

TRUE TO IRELAND

*Éire's 'conscientious objectors'
in New Zealand in World War II*



PETER BURKE

Book Excerpt

True to Ireland: Éire's 'Conscientious Objectors' in New Zealand in WWII

By Peter Burke

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Introduction to Excerpt

Not all of Ireland's patriots lived in Ireland or fought for their native land on Irish soil.

New Zealand journalist Peter Burke's book *True to Ireland* tells the story about a group of about 500 Irishmen living in New Zealand, who, when WWII broke, refused to serve in the [British] Crown Forces.

These men had come to New Zealand from all parts of Ireland, including a significant number from County Galway, and set up and funded an organisation that would take on the might of the New Zealand government to prevent them from being conscripted into the army. The men were forced to appear before quasi courts in New Zealand, called Armed Forces Appeal Boards, to defend their stance. Their organisation also lobbied the Labour government of the day headed by Prime Minister Peter Fraser.

Peter Burke's father, Matthias (Matt) Burke [Fig. 1], who was from Moycullen (County Galway), was one of the leaders of the organisation set up to oppose their conscrip-



^ **Figure 1** Author Peter Burke's father, Matthias (Matt) Burke, in 1934. Photo from Peter Burke archive.

tion. Matt Burke came to New Zealand in 1930 to seek a better life, but ended up in a battle with Britain.

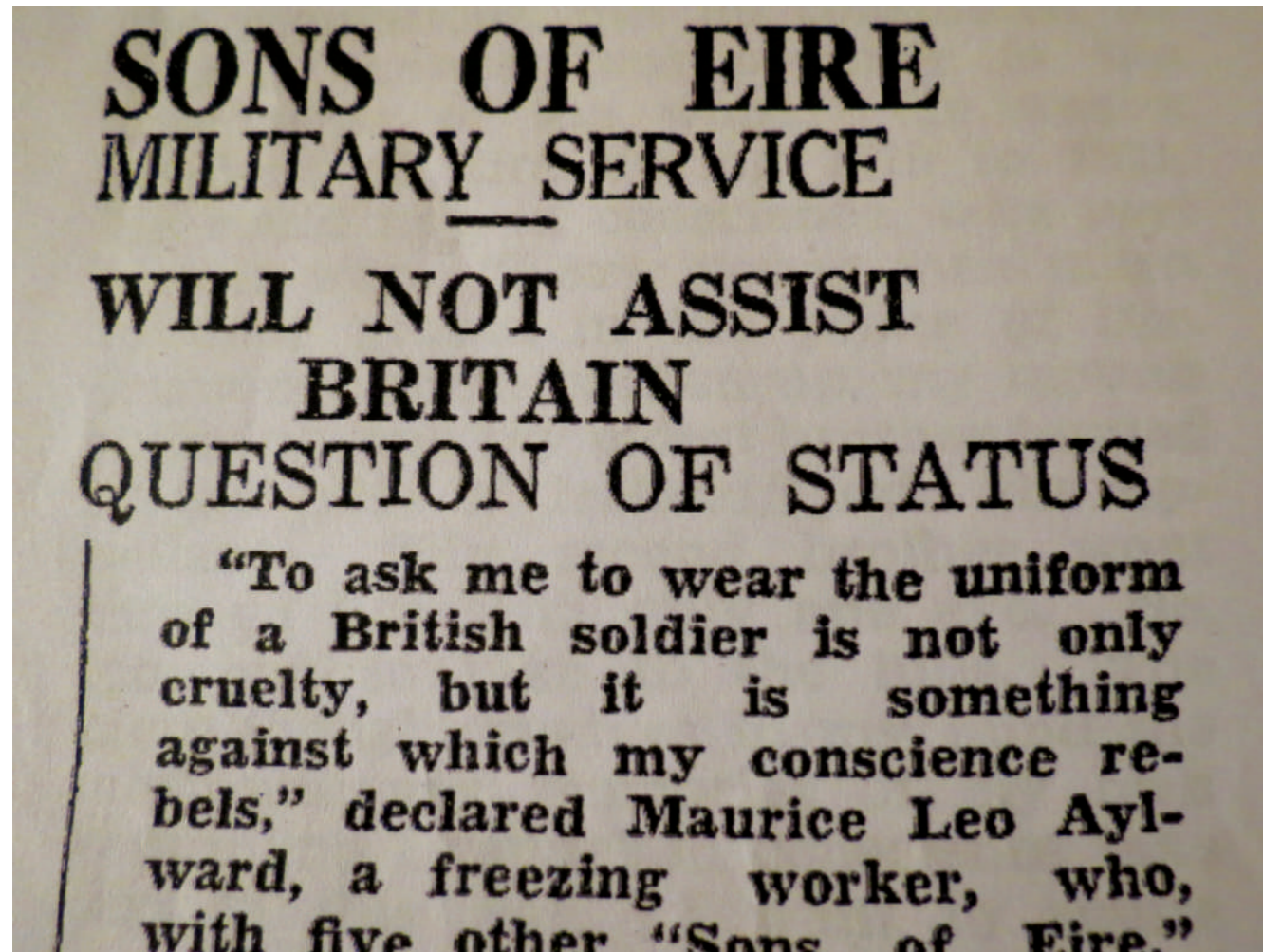
The Irishmen's reasons for refusing to be conscripted were based on the atrocities they personally witnessed the British armed forces commit on their families, friends and the general Irish population during the Easter Rising and the War of Independence.

