

*Women Prisoners and the Limits of Humanitarian Intervention: The International Committee of the Red Cross and the Irish Civil War**

Thou hast a voice, great Mountain, to repeal
Large codes of fraud and woe; not understood
By all, but which the wise, and great, and good
Interpret, or make felt, or deeply feel.

So wrote Percy Shelley in 1815, as the focus of his reflective ode to Mont Blanc swept out of the valleys to confront the mountain itself. A century later a young Irish woman, Máire O'Brien, hinged her own mission in search of truth and justice on the symbolism of the Romantic poet's mountain. Her hopes rose, she reported, as she approached Lake Léman, until suddenly Mont Blanc itself appeared, 'gleaming rose-white in the setting sun'. Like Shelley's Alpine peaks and valleys, O'Brien's Mont Blanc was awash with colour and symbolism. 'Many have seen it steeped in the red gore of an angry sun-set', she wrote; 'many have seen its pale proud head hidden beneath black, brooding clouds, but ever it emerges triumphant in its virginal white—so the cause which had brought us to Geneva'. Writing in August 1923, the red gore and dark clouds were undoubtedly those of Ireland's civil war. 'But', O'Brien ended on a note of hope, 'we would emerge pure, free, unsullied, triumphant as that wonderful mountain in the Swiss Alps'.¹

The cause that brought Máire O'Brien to Geneva was an appeal she had prepared to present before the eleventh conference of the International Red Cross movement, for humanitarian intervention on behalf of prisoners detained indefinitely without trial by the Irish Free State. O'Brien was not the first woman to travel to Geneva on their behalf. From November 1922 to August 1923, multiple delegations of Irish men and women travelled to the Alpine city, pinning their hopes on

* I am particularly grateful to Leeann Lane, Patrick Griffin, Robert Gerwarth, Sinéad McCool, Shane Darcy, Susan Byrne and Colm Mac Gearailt who engaged with early drafts, aided in this research or provided feedback on the ideas in this article. I am also grateful for the helpful suggestions of the journal's reviewers and for insightful comments from audiences at University College Dublin, the University of Galway, the joint British and Irish Legal History Conference, and the Oxford Irish History Seminar. This research was supported by a generous postdoctoral bursary from the Irish Legal History Society.

1. Dublin, National Library of Ireland [hereafter NLI], MS 43,245, Máire O'Brien, 'Impressions of Delegates of the Government of the Irish Republic', 6 Sept. 1923.

the new internationalism, law-making and international order which had emerged from the chaos of the First World War.² This new international arena acted as a quasi-public sphere for those marginalised in their national communities.³ Geneva quickly became a site of appeal and contest, as indigenous, anti-imperial and black activists descended on the newly formed League of Nations.⁴ For women too, the League promised a range of administrative jobs and presented a site to campaign for peace, disarmament, expanded women's suffrage and participation in politics, both national and international.⁵ Unlike many of the educated mobile elite who flocked to Geneva, O'Brien was not a peace advocate but a staunch Irish republican, former propagandist and spy.⁶ Like her compatriots, who felt they were continuing their war against the British Empire in Ireland, she saw little point in canvassing the League of Nations, which they perceived as a 'British-controlled' body. Instead, she placed her hopes for international attention and intervention in the humanitarian impartiality of the Red Cross.

Founded in 1863, the International Committee of the Red Cross (ICRC) was a private Swiss organisation with a mandate under international law to uphold the 1864 and 1906 Geneva Conventions. These treaties outlined provisions for medical personnel and care of the wounded during war, though they largely neglected the 'uncivilised' realm of internal conflicts, guerrilla struggles, revolutions and colonial wars. In 1921, however, the International Conference of the Red Cross movement, encompassing both national societies and the ICRC, passed a motion which gave the ICRC a mandate to act in 'civil wars'. This decision has been described by historians as a 'turning point' in the ICRC's history, in its apparent contravention of state sovereignty to protect the individual.⁷ It was also watched carefully from Ireland.

2. O'Brien's sublime reaction to Mont Blanc is reminiscent of Eglantyne Jebb returning from a mountainside in Geneva with the idea for the Declaration of the Rights of the Child: E. Baughan, *Saving the Children: Humanitarianism, Internationalism and Empire* (Oakland, CA, 2022), p. 50.

3. G. Sluga and P. Clavin, 'Rethinking the History of Internationalism', in G. Sluga and P. Clavin, eds, *Internationalisms: A Twentieth-Century History* (Cambridge, 2016), pp. 3–14.

4. S. Pederson, *The Guardians: The League of Nations and the Crisis of Empire* (Oxford, 2015); M. Mazower, *Governing the World: The History of an Idea* (London, 2012); S. Ward, *Untied Kingdom: A Global History of the End of Britain* (Cambridge, 2023), pp. 90–95.

5. L.J. Rupp, *Worlds of Women: The Making of an International Women's Movement* (Princeton, NJ, 1997); C. Miller, "'Geneva—the Key to Equality?" Inter-War Feminists and the League of Nations', *Women's History Review*, ii (1994), pp. 219–45; M. Sandell, "'A Real Meeting of the Women of the East and West": Women and Internationalism in the Interwar Period', in D. Laqua, ed., *Internationalism Reconfigured: Transnational Ideas and Movements between the World Wars* (Abingdon, 2011), pp. 161–87; G. Sluga, 'Women, Feminisms and Twentieth-Century Internationalisms', in Sluga and Clavin, eds, *Internationalisms*, pp. 61–84.

6. A.M. O'Brien, 'The Revolutionary Aims of Ireland's Forgotten Diplomats', *Historical Journal*, lxiv (2021), pp. 1332–54.

7. J. Hutchinson, *Champions of Charity: War and the Rise of the Red Cross* (Boulder, CO, 1996), p. 344; K.A. Lowe, 'Humanitarianism and National Sovereignty: Red Cross Intervention on Behalf of Political Prisoners in Soviet Russia, 1921–3', *Journal of Contemporary History*, xlix (2014), pp. 652–74; D. Forsythe, *The Humanitarians: The International Committee of the Red Cross* (Cambridge, 2005), p. 34.

This article explores efforts by Irish republicans to obtain humanitarian intervention from the ICRC during the 1922–23 civil war. It first outlines the development of the Red Cross movement's role in civil wars before showing how republicans, members of a guerrilla war effort, grappled with this shift in international law and harnessed international legal rhetoric and ideas.⁸ Their efforts demonstrate the importance of the ICRC and the conferences of the Red Cross as an inter-war forum for claim-making and petitioning, particularly for those distrustful of the imperial powers at the League of Nations. While this article points to the limits of the ICRC, in its reliance on states and emphasis on the role of transnational expertise, I argue that the Red Cross movement presented a site of possibility for republicans. This was particularly true for Irish women, who played a key role in making appeals in Geneva, yet as prisoners and participants in the civil war had an ambiguous position under international law.

I

In theory, civil wars sat uncomfortably under nineteenth-century positivist international law; however, in practice the ICRC and the broader Red Cross movement had exerted indirect influence during internal conflicts since the 1870s.⁹ An effort by the American Red Cross to officially expand the Red Cross movement's remit to include 'humanitarian action' in civil wars was defeated at the 1912 international conference. Almost a decade later, against the backdrop of Bolshevik revolution and disintegrating European empires, delegates to the movement's tenth conference were more receptive to the prospect of Red Cross involvement in internal conflicts.¹⁰ Crucially, they already had proof it could work. In Budapest and Kyiv in 1919, ICRC delegates had taken the initiative on the ground to advocate on behalf of political detainees.¹¹

8. 'Republican' is a politically loaded term; nevertheless I use it throughout the text as both a contemporary descriptor and because it conveys a group identity and ideological perspective based on classical republicanism. For insight into how both sides of the civil war adapted republican ideas of liberty and domination, see G. Foster, 'Res publica na hÉireann? Republican Liberty and the Irish Civil War', *New Hibernia Review / Iris Éirneach Nua*, xvi (2012), pp. 20–42; S. Donnelly, 'Republicanism and Civic Virtue in Treatyite Political Thought, 1921–3', *Historical Journal*, lxxiii (2020), pp. 1257–80.

9. On civil wars and international law, see G. Mantilla, *Lawmaking under Pressure: International Humanitarian Law and Internal Armed Conflict* (Ithaca, NY, 2020); D. Armitage, *Civil Wars: A History in Ideas* (New York, 2017). The ICRC was involved in the Third Carlist War in Spain (1872–76), in the Herzegovina Uprising (1875–8) and in Macedonia (1902). On the Red Cross and political imprisonment in Tsarist Russia, see S. Pinkel, 'The "Political Red Cross" and the Genealogy of Rights Discourse in Revolutionary Russia', *Journal of Modern History*, lxxxix (2017), pp. 79–118.

10. Lowe, 'Humanitarianism and National Sovereignty'; K.A. Lowe, 'The International Committee of the Red Cross and the Reconstruction of New Europe, 1918–1923', in B. Dziewanowski-Stefańczyk and J. Winter, eds, *A New Europe, 1918–1923: Instability, Innovation, Recovery* (London, 2022), pp. 161–80.

11. J. Moreillon, 'The International Committee of the Red Cross and the Protection of Political Detainees', *International Review of the Red Cross*, xiv (1974), pp. 585–95, at 590–91; R. de Reding-Biberegg, 'L'activité du Comité international de la Croix-Rouge à Budapest', *Revue internationale*

Though the 1921 conference sought to formalise these efforts, past ICRC actions suggested that its individual delegates already possessed the authority and freedom to act in civil wars.

Where authority for action now lay was not entirely clear from the 1921 resolution. Initial suggestions advocated for a body separate from the ICRC, which would focus exclusively on civil wars, but this plan did not materialise. Instead, the conference decided that the national Red Cross society of a given territory would be responsible for appealing to the ICRC for external intervention should it not be able to meet humanitarian needs alone. This intervention would then require the acquiescence of the government of the territory in question. If that government refused, the ICRC reserved the right to publish the refusal and other correspondence.¹² While the resolution of the tenth conference had theoretically expanded the ICRC's sphere of activity, it was a cautious resolution, hampered by the will of states. Without any agreement in binding force or basis in ratified treaties, and lacking in enforcement mechanisms other than public opinion, it was not international law so much as a guiding principle for action. Even when delegates did gain access to civil wars, the resolution prescribed few concrete actions for them to take. Instead, reports from conflicts in Hungary, Silesia and Russia stressed the durability and malleability of the Red Cross's 'humanitarian expertise', which could be adapted to deal with the challenges of internal conflicts.¹³

The text of the 1921 resolution declared that 'political prisoners in time of civil war shall be considered and treated in accordance with the principles which inspired the drafters of the 1907 Hague Convention'.¹⁴ This was a modification of the first resolution, proposed the previous day, which read that 'political prisoners in time of civil war must be considered and treated by the belligerents as prisoners of war, that is to say, according to the principles of the 1907 Hague Convention'.¹⁵ The difference was more than semantic. Recognising prisoners as prisoners of war would confer belligerency rights and protections under a separate body of law, the Hague Conventions.¹⁶ During the First World

de la Croix-Rouge, xxxix (1922), pp. 219–26; R. de Reding-Biberegg, 'Mission à Budapest', *Revue internationale de la Croix-Rouge*, li (1920), pp. 606–9.

