

## Bishop Daniel Cohalan of Cork on Republican Resistance and Hunger Strikes: A Theological Note —

*An analysis of the various responses of the Bishop of Cork to Republican resistance during the War of Independence reveals a fundamental shift between 1921 and 1923 in his moral analysis of violent resistance and the hunger strikes that formed part of it.*

Daniel Cohalan was Bishop of Cork from 1916 to 1952. During those years he witnessed many changes and upheavals in Irish society. The first ten years of his episcopacy were, however, probably the most traumatic as they witnessed both the War of Independence and the Civil War. County Cork witnessed some of the more significant engagements during the War of Independence and also a prolonged hunger strike during which two Republicans died. Consequently, Bishop Cohalan was well placed to comment on these features of Irish life. He is remembered in accounts of that period as the only Irish Bishop to have issued a decree of excommunication on those involved in acts of murder, ambushes, and kidnapping.<sup>1</sup> He also played a very public role during the hunger strike of the Lord Mayor of Cork, Terence MacSwiney: visiting him in prison, pleading for his release, and presiding at his funeral.<sup>2</sup>

Both Catholic bishops and theologians addressed the special moral and pastoral issues raised during that period of bloodshed and unrest. The Irish Catholic Bishops in their pastoral statements consistently reflected on the morality of violence, while moral theologians focused primarily on the morality of hunger strikes. This note sets out to examine from the perspective of Catholic moral theology the stance adopted by Bishop Cohalan on two specific issues during the War of Independence: the use of physical force and of hunger strikes by the Republican forces. Although his statements on these issues have been frequently noted in historical studies of the period, they have not been the subject of a systematic theological analysis. The limited scope of this note is matched by the modesty of the available sources. These consist of Bishop Cohalan's Pastoral Letters and his correspondence to the newspapers. The modesty of the

1. Dermot Keogh, *The Vatican, The Bishops and Irish Politics 1919-39* (Cambridge: Cambridge University Press, 1986), 58-64; Tomás Ó Fiaich, 'The Catholic Clergy and the Independence Movement', in *The Capuchin Annual 1970*, 480-502, especially 485-7.

2. Dermot Keogh, *op cit*, 49-55; Stuart Mews, 'The Hunger Strike of The Lord Mayor of Cork, 1920: Irish, English and Vatican Attitudes', in W. J. Sheils and Diana Wood (eds.), *The Churches, Ireland and the Irish* (Oxford: Basil Blackwell, 1989), 385-399. For a more personal account of his election as Lord Mayor, court-martial, and hunger strike, see Liam Russell, 'Some activities in Cork City 1920-21', in *The Capuchin Annual 1970*, 332-345.

sources is explained by the fact that Bishop Cohalan did not engage in any academic discussion on these moral issues but responded to them in his role as pastor and moral guardian.

### Historical Context

In the elections of December 1918, Sinn Féin secured a historic victory, which led to the establishment of the Dáil on 21 January 1919. On that day the first action of the War of Independence also took place at Soloheadbeg, County Tipperary, and resulted in the death of two policemen and in the commandeering of a cargo of explosives. The local elections of 1920 resulted in greater victories for Sinn Féin and the election of Tomás MacCurtain as Lord Mayor of Cork. Later that year, violence increased significantly throughout the country, and the Bishop witnessed much of it within his own diocese. In Cork City on the 20 March, Lord Mayor MacCurtain was shot dead in his home. In August, the new Lord Mayor Terence MacSwiney was arrested and charged with sedition.<sup>3</sup> While in Cork jail, he and other Republican prisoners went on hunger strike.<sup>4</sup> At the subsequent court-martial, he was sentenced to two years imprisonment and was deported to Brixton prison where he continued his hunger strike. During August, Bishop Cohalan visited the hunger strikers in Brixton<sup>5</sup> and Cork, and argued in *The Times* and elsewhere for their release. On the 19 October, Mick Fitzgerald died in Cork prison after 76 days without food. His death was followed on the 25 October by those of Joe Murphy and Lord Mayor Terence MacSwiney. The funeral of the Lord Mayor was attended by several archbishops and bishops in Southwark, Dublin, and Cork.<sup>6</sup> Following these deaths pressure mounted to bring the others strikes to a peaceful end. Bishop Cohalan supported this move. He reasoned that the three deaths had secured for the Irish cause both a moral victory and international attention, and that any further deaths would be a futile waste of life. Following interventions by the acting President of Sinn Féin, Arthur Griffith, and others, the hunger strikes finished in mid November.

