# Irish Political Prisoners and Post Hunger-Strike Resistance to Criminalisation

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## Abstract

Political prisoners in the North of Ireland have a well-documented capacity to influence events inside and outside of prison. From the widespread opposition to internment (1971) to the hunger-strikes of 1980-81 and the signing of the Good Friday Agreement[1], political prisoners have remained central to broader political and social developments in society[2].

This paper contextualises the British Government's attempted criminalisation of political prisoners in the North of Ireland from 1976 until the signing of the Good Friday Agreement. The historical material presented demonstrates the typically fractious relationship between imprisoned Irish insurgents and the British state, a relationship characterised by a degree of fluidity in terms of state recognition of their political motivation. The contemporary analysis describes the politicisation of Irish penality through the introduction of internment and the achievement of Special Category Status[3]. State criminalisation from 1976 onwards attempted to reverse prisoner gains, prompting a prolonged struggle between the British state and republican prisoners, culminating in the hunger-strikes of 1980-81.

The ending of the 1981 hunger-strike involved a transitional phase of prison based struggle and resistance, and a shift in context from all-or-nothing protest to a longer-term strategy of incremental advance. Political prisoners demonstrated a capacity to achieve political gains on the basis of their political characteristics, their particular strategies of resistance and their ability to socialise prison guards and politicise the prison environment. Most of this activity occurred in contradiction of official and public texts throughout the period in question. The early release of political prisoners as a consequence of the Good Friday Agreement re-aligned public acknowledgement of their political motivation with the private reality of the H-Block[4] situation.

# The Contested Idea of the Political Prisoner

Political prisoners occupy a special place in the British psyche. Colditz was described as the stronghold where Allied prisoners of war...were incarcerated. it was the cage in which were shut the birds that longed to be free, that beat their wings unceasingly against the bars. In such conditions birds do not usually survive long. It says something for the resilient spirit of man that those Allied prisoners...who were sent to Colditz mostly survived the ordeal. They were men of action...they were prisoners expiating no other crime than the unselfish service of their country (Reid, 1974:13,14).

British POWs in Japan and elsewhere are similarly feted (for example, Lucas, 1975). In the early part of this century the suffragettes also agitated successfully for political recognition. As a result of their determined protests they were granted certain privileges in 1910, awarded to 'those whose offences did not involve personal dishonour' (Walker, 1984:193). These privileges related to personal clothing, the absence of prison work and additional exercise, visits and letters[5], and survived in Prison Rules until 1972 when this 'discrete recognition of political status' was abolished as a consequence of the emerging Irish difficulties (Walker, 1984:194).

In Irish circumstances, what constitutes a political prisoner has become highly contested. The British administration in Ireland has consistently denied a political motive to those involved in the use of political violence in the long standing conflict over sovereignty in Ireland initially and, more recently, in the North of Ireland.

Irish republican prisoners have made organised political demands on the orthodox prison system since the middle of the 19th century, Clarke describing 'the indignities, brutalities and torture which British prison officials have devised especially for Irish political prisoners' (Clarke, 1997:13). Political recognition was consistently denied to individual prisoners during this period, and they appear to have been singled out for special treatment because of their unwillingness to conform to 'normal' prison conditions.

...they were never sure of getting a letter or a visit at the due time; these could be stopped for the slightest misdemeanour such as trying to talk to one another or to any other prisoner (Clarke, 1997:13).

Irish prisoners were first accorded large scale POW status in Frongoch in North Wales, immediately following the 1916 Easter Rising. O Mahony outlined how...

Captivity was just another chapter in a continuous struggle for freedom. In this manner at Frongach were laid out the foundations for the policy of organisation and resistance in jails and internment camps which formed the basis of all subsequent prison activity in the years to follow (O Mahony, 1987:59).

Similarly, MacStiofain wrote in the 1950s,

we found officers who recognised a difference between criminal and political prisoners, no matter what English law said. They understood we were in prison because of principles...in the Republican movement, a political prisoner did not just vanish into jail to be forgotten. The jails and camps themselves were an important sector of the revolutionary front (MacStiofain, 1974:66, 73).

# Contemporary Re-Affirmation of Political Status

Political prisoners were again detained in the mid to late sixties - the outset of the current war situation[6]. They were initially placed in Crumlin Road prison and an attempt was made to incarcerate them as 'ordinary' prisoners. Figures compiled by Rolston and Tomlinson (1986) show that the extent and the structure of the existing (sentenced) prison population changed beyond recognition from 1969 onwards. Long term prisoners began to make up a large proportion of the prison population, and most of them (in the post 1972 definition) were convicted of scheduled offences - those which involved the use of political violence or motive[7] (1986:165-166). It is entirely beyond dispute that the prison situation was reshaped as a consequence of the growing political crisis in the North. Numbers increased, new prison stock had to be arranged and new prison employees had to be recruited. Crawford remarks that, from the outset, these prisoners...

...did not emerge in a social vacuum, motivated by self-gain or self-gratification. They emerged from threatened, oppressed, fearful and angry communities with implicit mandates to act on their behalf, in circumstances of conflict (Crawford, 1995:1).

The British administration reacted to the political situation by introducing internment without trial on August 9 1971. It was used solely against the nationalist community in the early stages and provides a suitable example of the potential link between political prisoners and broader community activity. It was widely regarded as a disaster for the British. In the words of MacStiofain

The nationalist people simply rose up in outright defiance of the British army. A widespread civil disobedience campaign was initiated, fully supported and endorsed by the Republican leadership, including the witholding of all rent and rates. Enormous weight swung behind the IRA (MacStiofain, 1974:187).

Individuals were held without due process, without an opportunity to respond to accusations and in the absence of any formal judicial 'protection'. Neither were internees subject to normal prison rules, there was no obligation to work and no attempt was made to impose an overtly disciplinary regime on the individual cages.

In total, the conditions under which internees were imprisoned approximated a World War II prisoner-of-war camp (Crawford, 1999:25).