12. Manilla, *Lawmaking*, p. 56.

13. L. Cramer, 'Rapport sur la mission du Comité International de la Croix-Rouge en Haute-Silésie', *Revue internationale de la Croix-Rouge*, xxxi (1921), pp. 691–720.

14. 'La Xme Conférence ... estime que les détenus politiques en temps de guerre civile doivent être considérés et traités selon les principes qui ont inspiré les rédacteurs de la Convention de la Haye de 1907': *Dixième conférence internationale de la Croix-Rouge, tenue à Genève du 30 mars au 7 avril 1921: compte rendu* (Geneva, 1921), p. 218; F. Bugnion, 'The International Conference of the Red Cross and Red Crescent: Challenges, Key Issues and Achievements', *International Review of the Red Cross*, xci (2009), pp. 675–712, at 694–5.

15. 'La Xme Conférence ... estime que les détenus politiques en temps de guerre civile doivent être considérés et traités par les partis belligérants comme des prisonniers de guerre, c'est-à-dire selon les principes de la Convention de La Haye de 1907'. This suggested wording was posed by Georges Lodyginsky. *Dixième conférence internationale*, p. 162.

16. H. Jones, 'Revising the Laws of War on Prisoners of War in the Twentieth Century', *War in History*, xxiii (2016), pp. 408–15.

War, the ICRC had vastly expanded its operations, primarily through advocating for prisoners of war.¹⁷ The International Prisoners-of-War Agency facilitated communication between these prisoners and their families, while ICRC delegates conducted investigations of prison sites and camps throughout Europe. Its actions affirmed the right of prisoners of war to international legal protections, creating the prisoner of war as a humanitarian subject, entitled to 'rights'.¹⁸ Did political prisoners and detainees now also possess rights? The resolution of the tenth conference seemed ambiguous on this point, blurring distinctions between the two categories of prisoners.¹⁹ Kimberly Lowe suggests that the ICRC intended to extend the rights accorded to prisoners of war to political detainees, creating the idea of 'equal, universal, and inalienable' rights for prisoners.²⁰ Though Lowe acknowledges that this ran aground in practice, she argues that the 1921 conference debates suggested the ability of the ICRC to bypass state sovereignty and uphold the rights of the individual to medical care and to humane conditions of incarceration. Among the myriad of claims for individual and collective rights after the war, Bruno Cabanes has pointed to the development of 'humanitarian rights' derived from humanitarian need.²¹ By merging the humanitarian impetus to alleviate suffering with the legal infrastructure for prisoners of war, the ICRC's newly expanded remit suggested a new way of thinking about victims of state violence.

Expanding the ICRC's remit entailed interacting not just with new categories of imprisonment, but with new kinds of prisoners, including women. Humanitarianism posited a sphere of international activity through which women could demonstrate 'good citizenship', yet women are largely absent from Cabanes's discussion of humanitarian rights, which are tethered to the male experience of war and demobilisation.²² Instead, displaced and starving women appear as individual

17. H. Jones, 'International or Transnational? Humanitarian Action during the First World War', *European Review of History—Revue européenne d'histoire*, xvi (2009), pp. 697–713; L. Cameron, 'The ICRC in the First World War: Unwavering Belief in the Power of Law?', *International Review of the Red Cross*, xcvi (2015), pp. 1099–120.

18. N. Wylie and L. Cameron, 'The Impact of World War I on the Law Governing the Treatment of Prisoners of War and the Making of a Humanitarian Subject', *European Journal of International Law*, xxix (2019), pp. 1327–50.

19. P. Kenney, *Dance in Chains: Imprisonment in the Modern World* (New York, 2018), pp. 117–43.

20. K. Lowe, 'The Red Cross and the Laws of War, 1863–1949: International Rights Activism before Human Rights', in J. Quataert and L. Wildenthal, eds, *The Routledge History of Human Rights* (London, 2019), pp. 75–96.

21. B. Cabanes, *The Great War and the Origins of Humanitarianism* (Cambridge, 2014). Wylie and Cameron echo this idea that the war transformed the prisoner of war into a 'humanitarian subject'. Wylie and Cameron, 'Impact of World War I'.

22. Cabanes does not touch on what Erika Kuhlman has termed women's role in post-war 'reconciliation' or women's post-war 'cultural remobilisation': E. Kuhlman, *Reconstructing Patriarchy after the Great War: Women, Gender and the Postwar Reconciliation between Nations* (Basingstoke, 2008). See also I. Sharp and M. Stibbe, eds, *Aftermaths of War: Women's Movements and Female Activists, 1918–1923* (Leiden, 2011).

exemplars of humanitarian action or as victims accorded the ‘protection’ of the international sphere.²³ A series of divisions therefore emerges. Women as non-combatant, nationally oriented, humanitarian agents seeking protection can be opposed to men as combatant, internationally oriented, international thinkers seeking rights. Under the 1921 resolution, the ICRC’s expansive category of ‘political detainees’ bisected these boundaries, suggesting that all civilian detainees were now within its remit, even if delegates at the 1921 conference spoke only of Red Cross aid to ‘men’.²⁴ Yet civil wars, the ultimate upheaval and disorder, often involved the active participation of women. Ireland, where many women participated in the civil war as ‘unarmed combatants’, would be a testing ground for the universal rhetoric of these ‘political detainees’.²⁵

II

The civil war which broke out in Ireland in June 1922 stemmed from ideological divisions over Ireland’s status within the British Empire and its relationship with Britain.²⁶ Supporters of the 1921 Anglo-Irish Treaty accepted partition of the island and Ireland’s dominion status within the Empire, to conclude the war with Britain. On 18 June 1922, this pro-Treaty faction won a decisive majority during general elections, seemingly confirming popular support for the Treaty. Days later, the assassination of a British security advisor marked the formal outbreak of hostilities after months of rising tensions. As the pro-Treaty faction formed the ‘Provisional Government’, Éamon de Valera and republican opponents of the Treaty established a counter-government. On 28 June, fighting broke out in Dublin before quickly giving way to a prolonged guerrilla struggle between the irregular anti-Treaty forces and the numerically and organisationally superior Provisional Government and its successor, the Irish Free State. Vastly outnumbered, the irregular

23. On the tension between ‘protection’ and ‘equality’, see M. Lake, ‘From Self-Determination via Protection to Equality via Non-Discrimination: Defining Women’s Rights at the League of Nations and the United Nations’, in P. Grimshaw, K. Holmes and M. Lake, eds, *Women’s Rights and Human Rights: International Historical Perspectives* (Basingstoke, 2001), pp. 254–71.

24. Lowe, ‘National Sovereignty’, p. 659.

25. While major theorists of civil wars, such as Stathis Kalyvas, acknowledge that patterns of civil war violence encompass female participants, they do not devote extensive attention to these female fighters: S.N. Kalyvas, *The Logic of Violence in Civil War* (Cambridge, 2006). On women’s active participation in conflict in Ireland, see, for example, J. Borghonovo, ‘Cumann na mBan, Martial Women and the Irish Civil War, 1922–1923’, in L. Connolly, ed., *Women and the Irish Revolution* (Newbridge, 2020), pp. 68–84.

26. On histories of the civil war in Ireland, see B. Kissane, *The Politics of the Irish Civil War* (Oxford, 2005); G.M. Foster, *The Irish Civil War and Society: Politics, Class and Conduct* (London, 2015); A. Dolan, ‘Killing in “the Good Old Irish Fashion”? Irish Revolutionary Violence in Context’, *Irish Historical Studies*, xlv (2020), pp. 11–24; G. Clark, *Everyday Violence in the Irish Civil War* (Cambridge, 2014); T. Dooley, *Burning the Big House: The Story of the Irish Country House in a Time of War and Revolution* (London, 2022); M. Hopkinson, *Green against Green: The Irish Civil War* (Dublin, 1988); D. Ferriter, *Between Two Hells: The Irish Civil War* (London, 2021).

republican forces conducted their operations through a series of ambushes, the burning of property and damaging of the communication lines of the state. With British support, the Free State responded by creating a sprawling military and security apparatus.²⁷

Much of this violence was fratricidal in nature, though recent work has emphasised the gendered dimension of violence during the conflict, particularly through the mass internment of women associated with the republican faction.²⁸ From the outset of the Irish struggle against Britain, women had played a significant role in political organising, electioneering and fundraising.²⁹ During the guerrilla war, they had provided assistance to the Irish Republican Army's military campaign through communications, publicity and intelligence gathering. In the subsequent civil war this role expanded further, from combat support roles such as carrying messages and ammunition, to scouting, maintaining and transporting weapons, and shielding men. During parliamentary debates on the Anglo-Irish Treaty, vocal and prominent women deputies signalled their opposition to the Provisional Government and unwillingness to compromise on their desire for an Irish republic.³⁰ Though few in number, many of these active and outspoken women formed the public face of the republican campaign. They orchestrated large demonstrations, wore military uniforms and carried guns and ammunition, all of which led to their portrayal in the press as frenzied, dangerous and threatening.³¹ Republican leaders also had anxieties about the apparent unnaturalness of this militant behaviour and, fearing it might damage support for the cause, often discouraged women from direct participation in the conflict. Despite this, in recognition of the reliance of the Irish Republican Army on women's efforts, over 400 republican women were detained by the Free State during the civil war, compared with just fifty during the two-year conflict with Britain.

Building on a discourse already ubiquitous internationally during warfare, both sides of the conflict accused the other of war crimes, including 'violations' of the Red Cross and white flag, and the use of

27. Foster, *Irish Civil War*, p. 5.

28. See, for example, M. Ward, *Unmanageable Revolutionaries: Women and Irish Nationalism* (London, 1995), pp. 156–98; S. Byrne, "'Keeping Company with the Enemy': Gender and Sexual Violence against Women during the Irish War of Independence and Civil War, 1919–1923", *Women's History Review*, xxx (2021), pp. 108–25; G. Clark, 'Violence against Women in the Irish Civil War, 1922–3: Gender-Based Harm in Global Perspective', *Irish Historical Studies*, xlv (2020), pp. 75–90.

29. S. Pašeta, *Irish Nationalist Women, 1900–1918* (Cambridge, 2016), pp. 219–46.

30. M. Daly, 'The "Women Element in Politics": Irish Women and the Vote, 1918–2008', in P. Thane and E. Breitenbach, eds, *Women and Citizenship in Britain and Ireland in the Twentieth Century: What Difference Did the Vote Make?* (London, 2010), pp. 79–94, at 81.