They saw themselves as citizens of Éire, not Britain [and these Galway men always referred to Ireland as "Éire"], and wanted to be treated as neutrals given that the Irish Free State was neutral in WWII.

The book *True to Ireland* documents these Irishmen's struggles with officials and politicians to avoid conscription. At one stage, 155 men, including Matt Burke, faced de-

portation back to Ireland for refusing to join the armed services. Their story was widely publicised in the newspapers in New Zealand and they became known as the "Sons of Éire" [Fig. 2]. Eventually, the men persuaded the New Zealand government of the day to allow them to stay and work in New Zealand without having to wear the British uniform that was a complete anathema to them.

One of the most compelling excerpts in the book is the testament given to the Armed Forces Appeal Board in Wellington by Peter's father, Matt. The transcript of his evidence was preserved by his mother and sets out the deep feeling of resentment and anger Matt and his fellow Irishmen had towards the British Armed forces and, in particular, the Black and Tans for the atrocities committed against their families and friends.



^ **Figure 2** Sons of Éire military service note on page 10 of the 31 July 1941 edition of the New Zealand *Evening Post* newspaper.

Excerpt [From Chapter 6 – “Appeal Day”]

“I do not base my claim of conscience on anything that has arisen since war broke out in September 1939, but on what I saw, felt and experienced in Éire between 1919 and 1921. It is only those who have been through that experience can realise how the memories of those frightful days have left something in one's mind that can never be blotted out.”

These words were spoken by my father, Matt Burke, as he gave evidence to the No. 4 Armed Forces Appeal Board in Wellington on the morning of Thursday 31 July 1941.

Not long before, he and his fellow Sons of Éire, Maurice Aylward, Jeremiah Allen, Brian Kennedy, John James Moriarty and Paddy

Sullivan, accompanied by Fred Ongley and some supporters, had left Ongley's office in the South British Building at 326 Lambton Quay for their date with the appeal board. The hearing was held on the 5th floor in the AMP [Australian Mutual Provident] building at 86–90 Customhouse Quay [Fig. 3], a walk of about 100 metres. The weather that day was said to be fair to fine, but cold.

I don't know for certain who their supporters were, but it is possible my mother was there, since she later had a copy of the transcript of Dad's interaction with the appeal board. However, the notes may have been taken in shorthand by a legal associate or someone else, because they give a precise account and are neatly typed up.



^ **Figure 3** The Australian Mutual Provident (AMP) Building in Wellington (New Zealand) where the Sons of Éire's appeal was held. Photo: Peter Burke.

The Sons of Éire case would have been one of many appeals heard that day, and it appears from the newspaper report that theirs was one of the first. Waiting for them was the No. 4 Armed Forces Appeal Board, chaired by Wilfred Fosberry Stilwell, a well-known magistrate seconded to the job. He had fought at Gallipoli [Turkey] and in France in WWI, attaining the rank of captain and awarded the Military Cross. He was originally a lawyer in Auckland, where he served a term as mayor of the borough of Mount Albert from 1931 to 1933. He was a keen golfer and played at the prestigious Miramar Golf Club in Wellington with other city elite.