An obvious anomaly arose as increasing numbers of 'sentenced' prisoners entered the existing formal prison system and were placed in Crumlin Road prison. These sentenced individuals soon began agitation for political status on the same basis as that which existed for internees in Long Kesh. In early May 1972 a hunger-strike was initiated. Five prisoners refused food, followed by another five on a weekly basis[8]. In mid June the leadership of the Social Democratic and Labour Party (SDLP) established a tentative contact between William Whitelaw, then British Secretary of State for Northern Ireland, and the IRA. A meeting was arranged to discuss the possibility of a ceasefire. The IRA imposed several conditions, the first of which was that political status was granted to the protesting prisoners in Crumlin Road jail. The terms were accepted in their entirety, much to the amazement of the IRA leadership (MacStiofain, 1974).

Special category status was granted to all convicted prisoners, republican and loyalist, on condition that they were sentenced to more than nine months and were considered acceptable to the leadership of the group they claimed allegiance to. They received the same concessions as their interned colleagues in the cages, including the right to wear their own clothes, free association and an absence of an obligation to engage in prison work. All political prisoners now shared a similar regime and recognised a common command structure.

The decision to allow special category status[9] resolved the anomaly of having political internees and sentenced prisoners in two separate prison systems. It also solved the immediate problem of overcrowding and poor conditions in Crumlin Road prison and it eased tension in the community as the leader of the hunger-strike, Billy McKee, neared death. The cost to the British government was the political recognition afforded to the IRA on the outside as they moved towards formal negotiations, and the recognition of the political status of all

combatants imprisoned as a consequence of the war. Unionists lamented the perceived abandonment of 'long standing British penal practices' when the introduction of special category status meant that

those who yesterday were aware of the full consequences of conviction on more serious charges, today know that they face a far less exacting punishment if their charges were politically motivated (Irish News 22 June 1972).

# Criminalisation

The deterioration in the political situation from late 1974 onwards preceded a deterioration in the prison situation. In January 1975 the government appointed Gardiner Commission published its findings, having been tasked

to consider what provisions and powers, consistent to the maximum extent practicable in the circumstances with the preservation of civil liberties and human rights, are required to deal with terrorism and subversion in Northern Ireland (Gardiner, 1975:1).

It proposed the phasing out of internment when circumstances permitted, the ending of special category status for sentenced prisoners[10], the construction of a new prison and a review of rates of pay to attract more prison service recruits. This represented a shift away from military primacy (with emphasis on counter insurgency, a *de facto* recognition of political motives, internment, negotiations with dissidents and a short term focus) to one based on a long term strategic emphasis on the rule of law and the use of judicial structures.

In December 1975 the Labour government announced that any individual arrested after March 1 1976, regardless of the nature of the activity, or the claimed motivation, was to be treated as a common criminal. These prisoners would have to wear a uniform, do prison work and integrate with one another - conforming to a more traditional understanding of what constitutes a penal regime.

By openly targeting those prisoners who most clearly epitomised the political nature of the conflict in the North, the British government facilitated a change in how the conflict was publicly presented and understood in the long term.

Suspected terrorists could be arrested, detained, questioned, tried and sentenced by what appeared to be, and was certainly loudly proclaimed to be, due process of law (Taylor, 1980:37).

In this broader, social sense, criminalisation attempted to delegitimise the political motivation of anti-state activists and determined to create a moral distance between the state and other protagonists in the conflict. A situation which was recognised as 'political' prior to March 1976 became 'criminal' through legislative and political means despite the fact that the individual and collective characteristics of the prisoners concerned remained exactly the same. By emphasising the 'violent' and 'criminal' aspect of subversive activities, and by disregarding the significance of political motivation

...the public (was) coaxed into taking a perception of the terrorists which corresponds to that of the state - in other words, the terrorists are viewed simply as criminals, so their treatment as such is acceptable (Walker, 1984:192).

# Pre Hunger-Strike Resistance to Criminalisation

The basic premise of Irish political prisoners has always been that they possess characteristics not ordinarily found in the typical prisoner population. Some of these can be identified in the foregoing discussion, including the historical continuity of prison struggle, the existence of strong family and community support and a collective allegiance to a common discipline and leadership. There are few examples of attempts to document the nature and significance of these characteristics (see Campbell et al, 1994; Crawford, 1999; McKeown, 1998; Moen, 1998; Rolston and Tomlinson, 1988). Participants in previous research carried out by the author[11] identified particular attributes which, they determined, distinguished them from more typical prisoner populations (Moen, 1998). These attributes included political motivation prior to imprisonment, or the absence of criminal motivation; an awareness of appropriate political behaviour in prison based on historical and family based precedent; camaraderie and an identity with a community of republican prisoners; ongoing support and political activity on release and an absence of shame and stigma.

In the prison context, criminalisation can therefore be understood as an attempt to systematically undermine the very characteristics that determined a political motive and ethos. From a psychological perspective Crawford also described the pre criminalisation regime as humanitarian as it 'minimised the institutionalising and dehumanising impact of conventional prison' (Crawford, 1979:49). The prison authorities tried to undermine the existing sense of community by enforcing a policy of individualisation, epitomised by the attempted use of prison numbers and a subservient mode of interaction with prison guards. Group allegiance was not recognised and leadership structures were either ignored or dispersed. A republican prisoner from this period stated how

(then) the top screw says, 'This is the set up. There's no IRA in here. There's no organisation in here. Each one of youse is an individual. You'll address me from here on in as Sir' (Feldman, 1991:153).

Criminalisation also attempted to encourage the development of shame or guilt by creating the criminal (or super-criminal) tag of 'terrorist'. Prisoner dignity and self-respect was undermined by efforts to impose criminal uniforms and practices like prison work on politically motivated individuals. Contact with family and the outside community was made contingent on the acceptance of these restrictions. All positive aspects of the political prisoner regime were delegitimised, undermined and attacked[12].

The first sentenced republican prisoner to reach the H-Blocks in September 1976 refused to wear a prison uniform. Alternative clothing was not provided so he wrapped himself in the only available covering, a prison blanket. By May 1977 almost 400 republican prisoners had followed him 'on the blanket[13]'.

In the H-Blocks, you go into reception and you would say straight away I'm a political prisoner and I refuse to wear a prison uniform and I refuse to engage in prison work. They'd have all the clothes ripped off you and that was the last you saw of your clothes (ex political prisoner in Feldman, 1991:168).