In the same month, an ambush at Kilmichael, County Cork, provided a significant victory for Republican forces, and was followed by acts of reprisals by Crown forces. On the 11 December, the centre of Cork City was burned by Crown forces following an earlier ambush during which a British soldier had been killed. During the same night, other murders and

3. His court-martial is recorded in *The Tablet*, 137 (18 September 1920), 385.

4. For a list of hunger strikes in Ireland and elsewhere, see James Healy, 'Notes Towards a Study of Irish Hunger Strikes 1', in *Milltown Studies*, 8 (Autumn 1981), 43-57.; 'Towards a Study of Irish Hunger Strikes 2', in *Milltown Studies*, 9 (Spring 1982), 23-37.; 'Hunger Strikes around the World', in *Social Studies*, 8 (1984), 81-108.

5. MacSwiney was also visited by Bishops 'O'Sullivan of Kerry and Browne of Cloyne as well as a number of English prelates of Irish extraction' (Dermot Keogh, op cit., 49).

6. A list of clerical dignitaries is recorded in *The Irish Catholic Directory 1921*, 537.

acts of destruction took place in the city. The following morning, in the Cathedral, in his Sunday homily the Bishop condemned the violence and destruction of the previous day and threatened excommunication on those who persevered in the campaign of violence. Within twenty-four hours, he published the following decree of excommunication:

Besides the guilt involved in these acts by reason of their opposition to the law of God, anyone who shall, within the Diocese of Cork, organize or take part in an ambush or in kidnapping, or otherwise shall be guilty of murder, or attempt at murder, shall incur by the very fact the censure of excommunication.<sup>7</sup>

A slightly expanded and amended version of the sermon and decree of excommunication was read at all Masses in the Diocese on the following Sunday. In this letter he also urged Volunteers 'neither to give nor to obey any order that would subject them to the terrible effects of excommunication'.<sup>8</sup> This was a very dramatic and unpopular move that caused much anguish to the general public and to the priests of Cork.<sup>9</sup> Despite the intervention of the Bishop, the cycle of Republican action and Crown reprisals continued. Indeed, just days after the issuing of the decree, a parish priest in County Cork was murdered by Crown forces.<sup>10</sup>

### The morality of the use of physical force by Republicans

Bishop Cohalan's stance on the morality of violence is seen in his pastoral pronouncements over a period of time. Given the nature of his role as pastor, his primary concern was to bring comfort and guidance to his flock rather than provide a systematic treatise on the morality of physical force. Consequently, his theological understanding has to be gleaned from his response to events in his own diocese during those troubled years.

The theological framework that informed Bishop Cohalan's stance is most clearly seen in his Lenten Pastoral of 1920.<sup>11</sup> The stated purpose of the Pastoral was to 'consider the duties of the supreme authority and of the subject in civil society'. The first part considered the duties of those in authority and in particular the obligation on them to respect the moral

7. *Irish Catholic Directory 1922*, 503-4.

8. 'Pastoral Letter in the Aftermath of the Burning of Cork' (Fourth Sunday of Advent, 1920), Cork & Ross Diocesan Archives. The decree of excommunication is here worded slightly differently: 'Besides the sinfulness of the acts from their opposition to the Law of God, anyone, be he a subject of this diocese or an extern who, ....'

9. Tomás Ó Fiaich, op cit., 486; Carthach MacCarthy, *Archdeacon Tom Duggan in Peace and in War* (Dublin: Blackwater Press, 1994), 64-71.