31. Borgonvono; 'Cumann na mBan'; L. Ryan, 'Splendidly Silent: Representing Irish Republican Women, 1919–23', in A. Gallagher, C. Lubelska and L. Ryan, eds, *Re-presenting the Past: Women and History* (Abingdon, 2001), pp. 23–43; S. Banerjee, *Muscular Nationalism: Gender, Violence and Empire in India and Ireland, 1914–2004* (New York, 2012), pp. 80–88; Foster, *Irish Civil War*, pp. 33–4.

expanding bullets. The Provisional Government claimed that it would refuse 'privileged treatment' to those engaged in such war crimes, describing the insurgents as 'rebels' not entitled to international legal protection.³² Republican prisoners and sympathisers challenged this designation, claiming that the Provisional Government, and its successor, the Irish Free State, had obligations under international law to afford particular treatment to prisoners of war—including the right of free association, visits, letters, parcels and books.³³ Claims to international legal adherence became central to the republican cause, deployed as part of propaganda to international audiences. Yet, continuing a tradition of eliciting financial support from the Irish diaspora in the United States, campaigns directed by the republican leadership largely looked westward, rather than to international organisations in Europe.³⁴ Though the idea of forming an independent Irish Red Cross society had recurred repeatedly since it was first proposed by Maud Gonne in 1914 and women's organisations had adopted the insignia of the Red Cross from the 1916 rebellion onwards, the republican leadership had barely interacted with Geneva.³⁵ Help was briefly sought from the ICRC following an attack on a hospital in Belfast at the outset of the civil war. Then in the months afterwards, a range of appeals arrived in Geneva from Ireland, France, the United Kingdom and the United States. These petitioners asked the ICRC to protest publicly the violation of internationally accepted 'Red Cross resolutions' or 'rules [of] civil warfare', but they received no response.³⁶

In December 1922, two republican women, Kathleen O'Brennan and Dr Kathleen Lynn, travelled to Geneva to meet with representatives of the ICRC. Lynn was introduced to the ICRC as a 'medical woman', who provided detailed reports of mistreatment, torture and executions in Free State internment camps and prisons. The women argued that detained republicans were 'prisoners of war' and that the Irish

32. Dublin, Irish Military Archives [hereafter IMA], Bureau of Military History Witness Statements, Ernest Blythe (WS 0939), p. 148; University College Dublin Archives [hereafter UCDA], P150/1699, Liam Lynch to Richard Mulcahy, 19 Feb. 1923; Dublin, National Archives of Ireland [hereafter NAI], TAOIS/S1369/3, 'Official Notice', 6 Aug. 1922.

33. NAI, TAOIS/S1369/3, Hanna Sheehy-Skeffington to Town Clerk, 11 Sept. 1922; Irish Republican prisoners to the commandant at Kilmainham Gaol, 5 Aug. 1922.

34. See, for example, R. Adams, *Shadow of a Taxman: Who Funded the Irish Revolution?* (Oxford, 2022); B. Whelan, *United States Foreign Policy and Ireland: From Empire to Independence* (Dublin, 2006).

35. Gonne initially sought Red Cross affiliation for Inghindhe na hÉireann (Daughters of Ireland), her own radical women's organisation, which merged with Cumann na mBan just a month later. During the First World War, members of Cumann na mBan participated in Red Cross training programmes and many described themselves as fulfilling 'Red Cross roles' during the 1916 rebellion. For a detailed overview of the use of the insignia of the Red Cross and appeals to the Geneva Convention in Ireland prior to the civil war, see L. Brazil, 'International Law and the Rule of Law in the British Empire, 1899–1921' (European Univ. Institute Ph.D. thesis, 2021).

36. Geneva, Archives du Comité International de la Croix-Rouge [hereafter ACICR], CR 22/84/57, Frances Brady to the Secretary of ICRC, 21 Nov. 1922; CR 22/84/61, Charlotte Despard to the ICRC, 28 Nov. 1922.

Provisional Government was acting in contravention of 'Article 10 of the 1921 Geneva Convention'.³⁷ There was no 1921 Geneva Convention, but what the women were referring to was the resolution passed at the tenth conference of the International Red Cross in 1921. In declaring that they believed the Provisional Government was in contravention of the rules of international law, Lynn and O'Brennan initially sought to counter the execution policy of the Irish Free State, which legally authorised the execution of prisoners for offences against the state. A series of emergency powers resolutions from August 1922 onwards had justified the establishment of military courts and committees to investigate a range of offences, including taking part in attacks on the army, looting, arson, destruction and possession without authority of explosives, firearms or ammunition.³⁸ Punishment for these offences included penal servitude, imprisonment and execution. The first executions, which took place on 17 November, were described by the government as 'average cases', not distinct from the thousands throughout the country 'leading the nation to death'. Unknown to both women, their visit to Geneva on 8 December coincided with four further executions of republican prisoners in retaliation for the ambush of a member of the Provisional Government. On learning about the executions, Lynn and O'Brennan wrote to the secretary of the ICRC that this reprisal was not justified under the state's own emergency legislation as the men were detained prior to legislation forbidding possession of firearms. It was a reprisal, they argued, with 'no excuse to a civilised world'.³⁹

From the outset, republican women's appeals to the ICRC meshed a desire for the organisation to police the Provisional Government for breaching its own emergency legislation with appeals beyond that legislation to more abstract ideas of civilisational morality. Their documents and evidence moved between a specific focus on individual men, wounded, detained and under threat of execution, to wider claims about the executions violating international legal protections for male and female prisoners. Though their initial appeals sought an investigation in Ireland into prison conditions and the immediate release of injured prisoners, subsequent letters spoke of the need for an 'exposé' from the ICRC as a 'moral force'.⁴⁰ While they were evidently aware of the 1921 conference resolution, the women's appeal lacked a clear sense

37. UCDA, P150/1664, Kathleen Lynn, 'Short Report of Miss K O'Brennan's and Dr Lynn's Work at Geneva and Lausanne', 31 Dec. 1922.

38. S. O'Longaigh, *Emergency Law in Independent Ireland, 1922–1948* (Dublin, 2008); S. Enright, *The Irish Civil War: Law, Execution and Atrocity* (Dublin, 2022); S. McConville, *Irish Political Prisoners, 1920–1962: Pilgrimage of Desolation* (London, 2014).

39. ACICR, CR 22/84/47, Lynn and O'Brennan to Lucien Brunel (ICRC Secretary), 10 [Nov.?] 1922. This letter is erroneously dated 10 November, but was sent while the women were in Lausanne and refers to the execution of the four men. It can be assumed that it is from 10 December 1922.

40. ACICR, CR 22/84/74, O'Brennan to Brunel, 19 Dec. 1922.

of what they wanted from the ICRC or what humanitarian intervention might entail.

Lynn and O'Brennan made these protests in Geneva in the name of the Women's Prisoners' Defence League (WPDL), and not the Irish republican government.⁴¹ The WPDL had been founded in October 1922 by Maud Gonne and Charlotte Despard. It protested against the Free State's sprawling military and security apparatus, including the public safety laws which allowed for the mass internment of rebels, the operation of military courts, and executions of the detained.⁴² Composed largely of the female relatives of the interned, its members initially wore black mourning clothes to their protests, leading to their nickname 'the mothers'.⁴³ This rhetoric of maternalism provided justification for their trip to Geneva. It was taken, they argued, on behalf of 'poor anxious mothers' who had sent them to the Red Cross as 'the last tribunal of appeal'.⁴⁴ Inter-war 'maternalist politics' stressed women's natural propensity towards peace due to their reproductive capabilities.⁴⁵ Though it suggested there were innate differences between men and women, maternalist rhetoric provided justification for women's involvement in the international sphere.

This emphasis on suffering Irish motherhood obfuscates the international organisation that had aided and supported their appeal. The trip was funded by supporters in the United States, while Despard was an active member of the Women's International League for Peace and Freedom (WILPF). With their assistance, she had obtained Lynn and O'Brennan's meeting with members of the ICRC in Geneva as well as the opportunity to present appeals before the Peace Conference at Lausanne.⁴⁶ Founded in 1915 at The Hague, WILPF was a progressive coalition, seeking equal rights for women and world peace. In 1920, the organisation had expressed support for Irish self-determination in the struggle against Britain.⁴⁷ It was perceived as the most radical of the

41. Existing literature which discusses the appeals has largely played down this autonomy, portraying Irish women's activities as an outgrowth of republican strategy. In some letters, republican women mention that Erskine Childers suggested contacting the ICRC in January 1922. In May that year, an Irishwoman, Monica O'Sullivan, seemingly independently reached out to the ICRC and was informed that future petitions should be made through the 1921 conference resolution. This, or Despard and Gonne's international connections, may have been the impetus for the petitions. See, for more, McConville, *Irish Political Prisoners*, pp. 260–63; B. Whelan, *Ireland's Revolutionary Diplomat: A Biography of Leopold Kerney* (Notre Dame, IN, 2019), p. 65. Throughout this period the organisation was variously referred to as the 'Women's Prisoners' Defence League', the 'Women Prisoners' Defence League', the 'Women's Prisoners Defence Association', and, occasionally, the 'Political Prisoner Defence League'. I have used the first throughout for consistency, abbreviated as WPDL.

42. UCDA, P150/1664, Maud Gonne and Charlotte Despard, 'To Irish Men and Women', 1922.

43. Ward, *Unmanageable Revolutionaries*, p. 190.

44. ACICR, CR 22/84/47, Lynn and O'Brennan to Brunel, 10 Dec. 1922.

45. Rupp, *Worlds of Women*, pp. 83–5.

46. ACICR, CR 22/84/64, Vilma Glücklich to ICRC, 29 Nov. 1922; ACICR, CR 22/84/65, Despard to Brunel, 1 Dec. 1922.

47. On the WILPF, see Kuhlman, *Reconstructing Patriarchy*, pp. 111–38.

post-war women's organisations, with many committed socialists and communists among its members.⁴⁸ It also evidently had some sway in Geneva. Though the ICRC had received scattered appeals about Ireland, it was only after receiving a request from WILPF to investigate the situation and obtain 'prisoner of war treatment' for '10,000 men and women' that it took action.⁴⁹ Publicly the ICRC assured Lynn and O'Brennan that it would investigate conditions in Ireland, while privately its members wondered if the reports were exaggerated by 'women with sensitive hearts'.⁵⁰ Still, they contacted the British Red Cross, the nominal Red Cross society in Ireland, urging intervention 'in the name of humanity'.⁵¹ On 13 December, after the departure of Lynn and O'Brennan from Geneva, however, Arthur Stanley of the British Red Cross responded that that society was reluctant to act due to the 'delicate political situation' in Ireland. The British Red Cross directly rebutted the WILPF request that 'civilians' should receive 'prisoner of war' treatment, arguing this was not possible as no state of war existed in Ireland.⁵² International legal protections for prisoners, therefore, could not apply.

