RESIDUAL SPECIAL COURT FOR SIERRA LEONE

Before:	The Honourable Justice Jon M. Kamanda, President
	The Honourable Justice Teresa Doherty, Designated Duty Judge
Registrar:	Ms. Binta Mansaray
Date Filed:	08 July 2020

In the matter of

The Prosecutor	Against	CHARLES GHANKAY TAYLOR

(Case No. RSCSL-03-01-ES)

PUBLIC

PROSECUTOR'S RESPONSE TO PRINCIPAL DEFENDER'S REQUEST FOR THE WITHDRAWAL AND/OR RECUSAL OF HON. JUSTICE TERESA DOHERTY OF THE UNITED KINGDOM (UK) AS THE DUTY JUDGE ON THE APPLICATION OF CHARLES G. TAYLOR TO BE TEMPORARILY TRANSFERRED TO A SAFE THIRD COUNTRY TO CONTINUE HIS IMPRISONMENT DUE TO MASSIVE OUTBREAK OF COVID-19 IN THE UK
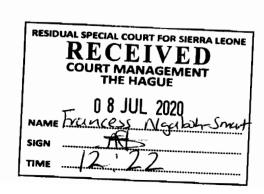

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I.   Introduction

1. The Prosecutor files this Response to the "Principal Defender's Request for the Withdrawal and/or Recusal of Hon. Justice Teresa Doherty of the United Kingdom (UK) as the Duty Judge on the Application of Charles G. Taylor to be Temporarily Transferred to a Safe Third Country to Continue his Imprisonment due to the Massive Outbreak of COVID-19 in the UK"[1] ('Request for Recusal'), pursuant to the leave of the President.

2. The Request for Recusal should be denied for lack of merit, being premised on incorrect facts and without any valid legal basis. Alternatively, to the extent that it is predicated exclusively on a factually incorrect assertion – that Hon. Justice Teresa Doherty, the Designated Duty Judge is a UK national, the Request should be dismissed for being frivolous and a waste of the court's time and resources, as it raises a non-issue.

3. Assuming *arguendo*, that the Request is given some consideration, The Prosecutor argues that the Request lacks legal support in that it fails to meet any of the well laid out tests, subjective or objective, for the removal of a judge for impartiality or, that provide compelling reasons for their recusal. On the contrary, what this Request seeks to do is to establish a novel precedent which creates a false presumption of bias against judges simply on the basis of their nationality. The Prosecutor submits that this notion is grossly flawed, unsupported by any existing legal authority and should be rejected.

4. Fundamental to deciding the issue raised in the Request is the hallowed principle of the presumption of impartiality attaching to a judge; that judges are presumed to act impartially. This principle is implicit in the qualities or requirements for holding office as a judge – their qualification, training, ethical and other standards pertaining to their appointment and holding of office, including the oath they are sworn to uphold. Not only are these standards and principles embedded in Article 13 of the RSCSL Statute[2], but they also inform the basis or procedure for challenging or rebutting that presumption in

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[1]*In the Matter of Prosecutor v. Charles Ghankay Taylor*, RSCSL-03-01-ES-1449, "Principal Defender's Request for the Withdrawal and/or Recusal of Hon. Justice Teresa Doherty of the United Kingdom (UK) as The Duty Judge on the Application of Charles G. Taylor to be Temporarily Transferred to a Safe Third Country to Continue his Imprisonment due to the Massive Outbreak of COVID 19 in the UK", 01 July 2020.
[2]RSCSL Statute, Article 13(1): "The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. They shall be independent in the performance of their functions, and shall not accept or seek instructions from any Government or any other source"

Rule 15(A) of the Rules of Procedure and Evidence.[3] The Request for Recusal markedly fails to provide a factual basis to rebut the presumption or meet any of the requirements or conditions under Rule 15(A). Furthermore, the Request fails to satisfy the tests laid down even in the authorities that the Principal Defender has cited.