10. Canon Thomas Magner, P.P., Dunmanway, was murdered on 15 December 1920. See *Irish Catholic Directory 1922*, 505, and Dermot Keogh, op cit., 62.

11. This Lenten Pastoral is missing from the Cork and Ross Diocesan Archives. The complete text was published in *The Cork Examiner*, 16 February 1920. See also Carthach MacCarthy, op cit., 53-4.

law. He identified, as central, the question of whether British rule in Ireland stood 'the test of the application of the principles of the moral law'. To answer this question, he briefly reflected on two earlier periods of Irish history: those of the Penal Laws and of the Agrarian Movement. In his analysis, the breaches of the moral law by British rule during these periods were self-evident and universally accepted. He then focused on the moral standing of British rule since the beginning of the movement towards self-government. His conclusions here were unambiguous and severe. He argued that the existing mode of Government had 'no sanction in the moral law'. It was the 'rule of might over right'. Furthermore he argued that the Government was the cause of civil unrest 'by its failure to govern according to the moral law'. The second part of the pastoral addressed 'the duties of subjects to the civil power'. For the purpose of this note, this section is most instructive. Given his conclusions on the moral standing of British rule in Ireland, it was inevitable he would focus on the duty of the citizen, when government rule contravened the moral law. What was the citizen to do when confronted by government coercion? His response to this central question was quite nuanced:

If an unjust aggression comes from a private individual it is lawful to repel it. Theoretically, too, if an unlawful aggression comes from the agents of a coercion government it is lawful to resist it, for neither governments nor their agents have a right to commit an unlawful aggression on the individual citizen ... Though resistance to unlawful oppression may be lawful theoretically and in the abstract, it may be wrong in practice. The unlawful aggression which you wish to repel would be renewed successfully, and public order, for whose maintenance no sacrifice is too great, would be seriously troubled.

Consequently, he strongly urged his flock to 'bear this period of persecution patiently' and 'above all avoid the terrible crime of taking human life'. He condemned two recent killings in Cork, and directed that a 'public act of reparation' be held in the parishes where the crimes were committed to ask for God's pardon.

Several things are clear from this letter. In the first place it indicates that Bishop Cohalan was not a pacifist but belonged to the dominant theological tradition that justified the limited use of violence in certain circumstances. Secondly, he supported and saw as a 'just cause' the goal of Irish independence from Britain. He argued that the British mode of government had 'no sanction in the moral law' and judged continued British presence to be an act of injustice and oppression against the Irish people. Thirdly, he urged his people to submit to the oppression of the State rather than disturb public order through active resistance. His stance on British presence and activity in Ireland mirrors that expressed by the Irish

Bishops in October 1920.<sup>12</sup> There the Bishops called for the recognition of the right of the Irish people to freely choose their own form of government and condemned the oppression of the state. Although they called for an independent inquiry into state atrocities, they urged their people to show 'self restraint' in the struggle for freedom.

### Just War Tradition

Given that Bishop Cohalan was not a pacifist and did not, consequently, reject the use of violence outright it seems appropriate to attempt to understand his interventions in terms of the 'just war' tradition.<sup>13</sup> Within the Christian community that tradition has been the dominant approach to the question of the use of violence. It grew out of the Christian presumption against the moral use of violence and killing. It justifies violence in exceptional circumstances and always with regret. The framework, developed and refined over many centuries, lays down criteria for both the initiation of war and for conduct in war. The *jus ad bellum* criteria are generally listed as: just cause, competent authority, comparative justice, right intention, proportionality, last resort and possibility of success. The *jus in bello* principles are those of proportionality and discrimination. Though not explicitly mentioned by Bishop Cohalan, it is reasonable to assume that these criteria were part of his theological horizons and influenced his moral reasoning.