Dad read his affidavit to the appeal board. He started off by saying that he was born in Éire and claimed to be a citizen of that state, and then pointed out that it was a neutral state just like Sweden, Yugoslavia and America, and that he expected to be treated in the same way as citizens of those countries.

He went on to make it clear that even as a person from a neutral country currently residing in New Zealand, he was prepared to do any work other than combatant work, and fully realised that the work must be done and the country's resources be maintained and developed.

In paragraph 4 of his affidavit he set out his other reasons for not wanting to fight for the British, based on his experiences in Moycullen, County Galway, and stated that these were why he would only undertake noncombatant duties and not serve as a soldier, sailor or airman. Extracts from his statement show the deep and raw emotion that he felt about what he'd seen in Ireland during the War of Independence [1919–1921], and, in particular, the brutal reprisals meted out by the Black and Tans.

"I saw them and experienced the brutalities committed in the name of British law and in conscience I could not take part in the war [WWII]."

"My home was actually broken up by the Black and Tan soldiers in the name of British law and order."

"The very thought of association with war work revives in my mind the most unhappy memories of my whole life and I cannot in conscience take any such part."

"I have actually witnessed the funerals of victims of the Black and Tan devilry in Éire."

"I desire to assure you that it is not cowardice that is the cause of this, but the fact that my people and myself went through suppression and outrage at the hands of the Black and Tan soldiers and how could I in conscience take part in this war."

"I feel strongly that Éire is cut in two and partitioned while the war is being waged to keep Poland intact."

"I have no attachment to Germany or any country on the continent of Europe. My devotion lies first to the country of my birth [Éire] and to the country of my adoption [New Zealand]."

"I am prepared to do any kind of work in New Zealand apart from combatant service."

"I say that I am a conscientious objector in the full sense of the word. I wish to be allowed to work in any class of work other than combatant work."

"I do not base my claim of conscience on anything that has arisen since war broke out in September 1939, but on what I saw, felt and experienced in 1919–21 in Éire. It is only those who have been through that can realise how the memories of those frightful days have left something on one's mind that can never be blotted out. To ask me to now wear the uniform of a British soldier would not only be a cruelty but one against which my conscience rebels."

"I therefore ask that I be exempted from military service on the following grounds:

1. I am a citizen of Éire, a neutral state;

2. That I be allowed to do any useful work in New Zealand during the war; or

3. That I be permitted to return to Ireland,

4. On well-founded and really conscientious grounds which have been set forth in paragraph 4."

Having read his affidavit, my father was then questioned by the lawyer for the Crown, Mr C. O. Bell, who asked him which part of Ireland he came from.

"Moycullen, County Galway," he replied.

Before Bell could continue Stilwell interjected and, according to the transcript I have of the trial, smiled sarcastically and asked Dad to keep in mind that the Irish brogue, when spoken quickly, was hard for the Board to understand.

"With all due respect to the Board, I am quite certain if I said anything detrimental, I am sure this would be quickly understood and undoubtedly received with open arms if I expressed the slightest disloyalty to this country [New Zealand]," said Dad.

This drew laughter from those present at the hearing, but probably not from Stilwell. Quick Irish wit made a mockery of the anti-Irish judge.

Bell went on, asking my father when he left Ireland and when he arrived in New Zealand, to which he replied that he left Éire in 1929 and arrived in New Zealand on 5 February 1930.

"But you never intended to return to Éire, Mr Burke?" asked Bell.

"I have never stated my intentions. So, there is nothing on record to prove that," responded Dad.

"Oh! No," said Bell.

"Why put that question then?" asked my father.

It is clear that far from being intimidated by Bell, Matt Burke, lorry driver from County Galway, was getting the better of the old soldier. I imagine, as a member of the so-called 'ruling class', Bell was not used to being openly challenged and mocked in this way. I believe the other Sons of Éire would have been smiling with glee as Bell got flustered and continued to bluster on. He had only one game plan and it wasn't working and there appeared to be no Plan B.

"Now would you fight for Éire?" asked Bell, trying to provoke a reaction.

"Most decidedly! I would die for Éire tomorrow if the necessity arose," Dad said.

"But you would not fight for Britain?"

"No."

Bell then came up with a question that Dad was probably expecting and one that was designed to smear the Sons of Éire.

"But you have been in New Zealand and have enjoyed all the privileges of a British subject during the past eleven years."