Seemingly undeterred by the British Red Cross's response and bolstered by the evidence of wounded prisoners and executions provided by Lynn and O'Brennan, the ICRC began preparations for a visit to Ireland. Pauline Chaponnière-Chaix was singled out; the newest and one of only two women members of the ICRC's central committee.⁵³ Now in her seventies, Chaponnière-Chaix's long career had included nursing experience, work in prisons and a commitment to women's organisations, most notably the International Council of Women (ICW), whose presidency she held from 1920 to 1922. Hesitant about the prospect of travelling to Ireland, Chaponnière-Chaix turned to her predecessor at the ICW, Ishbel Hamilton-Gordon, Lady Aberdeen, whom she evidently perceived as an authority on the Irish situation.⁵⁴

48. For the revisionist perspective which challenges stringent ideological divisions among women's organisations and argues that WILPF's members included liberals and socialists, who were capable of working together, see L. Beers, 'Bridging the Ideological Divide: Liberal and Socialist Collaboration in the Women's International League for Peace and Freedom, 1919–1945', *Journal of Women's History*, xxxiii (2021), pp. 111–35.

49. ACICR, CR 22/84/67, Brunel to Glücklich, 5 Dec. 1922; UCDA, P150/1664, Lynn, 'Short Report', 31 Dec. 1922.

50. 'En ce qui concerne l'Irlande, nous devons être très prudents et ne rien engager avant d'avoir une réponse de Stanley. En fait, nous ne sommes plus ou moins renseignés par la presse et par les récits peut être exagérés de quelques dames aux coeurs sensibles': ACICR CR 22/84/72, Gustave Ador to [unknown], 12 Dec. 1922.

51. A. Durand, *History of the International Committee of the Red Cross: From Sarajevo to Hiroshima* (Geneva, 1984), p. 226.

52. Dublin, Jesuit Archives of Ireland [hereafter JAI], SC/GALW/1/5/1 (5), Champain, secretary of the British Red Cross, to the director-general of ICRC, 13 Dec. 1922.

53. On women joining the ICRC committee, see D. Palmieri, 'An Institution Standing the Test of Time? A Review of 150 Years of the History of the International Committee of the Red Cross', *International Review of the Red Cross*, xciv (2012), pp. 1273–98, at 1279.

54. JAI, SC/GALW/1/5/1 (4), Pauline Chaponnière-Chaix to Ishbel Hamilton-Gordon (Lady Aberdeen), 16 Dec. 1922.

Hamilton-Gordon was married to the former Lord Lieutenant of Ireland and had also previously co-ordinated the Irish branch of the British Red Cross during the First World War.⁵⁵ Through these international connections, she became the primary source of information for the ICRC on the situation in Ireland.

Though Chaponnière-Chaix believed the ICRC was justified in any humanitarian intervention in Ireland, her reservations centred on the two personalities at the centre of the WPD: Charlotte Despard represented 'a very advanced socialism', while Maud Gonne had recently been arrested in Dublin.⁵⁶ Were these women violent? Their actions had also alarmed Ishbel Hamilton-Gordon; she was aware of Dr Kathleen Lynn, who had established a children's hospital in Dublin and was a member of Save the Children.⁵⁷ She felt these ladies who visited Geneva were doing 'splendid work' for infants, but noted that they 'are strong Republicans and so support, I suppose, this mad policy of destruction'.⁵⁸ Hamilton-Gordon had also received reports that Gonne and Despard had previously advocated breaches of the Geneva Conventions, as the irregular republican army wore no uniforms and even fired on military ambulances. She and Chaponnière-Chaix both reached the same conclusion; the Irish women were simply using the Red Cross for their own political advantage and not to 'honestly obtain humane conditions' in Ireland. Reflecting widespread revulsion in Ireland at women's participation in the civil war, Hamilton-Gordon concluded that it was 'truly lamentable that women doctors and others who are doing fine social work should incite young men and boys to action which can only spell ruin for themselves and their country'.⁵⁹

In the view of Ishbel Hamilton-Gordon and Pauline Chaponnière-Chaix, women were committed to humanitarianism only when they focused on traditionally feminine spheres of relief provision, such as infant care. Though the WPD did not advocate for violence, their public protests, high-profile arrests and advocacy for themselves as prisoners were unpalatable. Unsurprisingly, this reflected the views of the ICW more generally. From its inception in 1888, the ICW had opted for what Leila Rupp describes as a 'broad and uncontroversial program that would appeal to the largest number of women'.⁶⁰ Its refusal to take a firm stance on issues of suffrage and peace had already

55. F. Walsh, *Irish Women and the Great War* (Cambridge, 2020), pp. 21–63.

56. JAI, SC/GALW/1/5/1 (4), Chaponnière-Chaix to Hamilton-Gordon, 16 Dec. 1922.

57. On Kathleen Lynn and infant care in Dublin, see M. Ó hÓgartaigh, *Kathleen Lynn, Irishwoman, Patriot, Doctor* (Dublin, 2006), pp. 64–86; S. Pašeta, 'Peace and Protest in Ireland: Women's Activism in Ireland, 1918–1937', *Diplomacy and Statecraft*, xxxi (2020), pp. 673–96, at 687.

58. ACICR, CR 22/84/85, Hamilton-Gordon to Chaponnière-Chaix, 17 Jan. 1923.

59. ACICR, CR 22/84/90, Hamilton-Gordon to Chaponnière-Chaix, 22 Jan. 1923.

60. L. Rupp and V. Taylor, 'Forging Feminist Identity in an International Movement: A Collective Identity Approach to Twentieth-Century Feminism', *Signs*, xxiv (1999), pp. 363–86, at 368.

split the movement, leading to the formation of the International Woman Suffrage Alliance in 1904, and WILPF. As members moved towards these groups and group loyalty cemented, the ICW became increasingly conservative. For Chaponnière-Chaix, the Irish republican women seemed familiar. 'The attitude of the women of Mr de Valera's party must be one of the most distressing problems of the present hour', she wrote; 'It brings back to one's memory the distressing times of the "Suffragettes" campaign'.⁶¹

Like the suffragettes, certain Irish republican women had adapted violent methods during the civil war, transgressing established gender boundaries and expectations of women's place in conflict. In January 1923 the ICRC was informed by the republican envoy in Paris, Leopold Kerney, that there were 'reasons to believe' that the Free State government was 'on the verge of committing a new crime against the conscience of the whole world'. This was bringing before a military tribunal and condemning to death a young woman, Máire Comerford, 'as a member of the Republican army who is fighting for the independence of Ireland'. Kerney pleaded for immediate intervention, 'to save the members of the government of the Free State from the universal reprobation which would not fail to be aroused by such an act of barbarism and for humanitarian reasons'.⁶² Reading this, Chaponnière-Chaix remained unmoved. She wrote, 'I don't believe we could protest, since we don't know much about this issue, about what Miss Mary Comerford is doing in the army, because until the present at least military service is not compulsory for women'.⁶³ That month, Comerford was shot at and injured in Mountjoy Prison, after which she went on hunger strike. While the government did consider bringing Comerford and other hunger-striking women before a 'military tribunal', which operated in a similar manner to a court martial and had the power to order executions, it is not clear whether any women were tried during the war.⁶⁴ Even if the rhetoric of the ICRC's expansion to

61. JAI, SC/GALW/1/5/1 (6), Chaponnière-Chaix to Hamilton-Gordon, 26 Jan. 1923.

62. 'En ce moment-ci, il existe des raisons pour croire que ce même Gouvernement est à la veille de commettre un nouveau crime contre la conscience du monde entier; il se propose de traduire devant un conseil de guerre Mademoiselle Mary Comerford, et de la faire condamner à mort comme membre de l'armée républicaine qui lutte pour l'indépendance de l'Irlande': NLI, MS 8,429/9, Leopold Kerney to Ador, 17 Jan. 1923.

63. 'Je ne crois pas que nous puissions protester, puisque nous ignorons tant de cette question, de ce que faisant Miss Mary Comerford à l'armée républicaine, puisque jusqu'à présent du moins, le service militaire n'est pas obligatoire pour les femmes': ACICR, CR 22/84/85, Chaponnière-Chaix to [unknown], 21 Jan. 1923.

64. On the hunger-strike of Comerford and Sheila Humphreys, see UCDA, P150/1257, de Valera to Laurence Ginnell, 27 Jan. 1923, and Máire Comerford, *On Dangerous Ground: A Memoir of the Irish Revolution*, ed. H. Dully (Dublin, 2021), p. 280. Neither Comerford's draft memoirs at UCDA (LA18) nor the published version, edited by Hilary Dully, contain mention of trial by military tribunal or potential execution. However, McConville suggests that the government's executive council did consider bringing both Comerford and Humphreys before the Military Tribunal, while Desmond Fitzgerald's papers contain reference to the 'court martial' of Comerford. McConville, *Irish Political Prisoners*, p. 319; UCDA, P080/752(3), Desmond

encompass political prisoners suggested it would advocate for women, Chaponnière-Chaix appeared to disregard the possibility that women could be combatants or possess rights and protections under international law.

This duality, over claims that the execution of a female prisoner was imminent, encapsulates what Joan Scott has described as one of the central paradoxes of feminism.⁶⁵ On the one hand, some republican women considered themselves to be 'soldiers', active participants in the struggle for the Irish republic. On the other hand, violence against women was painted as 'more horrific' than that against men. Women were simultaneously inside and outside the struggle. Even appeals made by the republican women exhibited this paradox. In Geneva, Lynn and O'Brennan described the prisoners as 'breadwinners' and argued that in deporting husbands without informing 'their womankind' of their fate, the Free State was 'defying the laws of morality and humanity in a country where the marriage laws are sacred'.⁶⁶ The women appealed through a rhetoric of international legal protection for women prisoners, as prisoners of war, alongside a moral language of care and support for women as mothers and wives. Chaponnière-Chaix and Hamilton-Gordon viewed any association between women and violence as objectionable, refusing to accommodate a view that women could provide maternal care while involved in insurgent struggle.

Loyalty to the ICW and divisions between the women's international organisations also ensured that Chaponnière-Chaix received appeals to Geneva from the WILPF with scepticism.⁶⁷ For example, when their secretary wrote to the ICRC again in January 1923, describing raids on a children's hospital in Dublin and the potential arrest of Dr Kathleen Lynn, Chaponnière-Chaix responded that the hospital did not rely on a single doctor and would probably continue operating without her.⁶⁸ Throughout the month, she displayed increased suspicion towards the Irish women, sharing these details, along with debates over intervention within the ICRC, with Ishbel Hamilton-Gordon. Chaponnière-Chaix's involvement in the Irish case illustrates that women's international organisations provided more than just a mechanism for women's entry to the international sphere. They also shaped women's engagement with

Fitzgerald, untitled report. For an overview of Comerford's activities during the civil war, including carrying dispatches and arms, and driving getaway cars, see also IMA, MSP34REF60668, Máire Comerford Pension File. For a discussion of military tribunals, courts and committees during the civil war, see C. Campbell, *Emergency Law in Ireland, 1918–1925* (Oxford, 1994), pp. 194–225.