Bishop Cohalan's statement after the burning of Cork City provides us with further insight into his stance on the morality of the physical force movement.<sup>14</sup> In this letter he drew on 'practical' and 'moral' reasons for condemning Republican and Crown violence. On the practical side he placed heavy emphasis on the cycle of violence that had engulfed Ireland and on the reality of British reprisals that inevitably resulted in the loss of innocent lives. He further questioned whether the killing of policemen had brought any political benefit to Ireland. From the 'moral' perspective he concluded that 'murder is murder, and arson is arson, whether committed by agents of the Government or by members of the Republican army'. Tautology aside, his message was quite clear: he saw all killing in the conflict as murder and therefore, by definition, morally unacceptable. The accompanying excommunication decree was also unambiguous, and in effect judged as immoral all aspects of the Republican physical force movement: ambushes, kidnapping, arson, and killing. Though the statement is clear on the moral conclusions reached by Bishop Cohalan, it does not completely enlighten us as to the reasons behind those conclusions.

12. *Irish Catholic Directory* 1921, 556-561. Their earlier statements reflect the same concerns. See *Irish Catholic Directory* 1920, 517-9; 524-5.

13. For an overview of this doctrine see, Lisa Sowle Cahill, 'Christian Just War Tradition: Tensions and Development', in *Concilium*, (2001/ 2), 74-82.

14. 'Pastoral Letter in the Aftermath of the Burning of Cork'.

The *jus in bello* criterion of *proportionality* appears as a useful tool for understanding his reasoning. This principle demands that we assess the expected good and bad consequences of each military action. Though a difficult principle to apply, it insists that the good we hope to achieve in any military operation outweigh the harm inflicted. A constant feature of Bishop Cohalan's interventions was the emphasis he placed on the harm done to innocent civilians because of the British policy of reprisals. The killing of soldiers or policemen by Republicans inevitably led to the killing of innocent civilians and the destruction of property. Significantly, one of the reasons he gave for issuing his decree of excommunication was to 'protect the community at large from the evil of reprisals'.<sup>15</sup> He complained then about 'the devil's competition in feats of murder and arson between members of the Volunteer Organization and the agents of the Crown'. It can be strongly argued then that, in Bishop Cohalan's moral analysis, the Republican military campaign did not respect the principle of proportionality because it generated more harm than good: it fuelled a cycle of violence and brought no tangible benefit to the cause of Irish freedom.

Bishop Cohalan's moral reasoning is further clarified and developed in his Lenten Pastoral of 1921. Here the *jus ad bellum* criterion of *competent authority* is central to his approach to the use of physical force by Republicans. This demand of the just war tradition insists that war can only be declared by those with responsibility for society and not by private groups or individuals. In their role as protectors of the common good, the leaders of society have a duty and right to defend the rights and lives of its citizens from an unjust aggressor. The theological tradition also recognised the right of a 'just revolution' in the case of long-standing tyranny and abuse of human rights. In this case moral authority moves from the tyrant to the people. Though the possibility of 'just revolution' is acknowledged in the Catholic moral tradition, it is true to say that the moral issues surrounding revolutionary warfare have received insufficient analytical attention.<sup>16</sup> In particular, the question of 'who constitutes competent authority and how such authority is exercised'<sup>17</sup> becomes central and difficult in a revolutionary context. If we view Ireland at that time through the lens of the 'just war' tradition, the question of who constituted *competent authority* is central. Was it the elected Sinn Féin representatives who sought freedom for Ireland or the British Government?

From 1921, this was an issue of utmost importance for Bishop Cohalan. In this Pastoral, he clearly supported the goal of Irish freedom while insisting that the struggle for freedom be limited by the demands of the moral law. He identified the core moral question as: 'was the proclama-

15. *Ibid.*, 5.

16. For a study of recent Catholic teaching on revolution, see: Breifne Walker, 'Official Roman Catholic Teaching on Revolutionary Armed Force', in *ITQ*, 57 (1991), 41-81.