I. **Arguments**

i) **Justice Teresa Doherty's Nationality**

5. The Recusal Request mistakenly describes Justice Doherty as a UK National. The Learned Designated Duty Judge is, in fact, Irish. Under the terms of the Belfast Agreement of 10 April 1998,[4] a person born in the North of Ireland has a birthright to hold British or Irish citizenship and to identify as British or Irish. A person who chooses Irish nationality is formally accepted as having done so by both the British and Irish Governments and has the right to hold an Irish passport and has all of the same privileges and rights as a person born in the Republic of Ireland.[5] Any changes to the constitutional status of Northern Ireland as part of the United Kingdom or the Republic of Ireland does not change this right articulated in the Belfast Agreement. As such, Justice Doherty, having been born in the North of Ireland, is entitled to regard herself as Irish.

6. Justice Doherty's Irish nationality is seemingly not in doubt. She has been consistently listed in SCSL and RSCSL Annual Reports including the latest Sixth Annual Report for 2019 in the profile on nationalities of judges, as Irish. Besides that, Justice Teresa Doherty is an appointee to the Irish Department of Foreign Affairs Election Monitoring Register.

7. This mischaracterization of Justice Doherty's nationality is a mistake often made regarding the nationality of Irish people, arising from the complicated relationship of

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[3] Rule 15(A) of RPE, "A Judge may not sit at trial or appeal in any case in which he has a personal interest or concerning which he has a personal interest or concerning which he has or has had any personal association which might affect his impartiality …"

[4] See, https://www.gov.uk/government/publications/the-belfast-agreement (Last visited 08 July 2020)

[5] The Belfast (Good Friday) Agreement, *idem*, See, "Constitutional Issues", (vi): "recognise the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose, and accordingly confirm that their right to hold both British and Irish citizenship is accepted by both Governments and would not be affected by any future change in the status of Northern Ireland."

Northern Ireland to both the UK and Ireland.[6] But it is one that could and should have been avoided with due diligence on the part of the Principal Defender.

8. Making such an inaccurate and avoidable assertion in the face of the troubled political history of the Irish people can even be personally emotive. As a matter of fact, persons born in the North of Ireland that identify as Irish are usually critical of the British Government and British institutions[7] because of the treatment of the Irish by the Crown and British subjects dating as far back as the Plantation of Ulster under King James VI in the 17th Century.[8] It is doubtful, therefore, that Justice Doherty would hold any allegiances to the UK Government or its prison system, being Irish.

9. Thus, to the extent that the Request for Recusal is predicated exclusively on this factually incorrect assertion –that Hon. Justice Teresa Doherty, the Designated Duty Judge is a UK national and seeks her recusal solely on this basis, The Prosecutor submits that it raises a non-issue and should be rejected for being frivolous and a waste of the court's time and resources. However, should the President not consider this argument meritorious or sufficient to dismiss the application, The Prosecutor makes further arguments below that address the substance and merit of the Request.

ii) **The legal test for impartiality as a basis for recusal of a Judge**

10. Although the Motion for Recusal equivocates as to what its actual purpose/intent is - in one breath stating, 'To be clear, Mr. Taylor is questioning neither the integrity nor the impartiality of the learned Justice'[9], and in another breath stating, 'Furthermore, Mr. Taylor draws the President's attention to the fact that whilst he has no issues with the learned Justice's integrity to dispense justice, that he nevertheless has concerns with the appearance of impartiality',[10] The Prosecutor will nonetheless treat this application for

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[6]The Partition of Ireland in 1921 left six northern counties under the rule of the British Government, though the Republic of Ireland did not relinquish its constitutional claim to the six counties of the Ulster province until the Belfast Agreement was signed in 1998, ultimately conferring the birthright on persons born in the North of Ireland to hold Irish nationality and citizenship and move freely across the borders of the UK and Ireland.