Refusing to wear a prison uniform symbolised the total rejection of the criminalisation project which also aimed to subordinate the prisoner to the prison guards, prison nomenclature and prison work. It also resulted in the physical separation of conforming and protesting prisoners. This physical separation was the beginning of a noticeable bond developing between protesting prisoners, something which played a significant role in the duration and long-term outcome of the protest.

The government and prison authorities responded to the protesting prisoners in a co-ordinated fashion by depriving them of ancilliary privileges like visits, exercise and association out of the cell. Protesting prisoners also lost remission, effectively doubling their sentence[14]. There are suggestions that the inexorable escalation of the protest was deliberately initiated by the authorities.

The instructions to break the prisoners came from the highest levels of government because the policy was...to make them 'conforming prisoners'...it was seen as a transitory step towards

normalization, the acceptance of the prison uniforms and of prison rules in their entirety (ex Probation officer, in Feldman, 1991:191-192).

Prison guards were given unprecedented power in their attempt to 'break' the protest. A former prison guard who worked in the protesting blocks stated that 'the officers ran the prison and the officers were above the law' (in Crawford, 1999:167). Other former guards spoke of the systematic beating of prisoners, internal body searches, of throwing scalding water over prisoners, of hosings with cold water in winter, the prevention of visits and of the deliberate targeting and abuse of young prisoners[15] (Crawford, 1999). Brutality had an obvious long term impact on relationships in prison in later years and forms an important part of the subsequent discussion on protest in the post hunger-strike days.

As the situation escalated, physical conditions became unimaginable, and were famously described by Cardinal O' Fiach as the closest he had seen to the 'sewer pipes of the slums of Calcutta' (Adams, 1986:74). These physical circumstances added to the existing bond of comradeship engendered throughout the protest and created the sense that it would be impossible for anybody else to comprehend what they were going through.

People to this day don't understand what was going on in the H-Blocks. They don't even start to understand (ex political prisoner in Feldman, 1991:164).

Another factor utilised to reinforce unity and common purpose was the Irish language. It performed a security role in that guards were unable to comprehend it[16], and it reinforced a distinct cultural identity.

Gaelic gave us a language of our own. The jails proved when you became culturally separate it breaks the enemy, that it builds walls they can't cross (ex political prisoner in Feldman, 1991:212).

The collective mentality that developed as a consequence of jail struggle completely transformed the traditional prison hierarchy organised along military lines.

Confined to cells none of the normal activities or procedures associated with republican prisoners up until then could be conducted. Rank in these circumstances did not bestow power or change the status of the one who held it. Everyone was equal. The blanket protest was the 'Great Leveller' (McKeown, 1998:323).

As a stalemate emerged in the jail protest the prisoners engaged in open and detailed debate about the appropriate way ahead. The traditional tactic of hunger-strike was an obvious choice given its successful application in achieving political status in 1972. The leadership of Sinn Fein strongly advised against this approach. They lacked the necessary national structure to develop a co-ordinated response to the H-Block crisis and were only now beginning to mobilise their support base around the political realities of the 'long war' strategy. This represented the idea that the political goals of the republican movement were not obtainable through direct military means alone.

The prisoners eventually took the initiative to end the stalemate by going on hunger-strike. They had consistently viewed the criminalisation process in the prisons as an attempt to de-legitimise the entire republican struggle.

We saw the hunger-strike as being far more than a jail issue. We saw that the Irish struggle had come to a stage where Sinn Fein needed a high political profile. We needed to form a base and politicize the movement (ex political prisoner, in Feldman, 1991:222).

# Impact of the Hunger-Strike on Criminalisation

The first hunger-strike began on October 27 1980 and initially involved seven high profile prisoners in the H-Blocks[17]. Their statement announcing the hunger-strike began

We, the Republican Prisoners of War in the H-Blocks, Long Kesh, demand as a right, political recognition and that we be accorded the status of political prisoners. We claim this right as captured combatants in the continuing struggle for national liberation and self-determination (Campbell et al, 1994:114).

Three female prisoners from Armagh prison[18] joined on December 1 and a further 30 men joined in mid December just as the initial hunger-strikers moved into a critical phase of their fast. As one of the seven, Sean McKenna, lapsed into a coma on December 18, a priest who had acted as intermediary with the British, gave assurances that the protest could be resolved to everyone's satisfaction. A 30 page document was produced which had the potential to be an acceptable solution but with the ending of the hunger-strike the British reneged on their verbal assurances.

The Brits, it became clear, had no genuine desire for a solution. Their sole concern had been to end the hunger-strike and they had employed cynical brinkmanship to achieve it. Fifty three days of hunger-strike and we were no further on...almost immediately a second hunger-strike loomed on the horizon (Campbell et al, 1994:126).

This breach of faith meant that protesting prisoners fully expected to die in the course of the second hunger-strike. Sands is reported to have stated, prior to beginning his fast, that

I'm going to die, make no two ways about it...it's not about a suit of clothes or a food parcel, I'm dying to make sure that the struggle continues, that the struggle lives (in Feldman, 1991:243).

Prisoners were clearly aware of the potential for re-vitalising the entire republican struggle and of their ability to exert considerable influence on wider society. Of huge significance during the hunger-strike was the election of Bobby Sands as MP for Fermanagh-South Tyrone[19] and the later election of Kieran Doherty and Paddy Agnew to the Dublin parliament[20]. These successes had a number of significant impacts.

The most immediate impact concerned the undermining of a central tenet of criminalisation, that 'terrorists' had little or no support in their host communities. The New York Times noted that the election of Doherty and Agnew had

cast doubt on the conventional wisdom, vigorously encouraged by both governments, that the IRA has very little general support among the general population (New York Times, 16 June 1981).

This is of huge significance in a context where 'criminalisation (was) an important conditioning factor to be applied to the minds of the British public, and it (was) equally aimed at channelling world opinion' (Walker, 1984:192).

A second impact concerned the strong revival of republicanism as a political and practical philosophy, prompting the Sunday Independent to warn that

Already government policy has provided the IRA with its greatest influx of recruits since Bloody Sunday and has left some sections of our youth so alienated that they no longer pay much attention to the denunciations of violence (in Crawford, 1999:64).