17. US Catholic Bishops, *The Challenge of Peace: God's Promise and Our Response*, (London: CTS, 1983), #87-91.

tion of an Irish Republic by the Sinn Féin members of parliament after the last general election sufficient to constitute Ireland a Republic according to our Church teaching?' He answer was unambiguous: 'I answer, it was not.'<sup>18</sup> He rejected as contrary to Catholic teaching the claim that 'every small nation, hereto-fore a part of a greater monarchy, becomes by the mere proclamation of the principle of self-determination a sovereign state ...'.<sup>19</sup> Since Ireland was not, in his view, a sovereign independent state, he concluded that the 'national physical force policy is unlawful'. On this basis, he urged his flock to set their faces against 'crime, and especially the taking of human life' and reminded them of the 'excommunication which is in force'.<sup>20</sup> In his earlier pastoral, this approach to competent authority is implicit but did not feature as the central moral argument. There he had described Republican military actions as those of 'a private military organization' and condemned as false the opinion 'that Ireland is at the moment a sovereign independent state and that consequently Irishmen had authority to kill English forces'.<sup>21</sup>

Using the 'just war' framework, it would seem then that the core reason for the rejection by Bishop Cohalan of the physical force movement rests on the question of '*competent authority*'. His understanding of the demands of that criterion is, however, quite complex if not strained. On the one hand, he recognised and approved of the fact that the Irish people had chosen as their elected representatives 'advocates of the policy and claim of Ireland to choose her form of government by the free self-determination of her people'.<sup>22</sup> Furthermore, he encouraged the use of Sinn Féin Courts and advised his people to support their representatives financially and morally.<sup>23</sup> On the other hand, he did not accept that the elected members of parliament could unilaterally declare a Republic or engage in physical force to protect or advance the interests of that Republic. He argued that the 'proposition that a new sovereign state could be established in that way would strike at the stability of all states'.<sup>24</sup> His stance on the moral significance of the declaration of the Republic and of the Republican oath was confirmed and further clarified during the Civil War.<sup>25</sup> It should be noted here that the Irish Bishops as a body, though

18. 'Lenten Pastoral 1921', Cork & Ross Diocesan Archives, 3.

19. *Ibid.*, 6.

20. *Ibid.*, 9.

21. 'Pastoral Letter in the Aftermath of the Burning of Cork'.

22. 'Lenten Pastoral 1920'.

23. 'Letter on the Feast of the Assumption, 1920', Cork & Ross Diocesan Archives. Here the bishop acknowledged that: 'As executor of a will - I have myself asked that the matter should be left to a Sinn Féin Arbitration Court.'

24. 'Lenten Pastoral 1921', 3.

25. 'Pastoral Letter On the October Devotions and the Condition of the Country', (September 1922), Cork & Ross Diocesan Archives. This is a substantial pastoral (24 pages) that engaged difficult and emotive issues during the Civil War. His understanding of the moral significance of the Republic is revealed in the following quotations: 'The present troubles in Ireland are due, in no small part, to the Republican oath. In 1919 the

supportive of the cause of Irish freedom, did not during these years give formal recognition either to the Dáil or to the Republic.<sup>26</sup>

Other criteria of the 'just war' framework deserve a brief mention, though, again, they did not feature explicitly in Bishop Cohalan's moral analysis. The *jus ad bellum* criteria of *possibility of success* and *last resort* appear relevant to the conflict in Ireland. It could credibly be argued that the former criterion could not be satisfied because there was little possibility that a poorly armed force could defeat the British army.<sup>27</sup> Equally it could be argued that the criterion of *last resort* had not been adequately respected given that the move from the establishment of the Dáil to the initiation of hostilities was almost immediate.