[7]See, e.g., Timothy J. White, *The Impact of British Colonialism on Irish Catholicism and National Identity: Repression, Reemergence, and Divergence*, 35 E'tudes d'histoire et de civilization 21-37 (2010), pp. 1-3. https://journals.openedition.org/etudesirlandaises/1743 (Last visited 08 July 2020).
[8] See e.g., Ulster Historical Foundation, "Plantation of Ulster," https://www.ancestryireland.com/plantation-ulster/?page_id=141 (Last visited 08 July 2020).
[9] Request for Recusal, para. 7
[10] Request for Recusal, para. 9

what it truly is – a motion for recusal of Justice Teresa Doherty for impartiality on the basis of her alleged status as a UK national.

11. The principle of judicial impartiality is fundamental to the true dispensation of justice everywhere in the world. It is recognized by all legal systems adhering to international standards. The scope of the application of this principle in the context of international criminal courts and tribunals has been considered in some detail by the Appeals Chamber of the ICTY in the *Furundzija Appeal Judgment*[11] and in the *Celebici Appeal Judgment*.[12]

12. There is a presumption of impartiality which attaches to a judge. It is for the party seeking the disqualification of a judge to adduce sufficient evidence to satisfy the President that the judge is not impartial, or that there is a reasonable apprehension of bias. There is a high threshold to reach in order to rebut this presumption, and a reasonable apprehension of bias must be "firmly established."[13] Judges have a duty to sit in any case in which they are not obliged to recuse themselves, and just as any appearance of bias on the part of a judge undermines confidence in the administration of justice, it would be as much a potential threat to the interest of impartial and fair administration of justice if judges were to disqualify themselves on the basis of an unfounded and unsupported allegations of apparent bias.[14]

13. In its decision on a motion for recusal against Judge Winter,[15] the Appeals Chamber of the SCSL relied on the test for impartiality in the *Furundzija Appeal Judgment*, to give clearer meaning to the words "personal interest" and "impartiality" found in Rule 15(A) of the Rules of Procedure and Evidence.[16] The test, which encompasses bias in both its subjective and objective forms lays down the following principles:

> *"the Appeals Chamber finds that there is a general rule that a judge should not only be subjectively free from bias, but also that there should be nothing in the surrounding circumstances which objectively gives rise to an appearance of bias. On this basis, the*

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[11]*Prosecutor v. Furundzija, Judgment*, Case No. IT-95-17/1-A, Appeals Chamber, 21 July 2000 ("***Furundzija Appeal Judgment***"), paras. 164-215, especially paras. 177-215.

[12]*Prosecutor v. Delialic et al.* (Celebici case), Case No. IT-96-21-A, Appeals Chamber, 20 February 2001, paras. 694-709 ("***Celebici Appeal Judgment***")

[13]*Furundzija Appeal Judgment*, para. 197; *Celebici Appeal Judgment*, para. 707

[14]*Celebici Appeal Judgment*, para. 707

[15]*Prosecutor v. Sam Hinga Norman*, Case No. SCSL-2004-14-112-A "Decision on Motion to Recuse Judge Winter From the Deliberation in the Preliminary Motion on the Recruitment of Child Soldiers', 28 May 2004 ("***Judge Winter Recusal Decision***").

[16] See note 3

Appeals Chamber considers that the following principles should direct it in interpreting and applying the impartiality requirement of the statute:

A. A judge is not impartial if it is shown that actual bias exists.

B. There is an unacceptable appearance of bias if:

> *i) A judge is a party to the case, or has financial or proprietary interest in the outcome of a case, or if the judge's decision will lead to the promotion of a cause in which he or she is involved, together with one of the parties; Under these circumstances, a judge's disqualification is automatic; or*

> *ii) The circumstances would lead a reasonable observer, properly informed, to reasonably apprehend bias"[17]*(Emphasis added).