Tolerance of and support for the IRA increased substantially during this period. The hunger-striker's achievements also served to accelerate Sinn Fein into electoral politics, something which ultimately changed the nature and direction of the entire political struggle. As Gerry Adams stated

there is now a realisation in republican circles that armed struggle on its own is inadequate and that non-armed fo rms of political struggle are at least as important (Adams, 1986:64).

Another long term impact of resistance to criminalisation, mediated through the hunger-strikes, was to polarise political communities in the North to an unprecedented degree. The New York Times commented that the hunger-strikes were 'likely to heighten tension between Roman Catholics and Protestants in the province' (in Mulcahy, 1995:455). The hunger-strikers were either understood as terrorists seeking political status through blackmail or were political prisoners seeking reasonable prison conditions to reflect their non-criminal status.

Finally, there was an obvious human consequence to the broad resistance strategy, in particular, those killed and injured as a consequence of the escalating conflict around the hunger-strike period[21]. Attempted criminalisation not only generated the series of reactions documented above, it also provoked a series of riots and associated low intensity activities in the H-Blocks, Magilligan, Crumlin Road and Maghaberry prisons throughout the 1980s and 90s (see Coogan, 1980; McCafferty, 1981; Beresford, 1987; MacDonald, 1991; Campbell et al, 1994 and Murray, 1998). These events had an associated impact on outside society.

Internally, resistance to criminalisation had a similarly long term influence on prison life. It is not surprising that those who had endured such conditions together should develop an extraordinary bond as a consequence and it is easy to understand that such a group, having witnessed the death of close friends and colleagues in such a drawn out process, would be unwilling to give up their protest. The characteristics of this bond extended to the more broadly dispersed nature of the debate on the appropriate way forward. The concept of leadership and the nature of the continuing republican structure had altered beyond all recognition as a consequence of the years spent on protest.

Much had changed in terms of the internal politics of the camp...men were not prepared to just blindly 'follow a leader' or meekly 'obey orders'. They were going to question what they did not agree with or what had not been fully explained to them (McKeown, 1998:193).

This emerging egalitarianism also extended to encouraging the re-involvement of those republicans who had left the earlier protest and had been successfully 'neutralised' in the conforming wings. In the changing circumstances of the H-Blocks the emphasis was on a broad, unified strategy.

Another internal impact involved the avoidance of a 'static', behind-the-doors protest where the administration could control and isolate protesting prisoners held under lock and key. This necessitated the ending of the residual protest over prison work. A decision was taken to enter the conforming prison system with a view to subverting it, although this was by no means unanimous[22].

My view was ten men had just died, we shouldn't give in, it didn't matter if there were no prospects of any change, any concessions, you don't throw in the towel...I just had a gut feeling it was wrong to give up the protest. I certainly wasn't for moving (McKeown, 1998:180).

This ending of the protest had a debilitating impact on the administration and the prison guards. Each subsequent improvement in conditions further demoralised them and they began to complain about being 'used' by the government to do their 'dirty work' during the protest years, only to be forgotten about as circumstances changed. A former prison guard commented

After the hunger strikes, the prisoners had won...(they) had been through protests, the dirty protest, the beatings, the boiling water, the hoses and then the deaths. They weren't taking any more. The truth is, the prison officers were frightened...they were scared, and their families were scared. They suddenly caught on - they had been used and they were regarded as expendable. When they got shot nobody gave a damn (in Crawford, 1999:175).

A situation developed where the prisoners were able to recreate IRA structures on every wing containing republicans. Officers Commanding (OCs) were increasingly recognised by both guards and the administration, despite public claims to the contrary.

At an official level the administration claimed not to recognise OCs or anyone speaking on behalf of other prisoners but at a practical level they had no other choice (McKeown, 1998:184).

The final internal impact of the protest years concerned the inevitable energy and commitment of those who had been under 24 hour lock-up for periods of up to five years. Even in these circumstances the traditional emphasis on education and political debate had persevered. The prisoners emerging from protest immediately began to augment the existing communal instinct by engaging in political and educational activity in more favourable surroundings.

As regards the feedback from the lads...a majority of them were raring to go, to get doing something. After years of lying behind the doors suffering and resisting they wanted to be out there doing something, being pro-active...hitting back at the system (McKeown, 1998:189).

These impacts collectively provide the basis for a discussion of the actions taken by republican prisoners to resist the residual aspects of the criminalisation policy.

# Post Hunger-Strike Resistance to Criminalisation

The preceding analysis has been concerned with outlining the historical and contemporary battle for legitimacy between British Government policy and the resistance of Irish republican prisoners, up to the end of the second hunger-strike. Whilst I have focused primarily on the activities in the H-Blocks, I have also been concerned to highlight the impact of this prison based struggle for legitimacy on wider political struggles in society, in particular the long standing war of attrition over the issue of sovereignty in Ireland. I engaged in some detail on both the historical and contemporary situation as this raises a number of significant factors I should consider in more detail. I envision that the forthcoming discussion can be organised around four distinct areas: prisoner characteristics; strategies of resistance; relationships and socialisation; and official presentations of the H-Blocks.

# Prisoner Characteristics

The ending of the hunger-strike resulted in ostensible defeat for the protesting prisoners in Long Kesh as the tactic collapsed in the face of family resistance[23]. The final paragraph of the statement released by the prisoners affirming that the protest had ended stated:
...we reaffirm our commitment to the achievement of the five demands by whatever means we believe necessary and expedient. We rule nothing out. Under no circumstances are we going to devalue the memory of our dead comrades by submitting ourselves to a dehumanising and degrading regime (Campbell et al, 1994:264).
Although this may have appeared as an act of bravado, prisoners quickly demonstrated that they were far from 'defeated' as they sought to recover from such a difficult moral and political situation where ten individuals had died without achieving their immediate aims in the prison. An examination of political and material factors relevant to resistance to criminalisation involves an analysis of strategic thinking and planning on the part of republican prisoners (see below). This will also necessitate consideration of characteristics which allowed them to progress in the H-Block setting.
Previous research by the author focused on characteristics present in the republican prisoner population which could facilitate sustained, and ultimately successful, protest (Moen, 1998). These attributes, among others, will form part of my research approach. Those identified as relevant to this discussion include
- Experiences/motivation prior to imprisonment
"I would've been very political...very interested in politics."
"(The 70s) were a very intense, very threatening period."
"I always felt morally that I was right to oppose British rule" (Moen, 1998: 21).
There was no indication that respondents possessed criminal motivation or were motivated by personal gain. Emphasis was placed on support for republican ideals and the influence of environmental stimuli.
- Prior history and awareness of appropriate behaviour
"It was a case of when, not if, I got involved."
"Being a republican, I suppose it was a bit inevitable that you were going to end up in jail" (Ibid: 21, 22).