### The Morality of Hunger Strikes

As indicated earlier, Bishop Cohalan played a significant role during the hunger strike of Terence MacSwiney and others. He argued for their release, presided at their funerals, and described their deaths in terms of 'sacrifice' and 'martyrdom'.<sup>28</sup> During these years, theologians in Ireland<sup>29</sup> and elsewhere<sup>30</sup> were involved in a debate about the morality of hunger strikes. Theologians differed in their presentation of the moral issues

following oath was imposed on the Deputies of the Dáil and on the Irish Volunteers: "And I do further swear (or affirm) that to the best of my knowledge and ability I will support and defend the Irish Republic and the Government of the Irish Republic, which is Dáil Éireann, against all enemies, foreign or domestic; that I bear true faith and allegiance to the same; and that I take this obligation freely without any mental reservation or purpose of evasion, so help me God." This was an invalid oath, and taking it was an unlawful act. Altogether, from the religious point of view, the inauguration of the Dáil Parliament was lamentable' (16). Later he argues: 'And the oath "to support and defend the Irish Republic, to bear true faith and allegiance to the same", was an invalid promise and oath: there was no "Republic of Ireland"' (18). A section of the pastoral is recorded in the *Irish Catholic Directory* 1923, 587.

26. Tomas Ó Fiaich, op cit., 490.

27. Ibid., 485. Ó Fiaich quotes a telegram from Cohalan in which the criterion of success is implicit: 'I desire Irish independence as sincerely as you. When you come with an army able to fight the enemy and defend the weak and unprotected, I will act as chaplain.' A concern with success is also reflected in a sermon of Bishop Kilmartin recorded in the *Irish Catholic Directory* 1922, 509: 'In the present circumstances of this country armed resistance to the existing Government is unlawful; firstly because there is no chance of success, and, secondly, the evils of such a course would be much greater than the evils it would try to remedy.'

28. 'Terence MacSwiney takes his place among the martyrs in the sacred cause of the Freedom of Ireland. We bow in respect before his heroic sacrifice.' Letter to *The Cork Examiner*, 30 October 1920.

29. P. Cleary, 'Some Questions regarding the morality of the Hunger Strike', in *IER*, 12 (1918), 265-273.; 'Some further Questions regarding the Morality of the Hunger Strike', in *IER*, 13 (1919), 219-229.; P. J. Gannon, 'The Ethical Aspect of the Hunger Strike', in *Studies*, 9 (1920), 448-454.; J. Kelleher, 'The Lawfulness of the Hunger Strike', in *ITQ*, 16 (1921), 47-64.; John Waters, 'The Morality of the Hunger Strike' in *IER*, 12 (1918), 89-108.; 'A Rejoinder' in *IER*, 13 (1919), 14-26.; 'A Further Rejoinder', in *IER*, 13 (1919), 391-403.; 'The Lawfulness of the Hunger Strike: A Reply', in *ITQ*, 16 (1921), 130-146.

30. See, e.g., correspondence in *The Tablet*, 137 (1920), 308, 354, 385, 420, 434, 484, 520, 576, 608, 648, 682, 716, 738, 802.

involved and in their moral conclusions. Some argued that a hunger strike was an act of suicide and therefore objectively immoral, while others argued that a hunger strike did not involve the intention to kill oneself but was rather a legitimate act of defense against an oppressor.<sup>31</sup> The hunger strikes of 1980 in Ireland generated a similar volume of theological reflection and a variety of reactions from Church leaders.<sup>32</sup>

Bishop Cohalan in his recorded statements did not enter directly into this theological debate.<sup>33</sup> His views, rather, are revealed in a series of letters, statements, and actions over a period of time. From these it is clear that during the War of Independence he neither encouraged nor condemned hunger strikes.<sup>34</sup> It is equally clear that he did not employ the language of suicide in his description of such strikes. In this regards it is noteworthy that he placed the moral responsibility for the death of MacSwiney with the British Government.<sup>35</sup> His statements and actions imply rather a reluctant acceptance of the hunger strike as a legitimate weapon of resistance that could be justified for serious reasons.

His appeal for the end of the hunger strikes after the deaths of October 1920 is quite revealing of his understanding of the moral issues involved. The deaths of the three hunger strikers he accepted as acts of martyrs that both confronted the oppressor and brought significant benefit. He understood this benefit in terms of focusing positive international attention on the Irish cause and securing for it a moral victory. Because of this benefit he felt that 'the nation had got full value for his (MacSwiney's) life'.<sup>36</sup> He argued that subsequent deaths would not yield any further benefit to the Irish cause and would be a waste of human life.<sup>37</sup> Significantly, in this letter he drew a comparison between activity in war and the hunger strikes.