14. As to the concepts of subjective and objective bias, the Appeals Chamber in *Furundzija*, itself relying on the jurisprudence of the European Court of Human Rights, adopted the following dicta, "In considering subjective impartiality, the court has repeatedly declared that the personal impartiality of a judge must be presumed until there is proof to the contrary. In relation to the objective test, the Court has found that this requires that a tribunal is not only genuinely impartial, but also appears to be impartial."[18]

iii) **The Request for Recusal fails the test of Impartiality**

15. The Prosecutor submits that the Request for Recusal fails all the tests for impartiality laid down in the *Furundzija Appeals Judgement*, both in its objective and subjective forms. For a start, the Request itself speaks ebulliently of Justice Teresa Doherty as a judge of 'integrity' who has served the SCSL and the RSCSL 'with distinction',[19] and 'salutes' the learned Judge for her 'judicial dedication to this court and its predecessor over the years'.[20] There are in fact, 'no issues with the learned Justice's integrity to dispense justice'.[21] In the face of these highly effusive comments about the Judge's impeccable character and record, it is hard to see how the same Recusal Request can justify bias or impartiality on the part of the same judge.

16. Considering the difficulty often to prove objective bias, since it also involves showing how the judicial institution carries itself to avoid any semblance or appearance of bias,

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[17]*Judge Winter Recusal Motion Decision*, paras. 22-23, citing *Decision Furundzija Appeal Judgment*, para. 189
[18]*Furundzija Appeal Judgment*, para. 182
[19]Request for Recusal, para. 6
[20] Request for Recusal, para. 6
[21] Request for Recusal, para. 9

the focus in this application should be on proving Justice Doherty's subjective bias. The first part of the test, relating to the display of actual bias by a judge should be eliminated completely as it is not suggested anywhere in the Request that Justice Doherty made statements or has acted in any way that will be interpreted as displaying actual bias in relation to Prisoner Taylor's Request for Temporary Transfer, which is the subject of this challenge.

17. Nor could it be said that Justice Doherty is a party to the matter before her, or that she has a financial or proprietary interest in the matter before her, or indeed that her decision will lead to the promotion of a cause with which she is involved together with other parties. In this regard, the first limb of the second part of the test should also be eliminated.

18. Therefore, the pith of the Principal Defender's challenge rests on the second limb of the second part of the test, the appearance of bias. The Request for Recusal asserts, based on its allegation that the Learned Judge is a UK national, that 'a scenario' will be created of an appearance of bias, if Justice Doherty, being a UK national and who was nominated by the UK to serve as a judge at the RSCSL, was left to decide the Request by Prisoner Taylor for Temporary Transfer from prison in the UK to a Safe Third Country due to a massive outbreak of COVID-19. This appearance of bias, it asserts, will arise from the fact that the Learned Judge will be required to make 'some judgment/assessment' on the UK Prison system. This argument, if allowed to stand, will trump the most basic principles underlying the presumption of impartiality, including more widely, assurances implicit in the process of appointing a judge. In its stead will be supplanted a presumption of bias against a judge simply on the basis of his/her nationality. Not only is this proposition absurd, it is not supported by any of the existing authorities on the principle of impartiality, including those cited in the Request.

19. The Statement 'Justice must not only be done but should manifestly and undoubtedly be seen to be done' by Lord Hewart C.J., on which the Principal Defender has so forcefully relied[22] was not a hollow statement by the learned Lord Justice, unsupported by facts, as in the present case. In this vein, an excerpt from the *Furundzija Appeal Judgment* is pertinent, 'The reasonableness of any apprehension of bias must be assessed in the light of the oath of office taken by the Judge to administer justice without fear or favour, and

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[22] Request for Recusal, para. 10

his or her ability to carry out that oath by reason of his or her training and expertise. It must be assumed that a judge can disabuse his or her mind of any irrelevant personal beliefs or predispositions.[23]

20. In addition, the *Furundzija Appeal Judgment* relying on the jurisprudence of the European Court of Human Rights had this further to say about the objective test relating to a judge's impartiality and the need for a factual basis, "Even if there is no suggestion of actual bias, where appearances may give rise to doubts about impartiality, the Court has found that this alone may amount to an inadmissible jeopardy of the confidence which the court must inspire in a democratic society. The Court considers that it must determine whether or not there are ascertainable facts which may raise doubts as to impartiality. In doing so, it has found in deciding 'whether in a given case there is a legitimate reason to fear that a particular judge lacks impartiality.' The standpoint of the accused is important but not decisive … What is decisive is whether this fear can be held objectively justified"[24] (Emphasis added).