Each respondent had prior experience of friends and close family members experiencing imprisonment. They stated they were generally aware of what was expected of them as imprisoned republicans, without necessarily being aware of the specific mechanics involved and in most cases they fully expected to be arrested at some stage.

- Camaraderie and community identity

"Knowing that others are there is very important."

"There are things that I've shared with other people over 16 years in jail that I'll never live long enough to share with someone on the outside" (Ibid: 28, 29).

Friendship and comradeship were viewed as one of the most positive aspects of imprisonment. Advice and support from fellow activists in the early part of a prison sentence were of particular value.

- Community and family support

"If you have a family supporting you through thick and thin, I think that helps a lot."

"I got my support from my family and friends" (Ibid: 28, 31).

Families gave continuing and unwavering support, even in circumstances where they themselves did not share the political motivation of the respondent. They were also the main source of support on release.

- Support on release

"The single biggest thing would've been contact with other ex-prisoners."

"Experience has taught me that the best counsellors for me were my peers, people who have been in jail" (Ibid: 31).

Whilst families generally provided material support on release, the advice and support of prisoners and ex-prisoners prior to and after release was seen as very significant for successful negotiation of a potentially difficult time.

- Absence of shame or stigma[24]

"The fact that I never felt at any time like caving in to the screws and handing over my identity and responsibility for my actions is a success in itself."

"I was proud that I was prepared to engage in something I believed was right" (Ibid: 26, 32).

As republican prisoners received high levels of support and assistance from family members and the outside community it follows that they felt no sense of shame on their release. Respondents expressed pride, both in their involvement prior to imprisonment, and in their conduct whilst in prison.

In a similar vein, from a different perspective, a senior prison governor described how republican prisoners 'work from an ideological base; and that 'republicans are one hundred per cent there as an organisation and every guy will subjugate his own personal views to accept the leadership's views and so on' (Stevenson, 1996:96, 141).

These characteristics facilitated change in terms of the prisoners' tactical approach to protest. The decision to enter the 'conforming' system represented a huge shift in emphasis. Prisoners were being asked to engage with a system they had resisted bitterly for several years, and to engage in a more strategic, long-term approach towards the regime. This period can be characterised as a moving away from head to head conflict. It involved a willingness to forego publicity (contrary to the public presentation of a ruthless publicity machine[25]) in order to avoid a public challenge to the legitimacy of the prison system as 'raising the issue...would bring us into conflict with the forces that had sat out the hunger-strike' (McKeown, 1998:194). Confidence was placed in the prisoner's ability to out-think the administration on the basis of their political commitment and concentration in numbers. The prison situation remained a battle of wills but the battlefield changed to one more suited to the circumstances of political prisoners - a form of guerrilla warfare shifting away from a dogmatic focus on demands and principles to a pragmatic utilisation of whatever tactic was strategically appropriate.

# Strategies of Resistance

Strategies of resistance in the post hunger-strike period were based on *political* and *material* factors relevant in the struggle to undermine criminalisation. Political factors include particular characteristics that can be identified from subjective accounts of the prison situation.

- The consultative and collective nature of republican strategy and the subordination of individuality to group identity and need. This also relates to the confidence obtained from having large numbers of like-minded people in the same environment.
- The existence of a highly disciplined and motivated political and military structure in the prison - one which became increasingly recognised by the prison administration.
- Evidence of cohesive and strategic thinking leading to progressive and visible change.
- Further politicisation of prisoners through educational and cultural activities (to build on the political motivation present prior to imprisonment).

The above factors obviously contributed to the material situation in the H-Blocks. The changing nature of the prison environment over time could be characterised as one which ever more closely resembled the classic POW situation (Reid, 1974). The achievement of strategic objectives increased prisoner confidence and control and enabled the further facilitation of material change.

The ending of the formal prison protest after the collapse of the second hunger-strike brought republicans together in relatively large numbers for the first time since 1976. This enabled prisoners to develop a measure of collective control over the prison guards. The systematic socialisation of prison employees is an important feature of this research project. The outcome of the socialisation process is documented elsewhere (see Campbell et al, 1994, Longwell, 1998, McKeown, 1998), what is not as well known is the extent to which it was planned and implemented in a very considered and political manner by a co-ordinated group of prisoners. The most brutal of guards were offered a second chance to engage in a constructive way with the newly emerging republican wings. Those who refused were told to work elsewhere in the prison system.Most accepted. A concerted effort was made to lower tension in the H-Blocks by engaging with the prison guards. This developed accountability in that negative actions would create a negative reaction from prisoners, and was a useful source of information about the prison hierarchy and layout (see below).

Segregation from other prisoner types (on the basis of political allegiance) was a key republican objective. It was obtained relatively soon after the ending of the second hunger-strike and involved a strategic engagement with the 'conforming' prison system in order to undermine it from within. Former 'blanket' protesters were tasked with entering conforming wings which also contained loyalists, republican prisoners who had left the protest wings and ordinary criminals. Their strategy was to force loyalist prisoners off the conforming wings as the British government had clearly demonstrated its determination to resist the political demands of republican prisoners throughout the hunger-strike. Loyalists had to appear as the aggressors to allay the suspicions of the jail administration. When loyalists smashed their cell furniture in protest at republican intimidation, they were moved en masse to a separate wing and were designated as non-conforming prisoners, thus achieving segregation in a *de facto* sense (see Hennessey, 1984).