65. J.W. Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge, MA, 1997), pp. 3–4.

66. ACICR, CR 22/84/75, Lynn and O'Brennan to Brunel, Dec. 1922.

67. This 'fervent loyalty' to individual groups is discussed by Leila Rupp, who mentions Pauline Chaponnière-Chaix's declining involvement with the WILPF on the grounds of her association with the ICW: Rupp, *Worlds of Women*, p. 43.

68. ACICR, CR 22/84/81bis, Glücklich to ICRC Committee, 16 Jan. 1923; CR 22/84/84, Chaponnière-Chaix to Hamilton-Gordon, 20 Jan. 1923. JAI, SC/GALW/1/5/1 (6), Chaponnière-Chaix to Hamilton-Gordon, 26 Jan. 1923.

political events and intersected with their involvement on other international bodies. Chaponnière-Chaix's decision to prioritise her relationship with Hamilton-Gordon, forged through the ICW, over the ICRC eventually resulted in conflict with her superiors. After she circulated some of the letters which had passed between the two women, Chaponnière-Chaix was reprimanded by the ICRC's Director-General for sharing internal disagreements with an outsider. He now took over the Irish case.

III

Women's activities had also irritated Éamon de Valera, self-styled as the republican 'President', who had not been consulted about the Geneva appeal and who criticised the women for believing the 'false promises of the Red Cross'.⁶⁹ Instead, he authorised a republican appeal, centred on exposing 'well-defined breaches' of international law during the war.⁷⁰ Its author, Art O'Brien, sought to prove that the Free State viewed the situation in Ireland as a state of war and that they were deliberately contravening the laws of war—unlike the republicans. Preparing documents to send to Geneva as 'evidence', O'Brien compiled letters from the republican faction which stressed that they had granted all prisoners 'all the rights of prisoners of war, and treated them as compatriots and former comrades'.⁷¹ Other letters described torture during Free State interrogations and prison guards shooting at prisoners. These criticised prison conditions, arguing that republican prisoners were kept in quarters lacking in suitable hygiene, with no food or medical care provided for the sick and wounded. Long lists of the men executed, detained and wounded, with names and dates, were included to substantiate these claims. Particular attention was drawn to the women's prison at Mountjoy in Dublin, where multiple women had undertaken lengthy hunger strikes during the autumn of 1922. This detention of and violence towards women was emphasised in republican reports as evidence of the depravity of the Free State. On both sides of the conflict, behaviour towards women conveyed the moral integrity of a political stance rather than concern for women themselves.⁷²

Yet O'Brien seemed uncertain which international laws covered these appeals and lacked even basic information about the Red Cross organisation.⁷³ What was Article 10 of the Geneva Convention, cited by Lynn and

69. NLI, MS 8,424/14, Éamon de Valera to Lynn, 19 Dec. 1922.

70. NLI, MS 8,424/14, de Valera to Lynn, 21 Dec. 1922; this suggestion for a legal document appeared to emanate from Kathleen O'Brennan.

71. NLI, MS 17,082/2, Liam Lynch to Liam Cosgrave, 1 Dec. 1922, in 'Memorandum to the International Red Cross'.

72. L. Lane, 'Constructions of Civil War Masculinities in the Writing of Dorothy Macardle', *Irish Studies Review*, xxix (2021), pp. 243–56; Banerjee, *Muscular Nationalism*, p. 86; Foster, *Civil War*, p. 61.

73. NLI, MS 8,424/14, Art O'Brien to de Valera, 8 Jan. 1923, and O'Brien to de Valera, 9 Jan. 1923; MS 8,424/15, 'Memorandum', 10 Jan. 1923.

O'Brennan in Geneva? And what year was it from, he wondered, 1919 or 1921? O'Brien was unsure. 'For goodness sake', replied de Valera to one of his letters, 'let us get the part relating to the executions in, if we can do nothing else'.⁷⁴ For de Valera, the issue was that suggestions to appeal to the Hague or Geneva Conventions 'were constantly being made without a clear idea of what should be done', and he instructed his colleagues to source legal texts or 'get an international lawyer to look it up'.⁷⁵ But were women 'civilians' covered by Red Cross protection? In other words, should claims for their protection even be included in the appeal? Again, O'Brien was perplexed.⁷⁶ He needed a copy of the Red Cross constitution, he wrote, but despite visits to the British Red Cross Society, the Women's International League and the International Law Society in London, he could not find one anywhere.⁷⁷ Nor would Lynn and O'Brennan offer him any assistance, despite direct instructions from de Valera to do so. Eventually, his lengthy questions, legal queries and requests for evidence irritated de Valera. Chiding him for his fastidiousness over the details of the Red Cross, de Valera insisted that 'the actual making of the protest and publication that we have made it is the important thing'.⁷⁸ Ultimately, de Valera argued, legal details and establishing Red Cross societies were less important than making a protest to Geneva and then publicising it.

This lack of international legal knowledge exacerbated republican divisions over what they hoped to obtain from the Red Cross. Was it intervention on behalf of individual detainees; international condemnation of the Free State; or the foundation of an independent republican Red Cross society? Though de Valera had stressed that government efforts should be streamlined and that the matter was of the 'highest importance', even he seemed uncertain of the actual benefits which might be obtained from contacting the ICRC.⁷⁹ He admitted having 'little hope that even all the combined international pressure that we can bring to bear will save a single one of our soldiers, but it is our duty to see that no stone is left unturned in this regard'.⁸⁰ To an extent, engagement with

74. NLI, MS 8,424/14, de Valera to O'Brien, 22 Feb. 1923.

75. UCDA, P150/1749, de Valera to MHA, 15 Dec. 1922.

76. The place of women as combatants seemed to confuse O'Brien. Writing to de Valera in February 1923, O'Brien distinguishes between cases involving members of Cumann na mBan, the Irish women's militant wing, and women 'civilians'. For the former he asks if they should be described as 'attached to the IRA', while for the latter he asks how they could be included in the International Red Cross appeal. NLI, MS 8,424/14, O'Brien to de Valera, 20 Feb. 1923.

77. NLI, MS 8,424/14, O'Brien to de Valera, 8 Jan. 1923. Art O'Brien's papers do contain a charter of incorporation and rules of the British Red Cross Society (1920); Articles of Association from the League of Red Cross Societies (1919); a report of conferences of the International Red Cross (Oct. 1920); and loose papers titled 'Status du Comité International de la Croix-Rouge' (1921); NLI, MS 8,429/38 and NLI, MS 8,461/19. He had received at least the latter and the 'Constitution of the International Red Cross' by January 1923: NLI, MS 8,424/14, O'Brien to de Valera, 17 Jan. 1923.

78. NLI, MS 8,424/14, de Valera to O'Brien, 22 Feb. 1923.

79. NLI, MS 8,424/14, de Valera to Lynn, 19 Dec. 1922.

80. NLI, MS 8,424/14, de Valera to Lynn, 21 Dec. 1922.

the ICRC may have been viewed by de Valera as an avenue for achieving legitimacy for his 'government'. He had admitted that recognition from the Red Cross for republican representatives abroad would be beneficial, yet also noted it was 'the very thin end of the wedge of international recognition'.⁸¹ Still, in a conflict fought over the right to be considered a legitimate state, all recognition was significant.⁸²

As he gathered papers in London, Art O'Brien grumbled constantly about this confusion and lack of a central purpose. There were 'too many cooks' involved in the petitions, he complained, 'spoiling the broth'.⁸³ There were also too many leaks to maintain the secrecy O'Brien required. In early March *Éire*, a paper sympathetic to the republicans, posted a detailed report on his efforts to submit an appeal to the ICRC.⁸⁴ However, as O'Brien bemoaned, the presentation had not yet happened and the publication of the report had thrown his plans into jeopardy as it was sure to irritate the ICRC. Unfortunately for O'Brien, the consequences of the report, which mentioned him by name, also affected him personally. In March 1923 he was arrested by British authorities and deported to Ireland, ending his involvement with the Red Cross operation.⁸⁵

Unknown to Art O'Brien, the ICRC in Geneva had been developing a plan in response to the Irish delegations since November 1922. Reports from Ireland, the WILPF, and the arrival of Lynn and O'Brennan had prompted an internal assessment of the situation. In January 1923 Gustave Ador, president of the ICRC, contacted the Free State government directly, reminding them of the 'absolute necessity of always drawing inspiration from international legal conventions in their spirit as well as in their letter', referring to the Geneva and Hague Conventions.⁸⁶ He also floated the possibility of sending a delegation to Ireland, 'to study [the] creation of [an] Irish Red Cross'. The Free State government's reply was terse. The Minister for External Affairs, Desmond Fitzgerald, responded that the ICRC request was 'incomprehensible'. The 'rebellion' in Ireland was internal, he argued, and the ICRC's attempt to intervene was a hostile act. The message concluded firmly, 'external help totally unnecessary'. Fitzgerald further accused the ICRC of welcoming 'fugitive rebels' against the Irish government, and of 'ignorance' and 'false information'.⁸⁷ Kathleen O'Brennan, now

81. NLI, MS 8,424/14, de Valera to Moira Kennedy O'Byrne, 3 Jan. 1923.

82. Kissane, *Politics of the Irish Civil War*, p. 207.

83. NLI, MS 8,424/15, O'Brien to Kerney, 5 Mar. 1923.

84. NLI, MS 8,424/14, O'Brien to de Valera, 5 Mar. 1923.

85. M. MacDiarmada, *Art O'Brien and Irish Nationalism in London, 1900–25* (Dublin, 2020), pp. 173–80.

86. 'Comité international Croixrouge se permet rappeler au Gouvernement Etat libre d'Irlande nécessité absolue de s'inspirer toujours de toutes les conventions internationales dans leur esprit comme dans leurs lettres': ACICR, CR 22/84/83, Ador to the Free State government, 20 Jan. 1923 (Ador's letter is quoted here verbatim).

87. '[A]ide extérieur nullement nécessaire': ACICR, CR 22/84/89, Desmond Fitzgerald to Ador, 26 Jan. 1923; 'fugitifs [sic] rebelles contre gouvernement irlandais accueillis par vous': ACICR, CR 22/84/86, Fitzgerald to Ador, 22 Jan. 1923.

resident in Paris, drew up a report on the incident. Ador, she wrote, had described the telegram as 'the most insulting document ever received by the Society from any Government', and the first time the ICRC had been refused access by a government.⁸⁸ Yet rather than publishing the correspondence, as set out by the 1921 resolution, the fractious response seemed to deter the ICRC. Instead, Ador expressed his apologies to petitioners that the political situation in Ireland ensured intervention was too 'delicate', without the ICRC appearing to take a side in the conflict.⁸⁹ Relying on scant information provided by petitioners or through international networks such as the Union Internationale de Secours aux Enfants, the ICRC lacked basic understanding of the situation in Ireland. They were unsure who the various people arriving in Geneva represented, often mistaking republicans for Free State government delegates, and even wondered internally whether the situation in Ireland could be classified as a civil war.