"Well, if you call work a privilege," retorted my father. "I have given my best to this country. In fact, 100 per cent service, as can be proved in my record of service to New Zealand. In truth this country owes me more than I owe it."

Turning to Stilwell he continued, "What is more, this is the first time I have been before a magistrate and I can tell you I never expected that I would have to stand before a magistrate in a democratic country, such as New Zealand professes to be, to prove that I am a citizen of Éire."

I imagine both Bell and Stilwell were getting more riled by the minute with Dad's response. But my father did not stop there.

"I did not leave home with the intention of living in New Zealand all my life and what is more I don't intend to become a British subject in any British dominion while British laws are responsible for the partition of my country."

Bell again asked Dad to confirm that he objected to fighting for the British Empire and got the obvious answer of "Yes!" Bell then asked him to expand on his reasons for doing so. This question gave Dad the opportunity to go into some of the detailed reasons for objecting to fight for Britain and New Zealand. He carefully turned the question

around and said to Bell that he and other appellants would be classed as traitors in Ireland if they fought for Britain. He then had this to say: “Supposing that Éire was instrumental in partitioning New Zealand and by force of arms and foul and brutal laws domineering the New Zealand people down through the ages. From what we have seen and know of New Zealanders we are convinced that they have a better and more honourable principle than to pronounce that they would fight for Éire and betray their own country.”

That was probably not the answer Bell or Stilwell were expecting and, despite the Irish brogue, they no doubt heard it loud and clear which probably made the pair wish the sooner the appeal was over the better. After all, the media were reporting the event, and the transcript of the hearing could potentially be provided to Prime Minister Peter Fraser.

At this point my father, like the other appellants, gave his account of what he had witnessed of the Black and Tan thuggery in his village of Moycullen in 1919–21.

“I myself was in Éire during this time and it may be of interest to this court to hear of one or two incidents which took place in my own part of the country and for which the Black and Tans were responsible. I can even now see the mortal remains of John Geoghegan who had been tortured to death by the Black and Tans after being dragged from his mother’s arms to the front gate of their little garden where 25 bullets were discharged into his body by these same Black and Tan soldiers. I also saw eight Irishmen, three of whom were relations, stripped to the waist and publicly flogged by these same Black and Tan soldiers who were working in conjunction with the British forces.”

He then spoke of one of the most appalling and horrific murders committed by British Forces during the War of Independence – the murder in Galway of a Catholic priest, Fr Michael Griffin.

“I viewed the bog hole where the Rev Father Griffin’s body was disposed of after he had been tortured and shot.”

“There is one memory I hate to recall,” he continued as a silence came over the room, “and that is the thought of the brutal and inhumanely cowardly torturing of Margaret Burke, my cousin. Her hair was shorn with a sharp knife, her body bruised from kicks and rough handling and added to that she was imprisoned for nine months with hard labour because she would not tell of the whereabouts of her brother and his companions who, through fear, could not sleep in their own homes during the Black and Tan regime in Éire.” Turning to Stilwell and politely referring to him as “your honour”, Dad said that two of his friends at the hearing, Paddy Sullivan and John Clancy, both from Moycullen, could verify these statements.

In his evidence, my father chose to single out the few events that he had witnessed, but he would have been aware of other incidents in Galway that followed the arrival of the Black and Tans in 1920. In *Blood for Blood*, William Henry describes in graphic detail the horrors that the men, women and children endured under the uncontrolled reign of the Black and Tans and Auxiliaries. Young women were terrorised, and on 27 September 1920 the people of Moycullen were threatened with violence if they attempted to stop the agent of a former landlord of the village returning to that person’s farm. In another incident a young woman sitting in front of her house holding her nine-month-old baby was shot dead by a group of Black and Tans for no apparent reason. Men were regularly arrested, some shot, allegedly for trying to escape – others tied to the back of a truck and hauled along the road until they were dead. Two others had their heads blown off when gelignite was put in their mouths and the fuse was lit.

The Black and Tans’ driving force was hatred of the Irish, and they unleashed this with the support of the British Government, who at every opportunity covered up the war crimes of

these savages in uniform. It was little wonder that Dad and his colleagues saw the British army uniform as a symbol of oppression and murder of their people.

It would seem that all six had similar experiences of the violence in Ireland which they related to the appeal board, but only one of these, Maurice Aylward, was reported in the newspapers.