21. Furthermore, the Appeals Chamber in the *Judge Winter Recusal Decision*, referred to its earlier decision on the Disqualification of Justice Robertson, where it held that the applicable test for determining applications made under Rule 15(B) is whether an independent bystander or reasonable person will have a legitimate reason to fear that the judge in question lacks impartiality, "in other words, whether one can apprehend bias"[25]

22. What these provisions speak to is the fact that even fear based on an appearance of bias should for what it is worth be supported by some fact(s), which itself must be ascertainable or reasonable. The Recusal Request provides no other fact for consideration than simply the issue of Justice Doherty's nationality, which to say the least, actually brings nothing to the table for discussion.

iv) **Nationality as a basis for Recusal is flawed**

23. Disregarding for the moment the factual inaccuracy in the Principal Defender's assertion, The Prosecutor finds the proposition of a presumption of bias on the basis of nationality deeply flawed and troubling. In the cases before international courts and tribunals where

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[23]*Furundzija Appeal Judgment*, paras. 196-197

[24]*Furundzija Appeal Judgment*, paras. 197

[25]*Judge Winter Recusal Motion*, para. 22, citing *Prosecutor v. Sesay*, Case No. SCSL-2004-15-PT-058, "Decision on Motion Seeking Disqualification of Justice Robertson from the Appeals Chamber", 13 March 2004, para. 15 ('Sesay Decision')

it has been raised, this argument has been rejected swiftly and outright, as providing no basis for finding bias against a judge and therefore their disqualification.

24. In *Seselj*,[26] it was argued by the Accused (a Serb) that "a long history of conflict between the Germans and Serbs", would affect a German judge's impartiality and he should for this reason be disqualified. The ICTY Appeals Chamber, dismissing this argument, stated, 'The nationalities … of judges of this Tribunal are, and must be, irrelevant to their ability to hear the cases before them impartially … [J]udge's ability to … consider nothing but the evidence presented to them in deciding on an individual's guilt constitutes a touchstone of their role as judges"[27]

25. Similarly, the Defence team in *Ratklo Mladic* sought to disqualify Judge Alphons Orie on, among other grounds, that the indictment against Mladic, predominantly focused on the Srebrenica massacre, Judge Orie "could not detach himself from his Dutch nationality, and the sentiments that may arise from such a charged proceeding on a matter that is of great interest to the Dutch State and people."[28]The motion was dismissed in a three page decision. The decision was predicated on a memorandum filed by Judge Orie.[29]

26. Also, in *Situation in the Dafur, Sudan*, a Decision of the Plenary of Judges of the ICC on the "Defence Request for the Disqualification of a Judge",[30] two Sudanese rebels sought to disqualify a Nigerian judge, arguing that a reasonable observer might reasonably doubt the impartiality of the judge based on his nationality – his endorsement of candidacy as a judge was by a regional body and by his state of nationality, majority of the victims were Nigerian Peacekeepers, and he had made comments in a blog prior to his election as a judge deemed sympathetic to the Sudanese President, Omar Al-Bashir. A majority of the Plenary nonetheless denied the motion.