In the absence of Art O'Brien, and with Chaponnière-Chaix removed from the Irish case, the Director-General of the ICRC, Jacques Chenevière, began negotiations with the republican consul in Paris, Leopold Kerney, who had brought O'Brien's appeal to Geneva. Here, Kerney tried to impress on the ICRC that the conflict in Ireland was a *bona fide* state of war and not a 'rebellion'. He asked for a delegation to investigate prison conditions and ascertain the truth behind the various complaints arriving in Geneva from Ireland.⁹⁰ The ICRC remained cautious. They were reluctant to appear to be 'entering political territory' or imposing a mission on the Free State government if the conflict was really an internal matter.⁹¹ Their favoured solution was the creation of an independent Irish Red Cross with whom they could interact, but efforts to establish one through contacts in Dublin had received little enthusiasm.⁹² Stressing his humanitarian motivations, Kerney cited atrocities in Ireland and breaches of the '1921 Geneva Convention', and begged the ICRC to intervene to save the lives of interned men, women and children. Internally, Chenevière declared that in the absence of action by the British Red Cross, it was the duty of the ICRC to intervene under the 1921 resolution.⁹³ He hoped the organisation could alleviate the suffering of the prisoners, allow them to

88. NLI, MS 41,518/4/10, Kathleen O'Brennan, 'The Red Cross refused admission to Ireland', 1923; Durand, *History of the International Committee*, p. 227.

89. NLI, MS 41,522/4/9, Ador to Fanny de Gabriac, 12 Feb. 1923.

90. ACICR, CR 22/84/103, 'Entretien de M. Chenevière et M. Brunel avec L. Kerney', 14 Mar. 1923; CR 22/84/105, Kerney to Brunel, 14 Mar. 1923; CR 24/84/109, Kerney to Brunel, Mar.–Apr. 1923.

91. ACICR, CR/22/84/11, 'Extraits des proces-verbaux de la CICR', Mar.–Apr. 1923.

92. NAI, DFA 4/243/11, Paul de Gouttes to Maurice Hayes, 22 Nov. 1923; Michael MacWhite to Desmond Fitzgerald, 3 Jan. 1923; Secretary, Department of External Affairs to MacWhite, 19 Jan. 1923.

93. ACICR, CR/22/84/11, 'Extraits des proces-verbaux'.

communicate with their families and, believing similar prisoners were held by the republican faction, co-ordinate prisoner exchanges between the two factions.

Evident on both sides of this incursion into the Irish civil war is a process of knowledge-gathering, report-writing and evidence-compiling, as participants sought to place the conflict within existing international laws. Envoys of the Free State in Geneva had transmitted to Dublin the full text of the 1906 Geneva Convention and the articles of the tenth Red Cross Conference as early as October 1922, despite their protestations that the situation was an internal police operation and not a civil war.⁹⁴ For the republican leadership, the war against the Free State was seen as a continuation of the war against Britain in a new guise, explaining O'Brien's avoidance of the terminology of civil war in his report. Though O'Brien initially struggled to obtain international legal texts and conventions, he was adamant that the appeal to the ICRC should demonstrate violations of international law during a state of war. O'Brien thus referred largely to the status of the prisoners, not to their sufferings, and described their rights as only the 'recognised rights of prisoners of war'.⁹⁵ Appeals that reached Geneva from the WPDL during the same period stressed the inhumanity of Free State practices of torture and intimidation as 'crimes' or 'military terrorism'.⁹⁶ Unlike O'Brien, their language of injustice did not rely only on explicit international conventions or procedure, but spoke to a wider rhetoric of 'humanity' which transcended protocol. Defending their decision to go to Geneva without de Valera's knowledge, Lynn wrote that 'In tense moments of crisis one cannot be bothered with red tape'.⁹⁷ The same attitude extended to the international sphere, where the Irish women petitioned the League of Nations demanding Red Cross intervention, or expressed their frustration directly to the ICRC—questioning the use of making laws if they could not be enforced.⁹⁸ The republican leadership and O'Brien wanted recognition of inter-state belligerency, the women wanted intervention on humanitarian grounds in a civil war.

Perhaps because of his emphasis on the status of republican prisoners as 'prisoners of war' in an inter-state war, Art O'Brien struggled to place imprisoned women alongside other detailed legal violations. Similarly to the WPDL's appeals to 'suffering motherhood', O'Brien's appeal was tailored to an existing international legal rhetoric, one which had no specific language for women's participation in conflict. In this reading,

94. NAI, DFA 4/243/II, MacWhite to Fitzgerald, 9 Oct. 1922.

95. UCDA, P150/1749, de Valera to MHA, 15 Dec. 1922.

96. UCDA, P150/1664, Gonne and Despard, 'To Irishmen and Women'—this was sent to the ICRC on 1 January; ACICR, CR 22/84/93, Gonne and Despard to 'Le Directeur de la Croix Rouge', 31 Jan. 1923.

97. NLI, MS 8,424/14, Lynn to de Valera, 20 Dec. 1922.

98. Geneva, League of Nations Archives, R1559-39-26871-26871, Despard to [unnamed], 30 Jan. 1923; M. Mellowes to Secretary, League of Nations, 25 Apr. 1923.

violence against women was evidence of depraved masculinity and an affront to chivalry, but conveyed little of women's own place under international law or right to legal protection. As Kerney's seemingly unsubstantiated claims about the imminent execution of Máire Comerford demonstrate, violence or the threat of violence against women served to draw attention to the Irish conflict. If these claims were purely propagandistic, they succeeded, by motivating Gustave Ador to send a telegram to the Free State.⁹⁹ But it was O'Brien's legalistic document, which established that the situation was a state of war with identifiable breaches of international law, that ultimately convinced the ICRC of the necessity of an investigation in Ireland, over the pleas for humanitarian intervention from the WPD and WILPF.

IV

On 16 April 1923, a Red Cross delegation of Rodolphe Haccius and Raymond Schlemmer arrived in Dublin to investigate prison conditions in Ireland, to an 'agreeable, if slightly frosty' welcome.¹⁰⁰ Desmond Fitzgerald, the Minister for External Affairs, still insisted that the situation in Ireland was a police operation, not a war, leading the delegates to express their surprise that 12,000 people had been imprisoned for penal law offences.¹⁰¹ Schlemmer left almost immediately for London to report on the negotiations, leaving Haccius behind to conduct the investigation.¹⁰² He was advised to show discretion while in Ireland and informed that, while he could conduct a 'technical' examination of prison sites, he was not allowed to speak to any prisoners. Finally, Fitzgerald insisted that Haccius's presence was permitted only as a courtesy by the Irish government, not as a legal requirement under any 'Geneva Convention'. This extension of courtesy limited the remit of Haccius's activities, and he recorded his frustration that his inquiries 'would have been more comprehensive if the general principles of intervention in the event of civil war had been recognised'.¹⁰³

Haccius was a veteran Red Cross delegate who had conducted visits to almost 200 political detainees in Budapest after Béla Kun established the Hungarian Soviet Republic in 1919. His efforts in Hungary then served as a model for investigations into detention conditions in Upper Silesia and were employed again in Russia in 1921.¹⁰⁴ In short, Haccius was a so-called 'humanitarian expert'.¹⁰⁵

99. ACICR, CR 22/84/87, Ador to Fitzgerald, 23 Jan. 1923.

100. Durand, *History of the International Committee*, pp. 227–8.

101. *Ibid.*

102. 'Les résultats auraient été certainement plus complets si les principes généraux d'intervention en cas de guerre civile avaient été reconnus': ACICR, CR 22/84/134, Rodolphe Haccius, 'Rapport général', n.d.

103. Durand, *History of the International Committee*, pp. 228–9.

104. Lowe, 'Humanitarianism and National Sovereignty', pp. 655 and 664.

105. Haccius was also involved in the distribution of food during the Greco-Turkish War (1919–1922): D. Rodogno, 'The American Red Cross and the International Committee of the Red

He drew from this expertise as he visited three internment camps and one prison in Ireland.¹⁰⁶ Unable to converse with the detained, his reports focused on elements of the prison visible to him, such as bedding, sanitation facilities, correspondence and medical provision. Discrepancies between the camps were not acknowledged in the report—some permitted sending letters twice a week, for example, others just once—and Haccius did not reference individual clauses of legal protections afforded to prisoners under the 1907 Hague Convention. Much of his report depended on his own observations. He inferred that rations were sufficient, as he saw food left behind during the lunch meal, and that the men had ample recreation time, as he was present at a football match. Overall, he concluded that though the prisoners were not officially considered prisoners of war, they were housed and treated with all the privileges and protections of prisoners of war, in conformity with the ‘principles which inspired the Geneva Convention’.¹⁰⁷

This resoundingly positive appraisal of the Free State was tempered by two caveats. Haccius had not consulted with any prisoners nor had he visited Kilmainham Jail, where 300 women were held. His reports even acknowledged the presence of girls between the ages of 14 and 15 among the prisoners, though suggested this was justified by the Free State as the children were carrying explosives and benzene when captured.¹⁰⁸ Instead, he was shown the vacant North Dublin Union, the future detention site for female prisoners, which he described as a spacious site with plentiful facilities. In March, ninety-seven women in Kilmainham had begun a mass hunger strike against the revocation of privileges in the prison. Six women were on strike during Haccius’s visit in April, but he did not meet with them. In his final report, he justified this by arguing that his intervention would have encouraged the prolongation of the strike.¹⁰⁹ He argued that the hunger strikes were not being conducted to protest the conditions within the prison, but to obtain the prisoners’ release. They therefore were not under the scope of his investigation. In reports to Geneva, Haccius expressed his frustration with the Free State government, his desire to speak to the people mentioned in the complaints received by the Red Cross without witnesses present, and the one-sidedness of the investigation.¹¹⁰ Yet the

Cross’ Humanitarian Politics and Policies in Asia Minor and Greece’, *First World War Studies*, v (2014), pp. 83–99.

106. The itinerary of his visit was as follows: Newbridge Internment Camp, Co. Kildare (18 April), Mountjoy Prison Dublin (19 April), Tintown Internment Camp (20 April) and Gormanstown Internment Camp, Co. Meath (25 April). McConville, *Irish Political Prisoners*, pp. 260–63.

107. ‘Les conditions correspondent au traitement normal des prisonniers de guerre en conformité des principes qui ont inspiré la Convention de Genève’: ACICR, CR 22/84/134, Haccius, ‘Visit to Newbridge Camp’, 28 Apr. 1923.

108. ACICR, CR 22/84/134, Haccius, ‘Rapport général’, n.d.

109. NLI, MS 48,283/2/5, ‘Red Cross Report’, June 1923.

110. ACICR, CR 22/84/124, Haccius, ‘Report from Dublin’, 24 Apr. 1923.

EHR, CXL. 602 (February 2025)

official report on the visit, issued by the ICRC, sidestepped the majority of these issues by framing Haccius's investigations as of a purely technical nature, visiting the prison camps 'from the point of view of their material organisation and the health conditions of the prisoners'.¹¹¹ On both of these counts the report found that the 'serious accusations' made by the republicans were unfounded.