31. For a review of the theological literature on MacSwiney's hunger strike, see Kevin O'Gorman, 'The Hunger Strike of Terence MacSwiney', in *ITQ*, 59 (1993), 114-127. See also Moirin Chavasse, *Terence MacSwiney* (Dublin: Clonmore & Reynolds, 1961), 152-157.

32. Richard McCormick, 'The Hunger Strike', in *Theological Studies*, 43 (March 1982), 106-112; Walter Kerber, 'The Politically Motivated Hunger Strike: Towards a Verdict in Moral Theology', in *Milltown Studies*, 15 (1985), 65-81; James Healy, 'Hunger Strikes: Other Ethical Reflections', in *Milltown Studies*, 15 (1985), 83-102.

33. The Bishops of Ireland also avoided this debate in their statement of October 1920. Their only comment on the hunger strike was: 'But still more cruel, and not less destructive of any prospect of peace between the two countries, is the continued imprisonment of the Lord Mayor of Cork and other hunger strikers, who think nothing of their lives if they can do anything for Ireland in the sad plight to which the rule of the stranger has reduced her.' *Irish Catholic Directory* 1921, 560.

34. 'To add a personal touch, let me add I have visited the Lord Mayor of Cork in prison. To put it mildly, I was scrupulously careful against saying anything that would confirm him in his resolution to continue the hunger strike.' Letter to *The Times*, 28 August 1920.

35. Ibid. 'The decision of the Cabinet to allow the Lord Mayor of Cork to die in prison is greatly to be deplored.'

36. *The Cork Examiner*, 11 November 1920. See also *The Tablet*, 137 (20 Nov 1920), 678.

37. Ibid. 'But if the Hunger Strike in Cork Gaol is not called off these self-sacrificing men will pass away one after another without impressing the world any more than it has been impressed already. The continuance of the Hunger Strike will only lead to a waste of human life.'

He highlighted the principle that 'in war the useless waste of troops is avoided' and implied its relevance to the situation of the post-MacSwiney hunger strikes. Consequently, he called for the ending of the strikes. It is clear that, during the War of Independence, Bishop Cohalan viewed the hunger strike not as an act of suicide but as a legitimate act of defence against an aggressor. Such an action could be justified once it was not futile. In the case of MacSwiney the benefits were, in his understanding, immediate and weighty. The later hunger strikes of this period met with his disapproval, not because he judged them to be wrong *per se* but because, in his understanding, they lacked proportionate reason.

For the sake of completion, it is important to identify a change in Bishop Cohalan's attitude to hunger strikes after the War of Independence. This change is clearly seen in his response to the death of hunger striker Denis Barry in November 1923. The Bishop not only refused him a Christian burial but also refused permission for his body to lie overnight in a Catholic Church. Instead Denis Barry's body was taken to the rooms of the Sinn Féin Executive before burial in the Republican plot. In a letter explaining his decision, Cohalan asserted that Barry 'took his own life' and consequently was forbidden a Christian burial by Church law.<sup>38</sup> This change in Bishop Cohalan's moral stance was noted by many, including Terence MacSwiney's sister, Mary.<sup>39</sup>

We have here a dramatic change not only in the attitude of the Bishop but more importantly in his moral analysis of the act of hunger striking to death. Now the act is described as an act of suicide. The description of the act of hunger striking to death as 'taking one's life' does not allow any room for examining the circumstances or weighing up the anticipated benefits. In the Catholic moral tradition, an act so described is always morally unacceptable. This way of looking at the act of hunger striking deems all such strikes as immoral. One can only speculate that this change in the Bishop's moral stance was the result of his deliberations on the hunger strikes of the previous years. As indicated earlier, there was a considerable volume of theological literature that condemned such strikes as the intentional taking of one's life.