Rapid socialisation of prison guards and the physical segregation from loyalists occurred alongside a campaign to undermine and destroy the prison workshop system. Prison work was used tactically to intimidate loyalists, facilitate communications between different H-Blocks, demoralise and undermine guard authority and develop a detailed knowledge of the geography of the entire prison (McKeown, 1998). Prison work was ended on the recommendation of the Hennessey report in the aftermath of the mass escape from H7 in September 1983[26].

Escapes are an important part of the republican prison experience. The 1983 escape was followed by several attempted escapes which have not been made public. The prisoners devoted much time and energy into creating the conditions which would allow for mass escapes in a high-security prison. This invariably involved breaking down prison guard diligence and expanding the degree of physical freedom possible in the H-Blocks. All prisoner activity and behaviour was subsumed to a broader collective need to remain conscious of the

possibility of escapes occurring. An attempted mass escape failed in Easter 1997, resulting in much media comment about the nature of the H-Block regime at the time. An individual IRA prisoner did succeed in escaping in late 1998[27].

The entire 1981-1998 period can be characterised as a continual improvement in material conditions in the jail, apart from one limited period of retrenchment immediately following the 1983 escape. The attempt to improve living conditions was organised on a centralised basis and involved every member of the prison community (McKeown, 1998). Particular areas were prioritised, including the ending of 'Red Book' status[28], increasing access to compassionate parole to visit sick and dying relatives and a comprehensive reorganisation of the Life Sentence review procedure[29]. A comprehensive list of grievances was presented to the prison administration in 1987. Most of the suggested improvements were obtained by the mid 1990s, including 24 hour unlocks and the creation of Gaeltacht wings[30].

# Relationships and Socialisation

Any consideration of the manner in which improved conditions were achieved must involve an examination of relationships within the prison setting and the socialisation of prison employees by political prisoners.

I use the more positive term 'socialisation' in place of 'conditioning' to signify that the socialisation process did not solely rely on the physical intimidation of prison guards and others. Conditioning is an inherently negative term. Socialisation alludes to the conscious and deliberate way in which IRA prisoners developed a strong political relationship with all aspects of the prison administration. It would not have been possible to make the political and material advances evident in the H-Block situation on the basis of violence and intimidation alone. Prisoners worked strategically to make themselves indispensable to the running of the H-Blocks.

The existing research on relationships in prison has been conducted in 'normal' prison situations in England and the United States. Much of this work focuses on the powerlessness of the individual prisoner and is not directly applicable to a political prisoner situation (Sykes, 1958, Sparks et al, 1996). It can, nonetheless, provide a suitable framework for presenting the unique H-Block situation.

Three factors inform the official debate on 'conditioning'. The achievement of segregation from loyalist and criminal prisoners, the utilisation of prison work to improve awareness of the geography of the prison and the socialisation of prison guards. These factors facilitated the mass escape of 38 republican prisoners in September 1983. The subsequent government report by James Hennessey, the Chief Inspector of Prisons, highlighted the extent to which prisoners had 'conditioned' prison guards in H7, the base for the escape.

The physical security at the Maze is...very good. They had therefore to plan on breaking down the human contribution to security. In this they were largely successful...they began by adopting a deliberate policy of conditioning staff in order to reduce their alertness. This they did by lowering the level of tension in the Block and avoiding, whenever possible, confrontations with staff...staff-inmate relationships in H7 improved...abuses of normal security procedure...came to be regarded by the majority of staff in H7 as almost routine (Hennessey, 1984:14).

'Conditioning' is described here by Hennessey in relatively benign terms. Guards were persuaded to turn a blind eye by a reduction of the level of tension in the block. Longwell, a serving governor in the H-Blocks, attempted to analyse this coercive and corrosive influence in more detail. He outlined how

...conditioning is essentially a skilled, orchestrated method of coercion. It is a process which does not allow the automatic or comfortable performance of a prison officer's function. It is a process that tests the will, determination, courage and endurance of every prison officer that comes into regular contact with segregated inmates (Longwell, 1998:140).

Longwell also described how republican prisoners make demands about of the prison regime and refuse to act as passive recipients of change. He presents his experience with criminal prisoners

...the encounter was very controlled and there would be no question of the prisoner gaining the upper hand. Some did try which resulted in them being sent back to their cells (Longwell, 1998:9).

He described this as 'the essence of a reasonable and fair regime' on condition that the prisoner makes a reasonable and fair request (1998:9). In contrast, republican prisoners

grabbed a chair and sat down. They would pull the chair up to your desk and set their elbows down sitting face to face...it was clear he was only going to leave my office when he was ready (1998:9).

This tactic was widely used on reluctant and bureaucratic governors. Prisoners would deliberately clog up the administrative system by arguing at length about matters of relevance to political prisoners. Governors perceived as helpful and friendly, or as efficient, regardless of their personal demeanour, did not receive this treatment. This approach was understood by prisoners to generate accountability within the system, it was important to know who was blocking progress, what excuses were being offered and what alternatives could be provided. This was organised in a systematic fashion across the entire camp and was likely to be perceived as intimidating and uncomfortable from a prison governor perspective.

Confrontation did, however, decrease progressively over the 1981-1998 period and was increasingly viewed as counter productive by republican prisoners. The site of the battle for control within the H-Blocks shifted to organised discussions between senior prison officials and the IRA leadership in the prison, although the potential for violence inevitably remained. Stevenson interviewed a series of individuals from the Northern Ireland Prison Service and described how

over twenty-five years of agitation, republican prisoners have earned the Prison Service's grudging esteem. The prison administration openly considers paramilitary prisoners political players (Stevenson, 1996:108).

# Official and Public Presentations of the H-Blocks

Official documentation on the H-Block situation is rarely as honest as the above comment suggests. The H-Block situation was more subtle and fluid than is formally portrayed in official and public discourse.

