IRISH NATIONALISM AND ANGLO-AMERICAN NATURALIZATION: THE SETTLEMENT OF THE EXPATRIATION QUESTION 1865-1872

by

William L. Keogan

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Introduction

The American branch of the Fenians, an organization bent on the overthrow of British rule in Ireland, issued a "final call" for men and money on 5 August 1865 to fuel a revolution in the old country, an event they had planned and dreamed about all during the Civil War. Hundreds of Irish-Americans, many of them naturalized citizens of the United States, answered the call and returned to Erin. Often these intended liberators arrived at Irish ports in twos and threes, and moved on to other towns to act as the cadres of rebellion. Charles Francis Adams, the American minister to Great Britain, on a tour of Ireland in the fall of 1865, indicated the effect these returnees were having when he reported wide unrest and the formation of Fenian groups in the South and West.[1]

By this time, the British authorities, nervous about the activities of the Fenian visitors and reports that an uprising was to begin before October, decided to strike at the main centers of the Fenian conspiracy. Among their targets was the office of a newspaper called the Irish People. James Stephens, the head of the Fenians in Ireland, had founded the paper in

1863, and it had remained the voice of the movement. On the night of 15 September 1865, the Dublin police raided the newspaper and arrested a number of people, including one James Murphy, who claimed to be an American from Boston. The raid did not net James Stephens, nor did it quite burst the "Fenian bubble" as William West, the American vice-consul in Dublin, suggested it had.[2] The British continued to stiffen their defenses in Ireland, sending a fleet of ships to protect the west coast of the island from an expected assult by a Fenian navy.[3] The authorities in Ireland, finding it impossible to distinguish Fenians from other Irish-Americans, who took the opportunity their discharge from the army to visit their relatives and friends in their native country, also began to search the baggage of all passengers arriving from America. What the officials found did not add to their peace of mind--guns, military drill books and other "treasonable documents." The British arrested a number of American citizens, most of whom were of Irish birth, found carrying such suspicious items.[4]

Thus the question of expatriation, which had plagued Anglo-American relations since before the War of 1812, resurfaced at this time. England had always claimed that a person born under British jurisdiction never ceased to be a British citizen, even if he moved to another country and went through the process of naturalization; the United States claimed that naturalization erased all past allegiances.

As the arrests of the Irish-American visitors mounted and William West began to receive requests for assistance, he asked Adams for instructions. The American minister, who had worked so dilligently to maintain a friendly relationship with England during the Civil War, now did not want those efforts nullified by a small group of Irishmen. He advised West to investigate each case and to make representations only in those instances where innocence seemed likely. Both West and Adams reported their actions to Secretary of State William Henry Seward. When Seward, under pressure to do something for these citizens abroad, urged Adams to take stronger action, the minister avoided an international confrontation only because the British agreed to free the suspects on the condition that they leave the country immediately upon being released.[5]

The arrests, however, did not end Fenian activity--they only made the insurgents more cautious. In January 1866 the New York Times reported increasing agitation in Ireland, the discovery of stores of weapons and further arrests. William West's dispatch to Seward of 14 January confirmed the Times report. The vice-consul added that as new conspirators were being found almost every day, his work load grew more arduous. By February the British felt the need for stronger measures to prevent a revolt that seemed likely in the spring. On 14 February, Lord Wodehouse, lord lieutenant of Ireland, in a letter to Sir George Grey, the British home secretary, called for suspension of habeas corpus in Ireland, a possibil-

ity frequently mentioned in recent press reports. Some days later on 17 February Parliament voted to suspend the right. Lord John Russell's speech to Parliament that day clearly indicated that the bill had as its target the approximately five hundred Irish-born, naturalized American citizens who had returned to Ireland to engage in, what he called, treasonable practices. Lord Wodehouse, alerted that Parliament planned to act on the seventeenth, initiated preparations on the sixteenth. The Dublin police, under Superintendent Daniel Ryan, made their move in the early morning hours of the seventeenth, and by noon upwards of one hundred men had been taken into custody. Thirty eight of those arrested immediately claimed American citizenship.[6]

As in the fall of the previous year Adams tried to avoid giving the current difficulties the aura of a crisis. As minister, Adams worked steadily to maintain a conciliatory policy toward Britain; he felt that he must preserve good relations if the United States was to have any chance of satisfactorily settling the Alabama claims.* Aside from this, Adams recognized the "soreness" that existed among Englishmen who held America responsible for the "backwater of disloyalty" setting in on Ireland and filling British jails. The American minister also thought that since the suspension of habeas corpus during the Civil War had affected some foreigners in

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*Claims for damages done to American shipping by the Alabama and other ships built for the Confederacy in Britain.

the United States, he could not very well defend American Fenians who found themselves in a similar situation. More important, Adams believed that the United States had little obligation to defend naturalized American citizens who returned to their native land to participate in the politics of what they should now view as a foreign country. Perhaps Adams remembered that his father, John Quincy Adams, as secretary of state, in 1818 set a precedent by refusing to give United States protection to recently naturalized American citizens who returned to their own country with the belief that they could escape the obligations and jurisdiction of the native country. For all these motives Adams endeavored to quiet the February crisis. But naturalization was an issue whose time had come. For a number of reasons involving both international relations and domestic American politics Adams could not apply another make-shift bandage to the naturalization controversy.[7]