The claim that Bishop Cohalan's understanding of the hunger strike underwent a fundamental change is supported by the following argument.

38. *The Cork Examiner*, 28 November 1923. The following summary of his letter appeared in the *Irish Catholic Directory* 1924, 600; 'I am not allowing religious exercises which constitute Christian burial to take place at the burial of Denis Barry. I regret very much to feel obliged to adopt this course. Anyone who deliberately takes his own life, is deprived of Christian burial, and I shall interpret the law of the Church and refuse a Christian burial. I feel bound to do it.' On the same page of the *Irish Catholic Directory*, Cardinal Logue adopted a less dogmatic stance describing the hunger strikes as 'foolish and ineffective and of very doubtful morality.' (Emphasis mine.)

39. *The Cork Examiner*, 29 November 1923. She noted that 'all he (Bishop Cohalan) says about hunger striking in this statement, if true today, must have been equally true three years ago, when he officiated with all the honour that the Church can pay to a faithful son, at the obsequies of another hunger striker; ...'

If he wanted to condemn only this particular hunger strike he could readily have done so without recourse to the language of suicide. He could have employed the theological framework he had previously used, which accepted hunger strikes as moral in certain circumstances. Using this approach, the changed political scene after the endorsement of the Treaty by the electorate becomes morally significant. The hunger strike could now be described as an act of tyranny against the legitimate government of Ireland rather than as an act of defence against an unjust aggressor. In this way of describing reality, the claim to be defending a 'just cause' could be challenged. Indeed the Irish Bishops had condemned the Republicans cause in the Civil War as an 'unjust war' where each killing was a murder.<sup>40</sup> Bishop Cohalan could have condemned this hunger strike death as an unjustified attack on the State, while allowing for the possibility that, in different circumstances, some hunger strikes could be morally acceptable.

### Conclusion

As a pastoral leader, Bishop Cohalan was very conscious of his duty to guide and direct those in his care. The turmoil, destruction of property, and loss of life during the War of Independence caused him great distress. His attitude to the use of physical force against an unjust aggressor was elaborated and clarified as he responded to developments during those years of conflict. It can be credibly argued that he viewed Republican military action through the lens of the 'just war' approach. A fundamental dimension of that approach is its presumption against the morality of war. Recourse to the use of physical force must be justified by appeal to well-established criteria. It is, it seems, reasonable to conclude that, in his judgment, the Republican physical force movement failed to satisfy the demands of *competent authority* and *proportionality*. Although both arguments appear in his interventions, the former dominates. As the conflict progressed, it became quite clear that he did not accept that the elected representatives, by evoking the principle of self-determination, could establish an independent sovereign State. Throughout the conflict, he argued that the loss of life, destruction of property, and damage to public order generated by Republican violence could not be justified. More tentatively, it could be argued that he judged that Republican activities failed to meet the criteria of *last resort* and *possibility of success*.

His stance on the morality of the hunger strike to death changed quite dramatically over time. An examination of his statements and actions reveals that he employed two fundamentally different frameworks of moral analysis that led him to contrasting moral conclusions. His

40. *Irish Catholic Directory* 1923, 608-613. Two versions of this text were published. See Patrick Murray, *Oracles of God: The Roman Catholic Church and Irish Politics, 1922-1937* (Dublin: University College Dublin Press, 2000), 421-430.

comments and actions during the War of Independence reflected an understanding that saw hunger strikes as legitimate actions of defense that could be morally employed for proportionate reasons. Those on hunger strike did not intend their deaths but only the vindication of their rights and the rights of the Nation. The language of 'sacrifice' and 'martyr' in his statements reflect this understanding. He urged the end of the hunger strikes in 1921 not because he judged them to be acts of suicide or wrongful acts *per se* but because, in the absence of any benefit to the Irish cause, they amounted to a futile waste of life. His reaction to the hunger strike of Denis Barry after the civil war was very different. Then he judged death through hunger strike to be an act of suicide where the striker intended his death. This is a fundamentally different way of understanding the moral character of the act of hunger striking to death.