Central to all official accounts is the focus on the potential for violence and intimidation on the part of republican prisoners. This focus may be considered inevitable in a context of escapes utilising weapons and other forms of violence but official inquiries tasked with examining prevailing conditions in the H-Blocks take a narrow view of the circumstances leading up to several extraordinary situations, including a mass escape in 1983, a fatal explosion in 1991[31], attempted escapes in 1994[32] and 1997 and a successful escape in 1998. This is evident in Hennessey (1984), Colville (1992), Woodcock (1994), Narey (1998) and Ramsbotham (1998).

Once an incident such as an escape occurs, blame is immediately ascribed to prisoner manipulation and intimidation.

Many (staff) have been killed and many more have suffered personal attacks resulting in injury to themselves, their families or their homes...certainly we believe that the tendency for staff to turn a blind eye to activities which threaten security is, in part, a direct consequence of terrorist pressures (Hennessey, 1984:44).

Over many years the prisoners and the paramilitary organisations have engaged simultaneously in the sophisticated conditioning of staff, and in a frightening campaign of intimidation (Narey, 1998:6)

These official interpretations would carry more weight if they were complemented by an acknowledgment that both prisoners and their guards possess coercive potential. It is self evident that republican political prisoners have utilised violent attacks in pursuit of their goals, for example, a former republican prisoner with a long history of prison protest told the author in interview that, in his opinion, the single most influential event in the strategy of undermining

criminalisation was the assassination of a senior prison official in the late 1980s. Direct action of this nature decreased from the early 1980s onwards[33]. A former prison guard commented

The Provos differentiated between officers - they went for the bastards, the hard men. If you'd been decent to them, they left you alone. Nothing will ever happen to me, I could go and drink on the Falls Road[34] and still be ok (Crawford, 1999:171).

Although intimidation of protesting prisoners is well documented no prison guard has ever been disciplined for such activities, even where thousands of pounds in compensation have been paid out to those assaulted. For example, following the 1983 mass escape from H7, an IRA prisoner described how

We all got a hammering. They moved us from H7 to H8. We had to run a gauntlet of screws shouting at us and beating us. They set dogs on us and denied us clothing, food and medical attention. I thought they were going to kill someone (Toolis, 1995:169)[35].

It is also evident that prison employees are rarely held accountable for the many failings of the prison system despite these clear breaches of prison policy, and evidence of the systematic under-utilisation of prison rules. For example, Narey (1998) catalogued 'a general sloppiness in procedures' (p.10), 'an erosion in procedures over time' (p.16), orders that were 'out of date' (p.21), equipment that had 'fallen into disrepair' (p.23) and search procedures that 'did not seem to be treated with sufficient seriousness' (p.25). Despite these failings, which are not directly related to prisoner influence, Narey commented that

We do not consider that the current failings of the Maze can be put at the door of any individuals (Narey, 1998:29).

A number of contradictions can subsequently be developed here. There is a clear sense that when prisons are quiet and out of the public or media spotlight that this apparent 'success' can be attributed to administrative 'pragmatism'. Indeed, Narey spoke of how improved prison conditions 'has reduced prisoners' sense of grievance at the conditions of imprisonment in the Maze' (Narey, 1998:7). Administrative pragmatism, for whatever reason, precisely involves turning a blind eye or a willingness to bend the rules. The easiest explanation for systematic failure in the prison system, and one which conveniently ignores the political characteristics of the prisoners concerned, is to blame the prisoner propensity for violence and intimidation. The Woodcock report, for example, highlighted systematic manipulation of guards. A more complicated situation is revealed in the comment on

the shock and surprise of prison officers that one of the prisoners should actually shoot one of them (Woodcock, 1994:72).

This does seem to indicate that prison guards enjoyed reasonable relationships with prisoners, but the implication of this is not discussed in the report.

Official and public accounts of the H-Blocks have also failed to account for the changing nature of resistance in the prison in the post hunger-strike period. As the struggle for legitimacy changed from one based on all out conflict to one based on incremental advance and stealth, it is perhaps not surprising that some commentators have referred to the post hunger-strike era as 'normalised'. Crawford wrote that the end of protest meant that

...concessions were once again made to political prisoners, including their right to personal clothing. The prisoners were subsequently restored all the 'privileges' associated with Special Category Status (Crawford, 1999, 15).

This statement obscures several years of intense activity in the H-Blocks and elsewhere. Gormally et al (1993) also highlighted what they viewed as the strategic consequences of developing a 'normalised' prison. This involved a political decision to recognise prisoner organisations with a view to developing 'constructive engagement' with group members (1993:58) and a 'culture of realism' designed to minimise the potential for conflict as well as a policy of greater transparency to demonstrate the above to the wider public (1993:58). This implies the existence of a regime of rapprochement and pragmatism involving mutual recognition and legitimacy with an emphasis on genuine negotiation between the prison administration and prisoner groups. This simply did not exist in the post hunger-strike era. As McKeown stated, immediately after the end of the hunger-strike

The screws did not want to adapt to the new situation. They had fought us for years throughout the blanket protest and were dismayed that we had won the right to wear our own clothes...we wanted to move ahead and rapidly. The screws wanted to stand still (McKeown, 1998:183).

It might be more useful to conceive of the prison administration as those attempting to resist change. The prisoners were the dynamic for change, they were the ones pushing for better conditions, for genuine negotiations and for recognition of their various representatives inside.

For a number of years after the 1983 escape the authorities resisted granting recognition to the republican jail leadership. Once they did so, they handed the initiative over to the prisoners, thereafter it was republican prisoners who dictated the agenda for change, the administration could merely try to limit the degree and pace of change.

Rarely is the prison situation ever placed within a social framework, indeed, Longwell (1998) goes to extraordinary lengths to ignore the self-evident political nature of the H-Block prisoners. He finally decides to label them as 'segregated prisoners'. Opposition to segregation is a common theme in all of the official accounts as it is considered to be conducive to 'paramilitary' control and intimidation[36]. Official and public reports engage in the pretence that the H-Blocks should not be considered to be any different to any other prison in the 'UK'[37].

In this sense the clearest contradiction is evident in the early release of political prisoners as a result of the Belfast Agreement. Section three of the agreement deals specifically with prisoners.

Both Governments will put in place mechanisms to provide for an accelerated programme for the release of prisoners, including transferred prisoners[38], convicted of scheduled offences (Good Friday Agreement, 1998: 25).