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[26]*Prosecutor v. Seselj*, Case No. IT-03-67-PT, "Decision on Motion for Disqualification", 10 June 2003, pp. 2-3
[27]*Idem,* note 26
[28]*Prosecutor v. Mladic*, Case No. IT-09-92-PT, "Order Denying Defence Motion Pursuant to Rule 15(B) Seeking Disqualification of Presiding Judge Alphonse Orie and a Stay of Proceedings", 15 May 2012.
[29]*Idem*, note 28, Per Judge Alphons Orie: "I am a national of the Netherlands. I was elected as a judge of this Tribunal by the General Assembly of the United Nations. I am remunerated for my work for this Tribunal by the United Nations. In no way do I feel or consider that I have any identification or partiality with the Netherlands, its Government, any of its officials, or any individual of Dutch nationality in the performance of my duties. What binds me is the solemn declaration that I made when I undertook to fulfill my duties, "honourably, faithfully, impartially and conscientiously"", at Annex 60.
[30]*Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohamed Jerbo Jamus*, "Decision of the Plenary on the Defence Request for Disqualification of a Judge of 2 April 2012," ICC-02/05-03/09-344-Anx, 33, 05 June 2012.

27. The principle of presumption of impartiality irrespective of nationality thus remains a viable principle that should be safeguarded. Its value has been demonstrated with great benefit in many different scenarios. At the RSCSL, for instance, when Prisoner Moinina Fofana, who was on Conditional Early Release, broke a condition of his release in Sierra Leone, it was necessary for the Court to appoint a judge to consider the complaint against this violation. Amongst other reasons, and perhaps for convenience, the President designated a Sierra Leonean judge, Justice Vivian Margarette Solomon who was based in Sierra Leone, to sit on the complaint.[31] Being Sierra Leonean and of the same nationality as Prisoner Fofana, was obviously inconsequential to the considerations about her designation.

28. Consistent with the expectations of the public from a judge of Justice Solomon's qualifications, training and experience, and in due regard for her commitment to her oath as a judge of the RSCSL, the Learned Judge delivered a fair and just decision which not only found the allegations to be proven, but was highly critical of the Monitoring Authority in Sierra Leone, the Sierra Leone Police, for its extreme laxity and inefficiency in carrying out its appointed role as a Monitoring Authority.[32]By implication, this adverse finding was against the Government of Sierra Leone, Justice Solomon's principal employer, as she was also a Justice of the country's highest court, the Supreme Court for Sierra Leone.

II.   Conclusion

29. In light of the forgoing reasons, The Prosecutor requests that the President dismiss the Request as it is frivolous and raises a non-issue, or deny same for lack of merit.

Filed on 08 July 2020

James C. Johnson
The Prosecutor

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[31]*Prosecutor v. Moinina Fofana,* RSCSL-04-14-ES-839, "Public Order for Detention and for Hearing Pursuant to Article 12(F) of the Practice Direction on Conditional Early Release of Persons Convicted by the Special Court for Sierra Leone, dated 9 March 2015, ("President's Order for Detention and Transfer").

[32]*Prosecutor v. Fofana*, RSCSL-04-14-ES-847, "Public Disposition on the Matter of Moinina Fofana's Violations of the terms of his Conditional Early Release", 25 April 2016, paras 71-78, (with Corrigendum filed 29 April 2016), at para.71: "Before I conclude my disposition, I wish to admonish in the strongest possible terms, the Monitoring Authority whom I find to have been complicit in this matter and as such its role and dire failures in this instance need to be addressed".

List of Authorities

RSCSL Statute & Rules of Procedure and Evidence

RSCSL Statute, Article 13(1)

RSCSL Rules of Procedure and Evidence, Rules 15(A) and 15(B)

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Timothy J. White, *The Impact of British Colonialism on Irish Catholicism and National Identity: Repression, Reemergence, and Divergence*, 35 E'tudes d'histoire et de civilization 21-37 (2010), pp. 1-3, https://journals.openedition.org/etudesirlandaises/1743 (Last visited 08 July 2020).

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Annex 1

Timothy J. White, *The Impact of British Colonialism on Irish Catholicism and National Identity: Repression, Reemergence, and Divergence*, 35 E'tudes d'histoire et de civilization, 21-37 (2010).