Responding to further questioning by Bell about whether he would fight for New Zealand if it was directly attacked, Dad said he would if an aggressive power did this, but went on to point out that, as he saw it, this war was Britain’s war and that he, as an Irishman, would not fight for it. He also stated that this was not a fair question to ask any Irishman.

He went on further to state that in the 1916 Rising no force was used against the hundreds of Englishmen living in Ireland, and reiterated that he and his fellow Irishmen would not in any way hinder New Zealand in her present war effort for Britain.

Dad’s final impassioned speech to the appeal board drew heavily on what he as a young lad in Moycullen and Galway had seen and heard

of the atrocities committed by the Black and Tans. It was a deeply fearless, patriotic and passionate oration that could have been delivered by any Irish rebel in history. I can almost visualise him now – standing tall, tense and determined, and looking Stilwell in the eye, his voice quivering with emotion: “Now, could any sane man ask and expect me to put on a British uniform and go and fight for that same country which has been quietly persecuting, shooting, publicly flogging and hanging, without trial, hundreds of our people down through the ages? And on top of that, divided my country in two parts, while this present war rages. No, your honour, I will not put on a British uniform. Nor will I fight for Britain even to the point of the bayonet, the revolver or the machine gun, and I am prepared to stand by those sentiments until death. And I can assure you that holds good for every Irishman in this appeal.”

Finally, my father turned to Stilwell and said: “If the appeal board is in any doubt as to the correctness of the foregoing statements, I can call on Mr Clancy and Mr Sullivan [Fig. 4], both here present, to substantiate my remarks.”



^ **Figure 4** Photo of Patrick (Paddy) Sullivan, unknown person, and Matthias (Matt) Burke [author Peter Burke’s father] during the 1930s. Photographer was S. P. Andrew; Peter Burke archive.

I imagine you could have heard a pin drop after that. It would have been interesting to see the reaction of Stilwell and Bell and possibly the other members of the Board, namely, Parlane and Brodie. This was fighting talk, and a direct challenge to the New Zealand authorities who seemed to be trying to be 'more British than the British'.

It would appear that my father was one of the last of the six to give evidence to the Board, but there is unfortunately no official record of what happened that morning. There is a reference to the hearing in an article in the *Portland Guardian* in Australia, which states that John James Moriarty related his account in which he said his group had sought an opportunity to put their special case to the New Zealand Government but this was ignored. He also claimed that he asked to leave New Zealand in 1940 but was refused permission to do so.

The coverage of the Sons of Éire appeal in the *Evening Post* on the day of the hearing would suggest that Maurice Leo Aylward was the first to take the stand, as he was the only one of the group included in the report that appeared on page 10 [see Fig. 2]. It was one of the most prominent articles on a page devoted to war news. There was a major piece on the air struggle in Europe and petrol rationing in New Zealand; an article reporting that 400 American technicians had arrived in Northern Ireland as part of the 'lend-lease' agreement and were being paid £12 per week; and an account of Prime Minister Peter Fraser's visit to Edinburgh in his native Scotland where he met twelve New Zealanders and also thanked workers at a local shipyard who were building a ship for New Zealand.

While Dad's evidence was detailed and

compelling, it was the evidence of Maurice Leo Aylward, from Kilkenny, which made the headlines, both in New Zealand and overseas. Like my father, Aylward had the same key message for the appeal board:

“To ask me to wear the uniform of a British soldier is not only cruelty, but it is something against which my conscience rebels. I think the people of Ireland would disown me if I took up arms for Britain.”

Like the other five, Aylward told the appeal board he was not a conscientious objector within the meaning of the regulations, but that he considered himself a conscientious objector in the true sense of the word. He went on to outline his experiences during the War of Independence, stating that these were some of his main reasons for refusing to fight for Britain.

“I saw young men taken to their graves in the prime of their life. I saw my home broken up, my mother suffering and my eldest brother hunted in the hills of Ireland. My second brother went through life with one eye. He too had to take to the hills. The mere thought revives in my mind the most unhappy memories of my own life and I cannot in conscience take part in this war,” he said.

Aylward went on to state the view common to all six Sons of Éire that he had no attachment for Germany or any other country in Europe and that his devotion was first to Éire and after that New Zealand, where he was now residing. Like Matt Burke, he said he was prepared to do any work other than combatant

work and realised that it was necessary for New Zealand's resources to be developed.