When Haccius's report appeared in July 1923 it was touted as a propaganda victory for the Free State. It was reproduced by the government's publicity department as an 'authoritative and impartial report', which proved that allegations against the Free State were 'entirely unfounded'.¹¹² Pro-government papers such as the *Freeman's Journal* lauded the report as 'sane, balanced and moderate in tone', writing that Haccius's 'experience of prison camps throughout Europe during the world war was the best guarantee that the truth could not easily be hidden from him'.¹¹³ Excerpts from the report were read in the Dáil by Richard Mulcahy, director of the Free State Army, who claimed that the instructions to exclude representations from prisoners and not to focus the inquiry on individual complaints originated from the ICRC.¹¹⁴ Though the report claimed that lines of activity had been mutually established by both parties, republicans noted that a reservation that Haccius had not been authorised to question the detainees, contained in his draft report to the Free State, was omitted from the official ICRC report published in the *Revue Internationale de la Croix-Rouge*.¹¹⁵

Republican pushback against the report appeared quickly. The WPDL published a lengthy editorial criticism, outlining their own efforts to secure ICRC intervention in the conflict and their surprise that they had not been contacted by the delegates.¹¹⁶ The WPDL emphasised that they had seen prisoners' letters, had interviewed prisoners, and had even been prisoners themselves.¹¹⁷ Efforts to counter the ICRC report increasingly focused on these experiences as a counterpoint to Haccius's international expertise, as Irish Republican Army intelligence urgently asked internees for detailed reports on camp conditions.¹¹⁸ The Free State increasingly used the report as a bulwark against criticism or questioning of its internment policy as it tightened its controls by drafting new emergency legislation to support the continued detention of unsentenced prisoners.¹¹⁹ Despite the declaration of a ceasefire

111. 'M. R. Haccius a été chargé de visiter les camps de prisonniers au point de vue de leur organisation matérielle et de la situation sanitaire des détenus': 'En Irlande. Avril-Mai 1923', *Revue internationale de la Croix-Rouge*, liv (1923), pp. 607-16, at 608.

112. NLI, MS 48,283/2/5, Publicity Department Statement, June 1923.

113. 'The Atrocity Mongers', *Freeman's Journal*, 4 July 1923, p. 4.

114. 'Camps Visited: A Good Impression Created', *Freeman's Journal*, 4 July 1923, p. 5.

115. Durand, *History of the International Committee*, pp. 228-9.

116. 'Places Visited: Letter to the Editor', *Freeman's Journal*, 11 July 1923, p. 7.

117. 'Women's Prisoners Defence League', *Offaly Independent*, 26 May 1923, p. 4.

118. NLI, MS 50,300/6, Michael Carolan, 'Irish Republican Army Dispatch', 25 June 1923; MS 50,300/8, Carolan, 'Irish Republican Army Dispatch', 5 July 1923.

119. 'The Red Cross and the Prisoners', *Waterford News and Star*, 13 July 1923, p. 15; 'Public Safety Bill', *The Nationalist*, 14 July 1923, p. 8.

at the end of April, over 10,000 republican sympathisers remained in detention camps during the summer. Testimonies were seen as crucial to brokering their release.

One widely circulated account by a politician, Charles Murphy, claimed that while Haccius was inspecting the Curragh camp, he and nine others were being tortured by the camp's military authorities after the discovery of an escape tunnel on-site.¹²⁰ Murphy recalled that over the course of several days he was deprived of water and food, drenched in cold water, and handcuffed to the ceiling by an iron bar. From the women's prison, Máire Comerford smuggled out a report countering the Red Cross report line by line. She described serious overcrowding, arguing that the women had fought for whatever 'prisoner of war' treatment they had.¹²¹ Her report depicted a violent prison environment, where women were routinely shot at in their cells or shoved and hit with revolvers in physical altercations with prison guards, after which they were refused medical treatment. Degrading searches were conducted by women prison attendants, involving male gaolers watching through the bars as women were forced to undress. Torture and assault, sexual or otherwise, were elements of the Free State's prison regime concealed from Haccius and not described in the ICRC report. Testimonies such as these drew attention away from quantifiable attributes of the prison, such as parcels received or numbers of showers available, to recentralise the violence against the human body at the centre of detention.

Claims of torture and ill-treatment in Ireland spread to Geneva, where ICRC delegates described their misgivings that there was 'a good deal of truth' in the reports and admitted that the refusal to allow Haccius to visit women's prisons left them with a 'bad impression'.¹²² Seeing potential for a renewed investigation, republicans pushed for an appeal at the Red Cross's eleventh international conference, where delegates would draft resolutions on prisoners of war.¹²³ Máire O'Brien and Daisy Cogley arrived in Geneva on 23 August, just as reports reached there of the arrest of Éamon de Valera by the Free State forces, which they claimed 'stirred up remarkable interest everywhere'.¹²⁴ They carried documents that

120. NLI, MS 17,140/11, IRA Daily Bulletin, 'During the Alleged Red Cross Visit to the Curragh: Prisoners Were Hanging by their Hands', 7 July 1923.

121. NLI, MS 48,065, Máire Comerford, 'Notes on the Red X report on the treatment of women prisoners', n.d. [1923]. See also L. McAttackney, 'Gender, Incarceration and Power Relations during the Irish Civil War (1922–1923)', in V. Sanford, K. Stefatos and C.M. Salvi, eds, *Gender Violence in Peace and War: States of Complicity* (Rutgers, NJ, 2016), pp. 47–63; Lane, 'Constructions'.

122. '[I]l semble bien qu'il y a aussi une bonne part de vérité et je dois dire que le refus de permettre à notre délégué de visiter les prisons de femmes et les motifs invoqué pour cela m'ont laissé une mauvaise impression': ACICR, CR 22/84/154bis, Dr Frédéric Ferrière to Brunel, 23 June 1923.

123. NLI, MS 43,245, Albinia Brodrick to [unnamed], 6 Aug. 1923.

124. UCDA, P150/1699, Daisy Cogley and Máire O'Brien, 'Report of the delegates to the Red Cross Conference, Geneva', Aug. 1923.

challenged the veracity of Haccius's reports, countered the absence of evidence from women's prisons, and questioned the overall impartiality of the final report, which they described as 'worthless'.¹²⁵ Supporting these claims were testimonies from prisoners detained by the Free State, such as Murphy and Comerford.¹²⁶ These testimonies and personal experiences were embodied by the women themselves; Daisy Cogley had been interned in Kilmainham for four months during the civil war, separated from her husband and young sons. An accomplished actress, in Geneva she captivated audiences at parties with the details of her imprisonment.¹²⁷

Cogley and O'Brien had been provided with letters of introduction to the French Red Cross from supporters in Paris, but their strategy relied on receiving the support of the American Red Cross delegate, Colonel Ernest Bicknell.¹²⁸ However, disagreements over the relationship between the ICRC and the League of Red Cross Societies, a project devised by the American Red Cross, meant that Bicknell refused to attend the conference at the last minute.¹²⁹ Without a supportive delegate to raise their protest for them, the women's plans ran aground. Their attempts to place their request for a revision of Haccius's report before the conference themselves were refused.¹³⁰ The Irish press recorded that the British Red Cross delegate, Edward Stewart, had responded to their protest by arguing that Ireland already had a Red Cross society with the necessary powers to act on the matter, without requiring the intervention of the conference.¹³¹ O'Brien and Cogley protested that this Red Cross society existed 'only in the imagination of the English delegate'.¹³² If he was referring to the British Red Cross, the only society operating in Ireland, it had so far refused to act. Stewart's intervention undermined their mission, however, ensuring delegates were unmoved by the women's emotive appeals to 'the spirit of humanity' and the suffering of the prisoners.¹³³

The attempt by Daisy Cogley and Máire O'Brien to obtain an audience in Geneva was the last time the Irish republicans tried to solicit

125. UCDA, P150/1699, 'Comments on the report of M. Haccius', Aug. 1923.

126. NLI, MS 43,245, O'Brien and Cogley to Ador, 28 Aug. 1923.

127. NLI, MS 43,245, 'Impressions of Delegates'. Cogley acted as a dispatch courier and stored guns in her home during the civil war, see IMA, MSP34REF60812, Johanna Cogley Pension File.

128. UCDA, P150/1259, 'Foreign Affairs Report', 31 Aug. 1923.

129. 'Red Cross Conference Sensation', *Irish Examiner*, 30 Aug. 1923, p. 4; H. Wood, 'Red Cross Congress: Programme under Discussion at Geneva', *Freeman's Journal*, 31 Aug. 1923, p. 4. On divisions between the ICRC and the League of Red Cross Societies, see Hutchinson, *Champions of Charity*, pp. 301–45, especially 304–7; J. Irwin, *Making the World Safe: The American Red Cross and a Nation's Humanitarian Awakening* (Oxford, 2013), pp. 141–81.

130. *Journal de Genève*, 1 Sept. 1923, p. 2.

131. 'Irish Prisoners: Deputation to International Red Cross Conference', *Irish Examiner*, 31 Aug. 1923, p. 6.

132. NLI, MS 43,245, 'Impressions of the Delegates'.

133. NLI, MS 43,245, Cogley to George Bals, 30 Aug. 1923.

an intervention on humanitarian grounds from the ICRC. An election held while they were in Geneva solidified the pro-Treaty majority in the Irish parliament and promised a return to normality.¹³⁴ The Free State began to release detainees, though movement was slow, resulting in a major hunger strike in October which encompassed 8,000 prisoners. Against the backdrop of this continued detention, Haccius requested permission from the ICRC for a new mission to Ireland, yet its leadership refused, slowly distancing themselves from the Irish situation.¹³⁵ In January 1924, a member of the British branch of Save the Children confirmed that ‘while the Free State government was entirely innocent of barbaric treatment of prisoners, abuses and in some cases of quite terrible a nature, were perpetrated in the internment camps’¹³⁶ Although this letter was accompanied by conclusive evidence of torture and mistreatment in Free State prisons and camps, both the ICRC and the Save the Children representative agreed no more action was needed in Ireland.¹³⁷

Máire O’Brien travelled to Geneva filled with hope, only to return disillusioned. Despite its claims to impartiality and neutrality in civil wars, members of the ICRC such as Chaponnière-Chaix privately expressed their sympathy for the Free State government and their reluctance to intervene in Ireland. Even the claim that Haccius’s visit was ‘technical’, and not a ‘political’ one, reflects what Charles Maier describes as an inbuilt function of inter-war internationalism: to delineate between the two when necessary so that experts could depoliticise problems to maintain the stability of the state system.¹³⁸ Upholding basic tenets of liberal internationalism, along with an endorsement of the British Empire, the Free State promised security, a bulwark against Bolshevism, or socialism of the kind seemingly advanced by women such as Despard. The inter-war ICRC was staunchly anti-Communist, and its self-imposed limits in Ireland reflected this reluctance to intervene in the internal affairs of an ally of liberal democracy.¹³⁹

134. Foster, *Irish Civil War*, p. 149.

135. ACICR, CR 22/84/175, Kerney to Ador, 30 Nov. 1923; CR 22/84/172, Paul Logoz to Fitzgerald, 22 Nov. 1923.

136. ACICR, CR/22/84/179, L.B. Golden (Secretary Save the Children) to Brunel, 2 Jan. 1924.

137. This is where both the ACICR files and private papers in the NLI end on the question of the Red Cross’s intervention in Ireland, though it may not be the full story. Some of Charlotte Despard’s diaries are held in the Public Records Office of Northern Ireland [hereafter PRONI]. While it does not hold diaries for 1922 or 1923, PRONI does have the diary from 1924: PRONI, D479/1/8, Charlotte Despard diary, 1924. On 6 January 1924, Despard records associates of hers leaving for Geneva to provide a statement to the Red Cross. If this statement exists, it is not to be found in the ACICR file.