The Impact of British Colonialism on Irish Catholicism and National Identity: Repression, Reemergence, and Divergence

Timothy J. White

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The Impact of British Colonialism on Irish Catholicism and National Identity:...

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The Impact of British Colonialism on Irish Catholicism and National Identity: Repression, Reemergence, and Divergence

Timothy J. White

1   Why did Irish national identity come to be equated and linked with a Catholic religious identity? This article builds upon previous scholarship that explores the relationship between national and religious identity. However, my argument focuses on the effects of British imperialism rather than other approaches emphasized in previous studies. I posit that the best way to understand how Catholicism became so linked with Irish identity is by focusing on the colonial experience. This approach builds upon a tradition of scholarship that emphasizes the social construction of identities[1]. My analysis recognizes that Irish nationalists needed to construct or invent their identity[2]. When discovering or creating their identity in the nineteenth and twentieth centuries, they emphasized those aspects of and events in history that supported their narrative. According to traditional Irish nationalist interpretations, the British, while intending to create a single dominant religious tradition loyal to the British crown, inadvertently created competing religious traditions in Ireland and a fusion of Catholic and nationalist identities. Hence, this paper focuses primarily on the colonial experience to explain the strength, nature, and evolving relationship of Catholicism and Irish nationalism.

2   Ireland has long been called an internal colony of Britain[3]. While Ireland's status as a colony is often seen as complex and ambiguous and therefore contested, many depict the Irish as a national group that was subjugated by British imperialism and sought to resist it[4]. Thus, Ireland can be identified as a colonized territory, and the Republic of Ireland is often considered a postcolonial state. As such, Ireland has increasingly been compared to other colonial territories, especially India[5]. While there are diverse bases of comparison to other colonial territories, the common experience of imperial subjugation and subsequent desire for independence links Irish history to other territories that were

colonized and who subsequently became independent. In the Irish case, the effort to achieve independence from Britain culminated in the Easter Rising of 1916, the War for Independence from 1919-1921, and the Anglo-Irish treaty that brought Free State Status to twenty-six counties. The de Valera-led Irish government wrote a new constitution in 1937, and subsequently, Ireland was declared a republic in 1948. Because the status of six counties in Ulster remains contested from the Irish nationalist perspective, much of twentieth century Irish history can be explained by the Irish effort to achieve independence from British imperial rule. Part of British imperial policy in Ireland went beyond an effort to control Irish territory and included an effort to transform Irish religious beliefs and practices. The Irish who had long identified with the Catholic Church and practiced Catholicism resisted the British effort to create a national Church of Ireland that would correspond to the established Church in England. The Irish clung to their religious beliefs and practices not only because of their faith but also because it became a symbol of their identity and a means of political resistance to British imperial policy[6]. Ultimately, Irish Catholicism emerged stronger and more connected to national identity because of British imperialism and the Irish effort to resist it.

3   While many have analyzed the impact of imperialism, few have specified the sequence of interaction between colonial powers and the indigenous religion of those they seek to conquer. I adopt a four-stage model developed by Gibbons to explain the impact of the colonizer on the relationship between the religious and national identity of the colonized [7]. First, an indigenous religion exists before colonization but comes to be appreciated and remembered as part of the struggle for national self-determination. In this period there is little if any link between political and religious identities. The second historical stage of colonial domination results in the attempt to marginalize or eliminate the indigenous religion as part of a larger process of cultural imperialism. As a result, while some indigenous culture survives colonization, the religious values and identity of the imperial power often begin to be incorporated into the culture of the colonized. More importantly, however, the religious and emerging national identities of the colonized become fused.