Aylward pointed out to Stilwell that the ENA had a meeting with Peter Fraser before they were called up in which they asked to be allowed to leave New Zealand or do noncombatant service.

“We were asked to put it in writing and the Prime Minister was in sympathy with our views,” said Aylward.

“I am only concerned with the result of the interview,” retorted Stilwell.

“He (Fraser) told us to put the case in writing and he would discuss it with his colleagues. In February we wrote to the Prime Minister and asked what could be done to meet the position. He replied that the matter would receive the early and careful consideration of the government, but since then nothing has been heard,” responded Maurice Aylward.

At this point Bell and Stilwell combined, as they did with my father, to go on the offensive with a line of questioning that appeared designed to intimidate and besmirch Aylward and the Irish generally.

“If you were allowed to return to Ireland and if Ireland were attacked, you would fight for Ireland?” asked Bell.

Stilwell could not help himself and caustically interjected: “Like an Irishman, you want to choose your fight, is that it?”

The smooth talking and highly intelligent Aylward was not put off by this put-down and jokingly said: “An Irishman has always been in a fight.”

“So you are prepared to fight for Ireland?” noted Stilwell, to which Aylward replied, “Yes, it would be an honour to fight for Ireland.”

The appeal as such failed and they were given the choice of fighting for New Zealand, going to prison for the duration of the war or being deported back to Ire-

“
**An Irish-
man has
always
been in a
fight...**”

land. But due to some smart lobbying by the men with support from Prime Minister Peter Fraser they were allowed to stay but were manpowered to work on farms and in 'non war industries' and were paid the same money that the average soldier in the army was paid. The men were happy with this outcome.

Postscript by Peter Burke

One of the amazing facts revealed in the book is the discovery of the close relationship that developed between the New Zealand wartime Prime Minister, Peter Fraser, and [Irish Prime Minister, or *Taoiseach*] Éamon de Valera [Fig. 5].

The pair first met in Dublin in 1935 and then in 1941 at the height of WWII when Peter Fraser, who was in England for a meeting with [British Prime Minister] Winston Churchill, made a special trip to Dublin to spend five days with de Valera. They met again in May 1948 when de Valera visited New Zealand and in December that year when Peter Fraser received an Honorary Doctorate in Laws from the National University of Ireland of which Éamon de Valera was Chancellor at the time.

As well as telling the story about the Irishmen's struggle to stay in New Zealand and not join the Kings army, the book shows the strong friendly relationship that has existed between the two nations over more than 80 years. These two small nations have always had much in common – be they economic, social or cultural ties.

The book is available in all leading bookshops in Ireland, including on-line at Kenny's Bookshop in Galway City. In New Zealand the book is available through the Cuba Press and all bookshops.

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> **Figure 5** Peter Fraser (24th Prime Minister of New Zealand, right) greeting both Éamon de Valera (Ireland's Prime Minister, left) and Frank Aiken (Ireland's Deputy Prime Minister, centre) at the New Zealand Parliament in May 1948. Image credit: Alexander Turnbull Library, Wellington, F-16079 1/4.



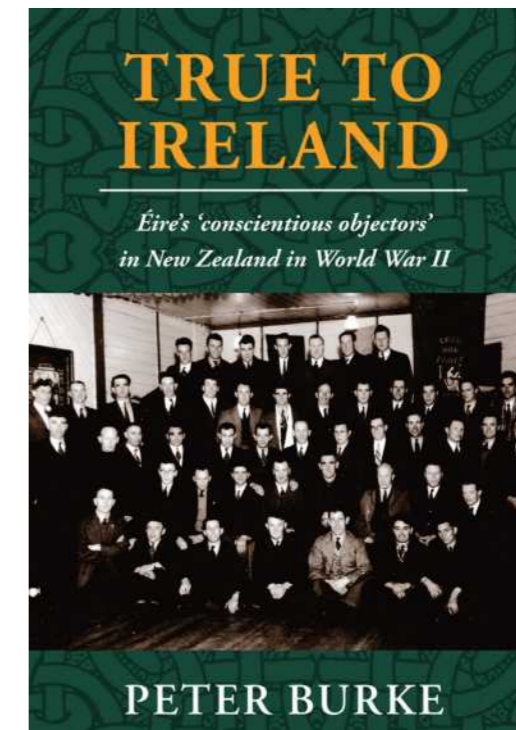
> **Figure 6** The Irish turnout at St Francis Hall in Wellington (New Zealand) to welcome Ireland's Prime Minister, Éamon de Valera, in May 1948. Matt Burke, the author's father, was present. Photo by Dan Kelly.

