreover, that the paper could be reinstated so easily illustrates not only the extent of the power wielded by the two government in respect to censorship, but also the legislative might with which those powers could be reinforced. For all the apparent editorial independence of the *Derry Journal*, it was a strong reminder of who exactly held the reins of power in Ireland.

Yet ironically, the bans on the *Derry Journal* ultimately demonstrate that the system of government in Northern Ireland – and in the Free State – was based on democratic principles rather than totalitarian ones. If at times the Stormont government veered towards dictatorial rule, the revocation of the ban nevertheless demonstrated a recognition that the powers of the Public Safety Acts or the Special Powers Act were

not in fact limitless. Whatever its abuses in other areas, Stormont continued to adhere to the basic principle that freedom of the press was one of the fundamentals of a democratic society, and could not be tampered with. Indeed, it is arguable that the Free State government, in its attempt to harass (and eventually bring to trial) the *Irish Press* as well as the *Journal*, demonstrated less regard for such niceties. Similarly, the defence of the *Journal* by the Northern Unionist press in 1932 – whatever the motivation – demonstrated a much greater awareness of the need for essential press freedoms, and the power dynamic between the press and the government, than was shown by the faction-ridden press in the South.

Despite the apparent similarities between the two bans, however, the gaps that exist in the available evidence and the continuing secrecy that shrouds other key material make it extremely difficult to determine with any degree of certainty the exact reasons why the *Derry Journal* should have been unique amongst mainstream national and local newspapers in falling foul of two jurisdictions. Nevertheless, it is clear that in both instances an accumulation of preconditioning and precipitating factors combined to bring about a temporary but significant breakdown in government-press relations.

In the case of the 1932 ban, it is clear that the preconditioning factors were diverse and complex. The pressure placed on the Cumann na Gaedheal government by the ongoing economic crisis of the Great Depression, the problems of economic recovery from the civil war, and the imminence of a general election which it seemed likely to lose clearly engendered a heightened sensitivity to criticism on its part. Similarly, by 1940 it was clear that the Northern government had become increasingly security-conscious as the war in Europe unfolded, and the suspicion arose that – as so often before – republican elements might seek to take advantage of Britain's difficulties. In addition, an early and ongoing unease at the performance of a Stormont government which had been in power for twenty years and that was likely to undergo a period of transition in the near future added to the government's sensitivity over criticism which in time of war might have been deemed subversive.

However if the perceived crises of 1932 and 1940 served to create political climates in which both governments were willing to contemplate the use of powers of censorship

and the suppression of political debate, it does not explain why in both instances these powers were directed towards the suppression of the same local newspaper. In this respect, it is necessary to look more closely at the unique geo-political position occupied by the *Derry Journal*, as well as the particular circumstances under which it was operating in both 1932 and 1940.

In regard to the 1932 ban, it is clear that there were a number of key precipitants leading up to its imposition. The controversy surrounding the *Journal's* extensive reporting of the Fianna Fáil Convention in Donegal in January 1932 undoubtedly angered Cumann na Gaedheal government which already felt under pressure from republican and agrarian interests in Donegal. Similarly, the *Journal's* long-standing quarrel with Cumann na Gaedheal – particularly when contrasted with the paper's popularity in Donegal – would have exacerbated existing tensions and could have been enough to prompt the ban.

Similarly, if the Stormont government perceived the *Journal's* headlines to be pro-German, this was more the result of the *Journal's* policy of neutrality – and Stormont's refusal to acknowledge the reasons behind such a policy – than it was the policy of genuinely pro-German sympathies within the pages of the *Journal*. As the Allies contemplated disaster on the Dunkirk beaches in May and June 1940, Stormont was trying to avoid its own disaster, the possibility of Free State entry into the war in return for Irish unity. In Stormont, the government believed that it was fighting two wars – against republicanism as well as against Nazism – and in this context censorship became a weapon to strike at both enemies at once.

Nevertheless, it seems unlikely that either the political climate of the time or the series of precipitants that prompted the two bans can in themselves explain why the *Derry Journal* should have become the sole mainstream newspaper to have been banned by both jurisdictions. In 1932 the *Derry Journal* was not unique in its anti-government stance, and in 1940 the *Derry Journal* was not the sole nationalist newspaper whose attitude towards the war might have been termed ambivalent. Other papers both in 1932 and 1940 were – or could be perceived as – anti-government, and yet none (with the exception of overtly militant republican or socialist publications) were subject to a

ban.

In this respect it seems likely that it was the location of the *Derry Journal* along the political fault-line between North and South that helped bring about the two bans. In 1932 the Cumann na Gaedheal government would have been particularly sensitive to criticisms levelled by the *Derry Journal*, in part because its circulation extended into a Donegal which was increasingly pro-Fianna Fáil and which appeared to be both geographically and politically remote from the government in Dublin.

Moreover, the fact that the *Derry Journal* was perceived as being one of the key voices of Northern nationalism will have heightened the sensitivities of a Cumann na Gaedheal government that was perceived as being both partitionist and pro-British and that was particularly sensitive to criticisms from a section of the Irish population that it had supposedly abandoned. Moreover, the fact that these criticisms were being levelled by a newspaper that lay beyond its jurisdiction would undoubtedly have heightened the government's sense of grievance still further.

Similarly, in 1940 it is clear that the Stormont government was equally sensitive to criticism from a Nationalist newspaper whose circulation – and contributors – extended across two jurisdictions and was located along the Northern state's western border – a border that would have appeared increasingly vulnerable in time of war.

It is clear, therefore, that the *Derry Journal* suffered – at least in terms of these bans – from being located in a region that both governments viewed with deep suspicion and sensitivity. Closely linked to this is the fact that the *Derry Journal* was a local newspaper and hence a seemingly easy target for governments eager to send out a warning to critics in a fourth estate whose importance was increasing with advances in the rates of literacy and the public's growing appetite for news.

Nevertheless, if both governments did perceive the *Derry Journal* as an easy target for draconian measures, both governments were also mistaken in that belief. The rapidity with which both bans were lifted would seem to indicate that in both instances a knee-jerk reaction was quickly followed by a realisation that the political casualties likely

to be incurred by such a ban would be too great and that an attack upon a mainstream newspaper might well be perceived as an attack upon the press in general – an attack that could backfire quickly. Moreover, it is possible to speculate that the unique geopolitical position enjoyed by the *Derry Journal* both precipitated – and helped to remove – the two bans. The position of the *Derry Journal* – as a newspaper which gave voice to the concerns and fears of citizens on both sides of the border and to political traditions which seemed to be under attack from the respective governments – would have heightened fears that the prolonged imposition of such bans would have served only to foster still greater anti-government feeling within a region that both governments were particularly sensitive to.

The banning of the *Derry Journal* in 1932 and 1940 is ultimately revelatory of the sensitivity of governments to press criticism; equally, it demonstrated the power of the press in the face of government opposition. Ultimately, the two bans on the *Derry Journal* were an early indication of lessons to be learnt later in the century. As the importance of the media – and in particular the local media – continued to increase, so too did the sensitivity of government to that media, yet the ability of democratic states to control that media through bans or other forms of restrictive legislation steadily declined. In the long run, governments would discover that control of the press was to be found not in censorship, but in spin.

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