Whilst in no way approximating to an amnesty in the traditional sense, this nonetheless reflects the distinct political motivation of what were euphemistically described as 'qualifying prisoners' (ibid, 1998:25). Despite this, the GFA also imposed a cut off date of April 10 1998 beyond which it became impossible to qualify for early release thereby repeating the position of the 1975 Gardiner Report which had also designated a similarly arbitrary date. Individuals arrested before the cut off date are deemed political, those arrested after the date become criminal - even if the activities are the same, the motivation is similar and the same individuals or organisations are involved. As Davanna has stated

...the return of 'criminalisation'... still means the forced integration of prisoners who regard themselves at war with each other, and the problems associated with the implementation of this in the past are still relevant today (Davanna, 1999: 12).

# Conclusion

This paper has attempted to locate republican resistance to the imposition of a criminal label in the context of a historical and contemporary situation, demonstrating the contested nature of the political prisoner and the fluid nature of the British administration's attitude towards political status.

I have chosen to attempt to illuminate the post hunger-strike situation in the H-Blocks because of the absence of sufficient coverage in the academic or public literature. H-Block prisoners also demonstrate characteristics not normally encountered in prison settings, including a collective consideration of strategies of resistance. It is also possible to contrast the political and material circumstances of the prison with the situation presented in official and public documents. I believe I can point to significant contradictions in terms of an unofficial acceptance of *de facto* political status for Irish republican prisoners - an area that is linked to, and has implications for the legitimacy of the broader political struggle for hegemony in Ireland.

# Notes

1 The April 1998 agreement based on multi-party negotiations which included provisions relating to the early release of political prisoners.

2 This work concentrates on the prison activities of Irish Republican Army (IRA) prisoners.

3 Special Category Status (SCS) was awarded to sentenced political prisoners following a prolonged hunger-strike by republicans in June 1972 in Crumlin Road Jail (Belfast).

4 I describe the prison as the H-Blocks throughout in place of the official title of HMP Maze (which itself replaced Long Kesh in 1976).

5 The 1981 H-Block hunger-strikers demanded these very same privileges.

6 The first political prisoners of this period were UVF activists arrested for the Malvern Street murder of a catholic barman in 1966.

7 Section 31 of the NI (Emergency Provisions) Act 1978 defines 'terrorism' as 'the use of political violence for political ends'.

8 A total of 20 prisoners were involved.

9 Significantly, in light of its later withdrawal, SCS was never officially established via formal legislative means.

10 At the time of publication 1119 prisoners had special category status (Feldman, 1991:151).

11 Based on a series of in depth interviews with 5 republican ex-prisoners.

12 See Moen (1998) for a detailed review of these aspects.

13 20 loyalists also joined the protest. Blanket prisoners were called 'streakers' by the guards.

14 Prisoners routinely received 50% remission off a sentence for 'good behaviour'.

15 Young prisoners (YPs) were those aged under 21, they were kept on a separate block.

16 Prison guards are overwhelmingly from a protestant/unionist background where the Irish language is very uncommon.

17 Leo Green, Brendan Hughes, Raymond McCartney, Tom McFeely, Tommy McKearney, Sean McKenna (all IRA) and John Nixon (INLA).

18 Mary Doyle, Mairead Farrell and Mairead Nugent (all IRA).

19 He was elected MP on April 10 1981 with 30,492 votes - 1446 votes more than his unionist opponent, Harry West.

20 On June 11 1981 in the constituencies of Cavan-Monaghan and Louth respectively.

21 64 people died during the 217 day long second hunger-strike (O'Malley, 1990:7).

22 A small number of prisoners remained on 'official' protest until late 1983.

23 The hunger-strike officially ended on October 3 1981.

24 One respondent was able to identify shame as a factor in his imprisonment. As a teenager he had violated an IRA army order by pleading guilty in court to a relatively minor action. In his eyes pleading guilty acknowledged the legitimacy of state criminalisation. His sense of shame at this action was still evident some 20 years later. In a negative sense this violation of a social code perhaps most closely approximates the shame and stigma felt by criminals. This could also include such activities as breaking under interrogation, pleading for leniency in court or advancing mitigating circumstances to obtain a reduced sentence. More positively, appropriate behaviour in court reinforces the strength of cohesiveness of political prisoners and underscores their resistance to the imposition of a criminal tag.

25 Republicans claim that this position was greatly exaggerated - 'do you know the sum total of the famous republican propaganda machine everyone talks about? I'm it' (Hickey, in Mulcahy, 1995:457).

26 38 prisoners succeeded in breaching the prison walls, 19 were re-captured almost immediately.

27 'Arnie' Averill escaped by posing as a female participant at a Christmas party involving IRA prisoners and their children.

28 A category of exceptionally high risk prisoners introduced after the 1983 escape. It involved half-hourly checks on prisoners, restrictions in visiting arrangements and a denial of home leave.

29 Life sentence prisoners had boycotted the government appointed board set up to consider their suitability for release. Significant changes were introduced after a successful campaign initiated within the H-Blocks.

30 Irish speaking areas.

31 1 In Crumlin Road remand prison in Belfast. I include it because the report focused on the segregated regime in the H-Blocks.

32 An attempted escape in Whitemoor prison in England. Again, the author of the report developed a comparison with the H-Blocks.

33 Following the intervention of Cardinal O Fiaich in 1980 the targeting of prison guards ceased for a period.

34 The heart of republican West Belfast.

35 Many of those who remained in H7 were later awarded compensation. No guard was ever disciplined. This had far reaching consequences when a number of escapees successfully fought extradition proceedings on the basis that they ran the risk of assault if returned to the H-Blocks.

36 Sex offenders are also segregated in prison, this in no way implies that they have access to power and influence. On the contrary, they are one of the more vulnerable groups in prison society.

37 The last two reports into the H-Blocks did acknowledge the existence of 'special' conditions (Narey, 1998, Ramsbotham, 1998).

38 A number of republican prisoners had been repatriated from Britain following a lengthy campaign for their transfer, they remained under the more stringent control of the British Home Office who challenged the legality of their inclusion in the 1998 negotiated early release scheme.

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