Book Launch PhotoEssay

2019 Book Launch at Moycullen (County Galway) and Trinity College Dublin (County Dublin) of Peter Burke's book *True to Ireland*

Text by Patrick Roycroft;

Photos supplied by Peter Burke & Clare Warren



Introduction

Producing a scholarly book. It's rarely easy. After what can be years of research and analysis, a year or more organizing the data and writing the final manuscript, discussions and compromises with the publisher, and the printer finally producing the finished book, an author can justifiably bask in the glow of the long-awaited launch. Every author enjoys this moment, and it can be made all the more special if scholars and dignitaries attend and endorse your work. Peter Burke, the author of *True to Ireland*, had many. And Peter also had the President of Ireland, Michael D. Higgins, write the Forward.

To give readers an insight into the final launch phase – and encourage some readers to embark on the immensely satisfying process of writing a book – below are some moments captured from Peter's own book launches, one of which took place in Galway and one in Trinity

College Dublin [this latter as part of a joint book launch on 11 September 2019 with Rory Sweetman's *Defending Trinity College Dublin, Easter 1916* – see excerpt from Rory's book in the Autumn 2019 issue of *Irish Lives Remembered*]. The book launch is a time to be with colleagues, friends and relatives to reflect and to celebrate.

Note to all genealogists and family historians. Peter has the following note on his dedications page: “To my mother Mary Burke (née Warren), for carefully keeping so much family history and memorabilia that made the writing of this book possible.” A valuable lesson for us all: **keep the family memorabilia!**

I warmly thank Dr. Rory Sweetman, his own publisher Four Courts Press, and archival researcher Geraldene O'Reilly (who did research for both Rory and Peter's books) for inviting me to attend the Dublin launch of Peter Burke's book.



^ **Figure 1** Photo of author Peter Burke with select dignitaries taken just before the launch in Moycullen (County Galway) in September 2019. Left to right: Brad Burgess (New Zealand Ambassador to Ireland), author Peter Burke, Irish Minister Ciarán Cannon (Fine Gael party), Peter Ryan (Irish Ambassador to New Zealand). Photo supplied by Peter Burke.



> **Figure 2** The four key people involved in the production of the book. From left to right: Irish family historian Fr Eamon Aylward; editor Lynette Wharfe; author Peter Burke; researcher Geraldene O'Reilly. At the Moycullen (County Galway) launch. Photo supplied by Peter Burke.



^ **Figure 3** The strong New Zealand contingent who came to the launch in Moycullen. *Back Row* (left to right): Rose Carr, Clare Warren (Peter's cousin), Ron Sanson, Geraldene O'Reilly, Tom Hayes, Peter Ryan (New Zealand Ambassador to Ireland), Dr Rory Sweetman; *Front row* (left to right): Cathy Strong, Lynette Wharf, Peter Burke (centre), Elizabeth Carr, Brad Burgess (Irish Ambassador to New Zealand), Jane Quinn. At the Moycullen launch. Photo supplied by Peter Burke.



< **Figure 4** Peter Burke with his cousins Anne Kelly (left) and Marian O'Connor (right). At the Moycullen launch. Photo supplied by Peter Burke.



^ **Figure 5** The author Peter Burke very happy to raise a glass of champagne and celebrate the launch of his book, *True to Ireland*. At the Moycullen launch. Photo supplied by Peter Burke.



^ **Figure 6** The author Peter Burke and Dr Jeff Kildea (Adjunct Professor of Irish Studies, University of New South Wales, Australia) at Peter Burke and Rory Sweetman's joint book launch in Trinity College Dublin, 11 September 2019. Photo: Clare Warren.



> **Figure 7** Patrick Roycroft (Editor of *Irish Lives Remembered*) and archival researcher Geraldene O'Reilly at Peter Burke and Rory Sweetman's joint book launch in Trinity College Dublin, 11 September 2019. Photo: Clare Warren.