138. Drawn from M. Siegelberg, ‘Neither Right nor Left: Interwar Internationalism between Justice and Order’, *Humanity: A Journal of Human Rights and Development*, vi (2015), pp. 465–77, at 469, referring to C. Maier, *Recasting Bourgeois Europe: Stabilization in France, Germany and Italy in the Decade after World War I* (Princeton, NJ, 1975).

139. B. van Djik, *Preparing for War: The Making of the Geneva Conventions* (Oxford, 2022), pp. 99–146.

Finally, as the republicans were intimately aware, Ireland remained within the grasp of the British Empire. Hanna Sheehy-Skeffington perhaps encapsulated republican opinion when she retorted that the camps visited were ‘show camps’, while the failure of the Red Cross inquiry was ‘another proof of the impossibility of Ireland being afforded any fair dealing even on so-called international bodies, as long as these are British-controlled’.¹⁴⁰ The reports O’Brien and Cogley delivered to the eleventh conference remained complimentary towards Ador and Haccius, while ascribing blame for their inability to help to malevolent British influence in Geneva. There was some truth in these statements. The mechanisms of the 1921 resolution, which gave jurisdictional authority to national Red Cross societies, privileged imperial control over conflicts in colonial or quasi-colonial spaces. By allowing the British Red Cross authority over humanitarian intervention in Ireland, it was clear the resolution was not intended for nascent post-imperial states without an established Red Cross society. Similar issues would be generated by the conflict in the Rif the following year.¹⁴¹ As Gustave Ador allegedly informed one of the Irish women, the difficulties in Ireland were that ‘no Red Cross rules govern in civil war, no league of the Red Cross exists in Ireland’.¹⁴²

V

In 1922–3, the women described in this article sought to develop a new state that would emerge triumphant from the civil war. This imagined state was an equal, republican Ireland which would recognise fully the rights of men and women who fought in the independence struggle. Their imaginings for women’s equality were echoed by women’s internationalist groups, who worked alongside and within states, though with allegiances—and dissensions—that transcended statehood. Chaponnière-Chaix’s sceptical attitude towards the Irish women verged on outright rudeness, with one republican woman recording their meeting as a ‘reception which we in Ireland would have been ashamed to give to a poor beggar in rags’.¹⁴³ Yet as the ICRC exchanged terse telegrams with Desmond Fitzgerald, he welcomed Suzanne Ferrière to Dublin as a representative of the Union Internationale de Secours aux Enfants, a role she held alongside being a representative of the ICRC

140. NLI, MS 43,245, Hanna Sheehy-Skeffington to the League of Nations, 1 Sept. 1923.

141. P. la Porte, ‘Humanitarian Assistance during the Rif War (Morocco, 1921–6): The International Committee of the Red Cross and “an Unfortunate Affair”’, *Historical Research*, lxxxix (2016), pp. 114–35.

142. NLI, MS 43,245, Brodrick to [unknown], 6 Aug. 1923.

143. Given that the visitor was Albinia Brodrick, sister of the former Secretary of State for War, St John Brodrick, Viscount Middleton, and other women petitioners were affluent, educated and middle or upper class, it seems unlikely that class differences were a major factor in Chaponnière-Chaix’s attitude. ACICR, CR 22/84/161, Brodrick to Ador, 1 Aug. 1923.

and whose membership she shared with Kathleen Lynn. Politics, violence and 'infant care' sat side by side.¹⁴⁴ Rather than suggesting that the presence of women on the committee was a 'modernising force' or that they were more predisposed to extend protections to prisoners and civilians than their male counterparts, the ICRC's involvement in Ireland illustrates how easily gendered oppositions of humanitarianism and violence collapse when humanitarian activity is acknowledged as highly politicised.

On the Irish side, it seems significant that even after de Valera's involvement republican delegations to Geneva were intentionally still composed of women, speaking on behalf of male *and* female prisoners. Republicans wrote to Geneva complaining that the Free State was 'trampling on the rights of man and the international conventions of the Red Cross', yet many of the atrocities cited were complaints of violence or threats of violence against women, detained as 'prisoners of war'. In their appeals for humanitarian intervention in Geneva, the republican women advocated for themselves on an international stage as subjects of international humanitarian law, entitled to protections as active participants in the conflict and not simply victims of violence. This brief assertion of equality, generated by the disorder and fluidity of wartime, was muted by the return to peace and to traditional gender roles in Ireland.¹⁴⁵ Yet it highlights, albeit temporarily, the possibilities for the future Irish state envisioned in the midst of civil war violence and the imagined opportunities presented by the international sphere.

These imaginations were also plagued by uncertainty and confusion. Regardless of the caveats about its enforceability and status as a resolution rather than a legal convention, many republicans seemed to view the 1921 resolution as international law itself, repeatedly conflating it with the Geneva Conventions. Lacking information about the organisation, they occasionally described the ICRC as the Genevan Red Cross or mistakenly sent letters to the League of Red Cross Societies. Scepticism, optimism and opportunism coexisted about the capability of the 'Red Cross' to override the sovereignty of the Free State, halt the executions and enforce 'prisoner of war treatment'. What this treatment meant to Irish republicans derived from years of conflict and detention and was not circumscribed by the 1921 resolution or even the Hague Conventions themselves. This tendency towards international legal malleability was exhibited by the ICRC too. Even Haccius, in

144. On the political nature of relief for children, see, for example, T. Zahra, *Reconstructing Europe's Families after World War II* (Cambridge, MA, 2011); Baughan, *Saving the Children*.

145. J. Scott, 'Rewriting History', in M. Randolph, J. Jenson, S. Michel, and M. Collins Weitz, eds, *Behind the Lines: Gender and the Two World Wars* (New Haven, CT, 1997), pp. 21–30; C. Beaumont, 'Women, Citizenship and Catholicism in the Irish Free State, 1922–1948', *Women's History Review*, vi (1997), pp. 563–85; M. Valiulis, 'Power, Gender and Identity in the Irish Free State', *Journal of Women's History*, vi (1995), pp. 117–36. Valiulis argues that it was because women were so prominent in the civil war that the Free State reasserted control over women after its conclusion.

his reports, referred to Irish prisoners as treated in conformity with the Geneva rather than the Hague Conventions, while Ador reminded the Free State to draw inspiration from those conventions, despite not being a signatory to them.¹⁴⁶ More significant than simply dismissing these as ‘mistakes’ or ‘misreadings’, they point to visions of international law and order that extended beyond the text of conventions or fixed conference resolutions.

Much of the story of humanitarianism after the First World War is one of movement—of soldiers and prisoners returning home, of forced population transfers, of refugees and resettlement. Organisations such as the ICRC achieved their greatest post-war successes in facilitating the return of prisoners of war, the transfer of refugee populations, or in joining the American Red Cross and the Hoover Institute in feeding hundreds of thousands. Civil wars sit uneasily among these efforts. Their protagonists fought to stay in place, their determination to remain fixed to a territory and a political ideology often resulting in their containment. In Ireland, republican prisoners claimed the status of ‘prisoners of war’, though like political prisoners they used their imprisonment to wage an ideological war. To obtain their release, prisoners held by the Free State were forced to swear an oath rescinding their part in the struggle for the republic. Continued detention was itself a political statement. Many refused food as a tactic, a rejection of material relief that placed them beyond the ability of the ICRC to assist. Their detention, and Haccius’s frustrated efforts to conduct his investigation, illustrate the impossibility of impartial humanitarian action in a civil war, particularly where access was reliant on one side. Initial plans for the ICRC visit to Ireland had involved delegates inspecting detention centres on both sides, assuming a level of belligerent reciprocity between the two factions that derived from the organisation’s experience in inter-state, rather than internal, warfare.

Both Art O’Brien’s efforts to entice the ICRC to Ireland and Haccius’s final report published in the *Revue Internationale de la Croix-Rouge* reduced human suffering and state violence to a series of quantifiable numbers. Lists of names of executed men counteracted lists of provisions and rations. Expertise measured the size of rooms, the length of breaks and the number of showers. The republican response was to challenge such statistics with direct experience of torture and suffering, yet little attention was paid in the Red Cross report to this violence meted out against the human body. Recent historiography of the international efforts of the Free State has focused on processes of state-making and international diplomacy through, for example, membership of the League of Nations.¹⁴⁷ These narratives tend to elide

146. See nn. 86, 102 and 106 above.

147. G. Keown, *First of the Small Nations: The Beginnings of Irish Foreign Policy in the Interwar Years, 1919–1932* (Oxford, 2016); J. Gibney, M. Kennedy and Z. Reid, *On an Equal Footing with All: Ireland at the League of Nations* (Dublin, 2023).

the presence of republicans and the simultaneous violent unmaking of individuals through torture and incarceration. The state's ability to unmake bodies is part of its performative exercise of power, to destroy those in opposition to its remit and ambitions. In contrast, humanitarianism is a defence of the body, a reification of the individual before the state.¹⁴⁸ In Ireland, appeals for humanitarian intervention either sought protection under international law or centred on the suffering of the individual body through ill-treatment and torture. Though internal ICRC memos vacillated over the suffering of Irish bodies, its refusal to intervene in the conflict signalled a rejection of the suffering bodies of the prisoners as depoliticised entities. In the process it reaffirmed the role of the state in determining the status, and so international legal protection, of individuals as prisoners whether 'political detainees' or 'prisoners of war'. Though in theory the ICRC's movement into civil wars signified a desire to uphold the rights of the individual against the state, it ran aground when faced with individuals who could not easily be accorded the status of 'political detainees', particularly women who claimed for themselves the protections of prisoners of war.

University of Notre Dame, Notre Dame, IN

LIA BRAZIL 

148. T. Laqueur, 'Bodies, Details, and the Humanitarian Narrative', in A. Biersack and L. Hunt, eds, *The New Cultural History* (Berkeley, CA, 1989), pp. 176–204. See also E. Möller, J. Paulmann and K. Stornig, 'Gender Histories of Humanitarianism: Concepts and Perspectives', in E. Möller, J. Paulmann and K. Stornig, eds, *Gendering Global Humanitarianism in the Twentieth Century* (Cham, 2020), pp. 281–300.