4   The period immediately after independence is the third stage of the historic sequence where the metropolitan's power over the satellite's religion and political identity obviously begins to fade. When sovereignty has been attained, a postcolonial nationalism and determination permeates the society attempting to resurrect and respect elements of traditional culture including religion. It is in this period that an independent government attempts to foster those aspects of traditional culture including religion that help to define the national identity. After the generation that fought for and achieved independence in the former colony is gone, a new set of priorities and values comes to shape life in the fourth stage of historic development. Attempting to recreate an idyllic national past is no longer so important, and neither is the state and society's protection and promotion of a historic religious identity. States seek viability in the modern state system, and publics that gain power in modern democracies increasingly expect government to deliver public services, jobs, increasing living standards, and overall prosperity. The competition between modern political parties to achieve material benefits for constituencies becomes the goal of politics in postcolonial societies that have matured past their initial preoccupation with national autonomy and cultural authenticity. The increased focus on material and consumer satisfaction reduces the priority of traditionally defined religious agendas and secularization is the result. This four stage process can thus be used to delineate the different historic periods that

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characterize the relationship between religion and politics. I will apply this model to explain the changing relationships of Church and State in Ireland over the centuries, specifying the growing linkage of religious and national identities due to British imperial policy and the unraveling of this nexus when the effects of British imperial policy dissipates.

The Irish Church before the British Arrival

5   Ireland's history as a Catholic nation long precedes the arrival of the British. Most date the arrival of Christianity back to the fifth century when Patrick and other saints played critical roles in converting the island. While Patrick came from Britain first as a slave and later as a bishop, his conversion of Celtic Ireland to Christianity is not seen to be the beginning of imperialism in Ireland. This is because Patrick and the early Christian Church effectively integrated or built upon Celtic traditions to develop an Irish spirituality that fused historic beliefs and festivals with the faith and practice of Catholicism[8]. This Catholicism was not uniquely British and while clearly emanating from Western Europe did not arrive as part of an effort to achieve colonial control over Ireland. The Church was primarily organized in this early period into a scattered number of monasteries, and many of these monastic settlements were founded by famous Irish saints who inspired the asceticism associated with early Celtic Christianity. This monastic tradition came under attack with the arrival or Viking or Norse invaders in the eighth century. Even though these marauders sacked several monasteries, there is little evidence that these invaders affected the Catholic identity of the Irish in the following centuries.

6   What caused change in Irish Catholicism was not this foreign threat but an internal reform movement within the Irish Church that began in 1101 with a synod in Cashel. The reforms initiated by this synod and others in the early twelfth century were intended to bring order and discipline to the Irish Church[9]. These changes moved Ireland's religious practices more in line with the teaching of the Roman Church, but the integration of Irish Catholic practice into the continental traditions of Catholicism was accelerated by the arrival of the Anglo-Normans in the late twelfth century. While the Anglo-Normans continued to modernize the Church, their presence did not threaten the religious identity of the native Irish. These successful conquerors shared the same Catholic identity and basic faith as the indigenous Irish they conquered. As a result, Catholicism was changed as monasteries and the power of local abbots gave way to a diocesan-organized Church that centered power in the hands of bishops. While the Church may have been organized differently, the political transformation that began with the Anglo-Norman's arrival did not challenge the Catholic identity of the Irish[10].

7   The real challenge to the Catholic identity of the Irish began with Henry VIII's decision to declare himself head of the Church in England. As he and later English kings became increasingly assertive in demonstrating their control over Ireland, they insisted that the Irish conform to the established Church of the realm[11]. While the plantation in the seventeenth century brought some English settlers who identified with the established Church in England, most Irish continued to identify with their Catholic faith. Many who came in the plantation period were various Protestant dissenters, anxious to avoid the need to conform to the established Church in England. The largest single group was Presbyterians from Scotland, but Quakers and other dissenters came to Ireland and settled in Ireland as well. These dissenting groups kept their dissenting faiths while

maintaining their political loyalties to Britain[12]. Meanwhile, the indigenous Irish sought to retain their Catholic faith despite the proselytizing efforts of many Protestants. Thus, a division of religious belief and identification coincided with differing political allegiances in the aftermath of the Plantation[13]. This reality allowed the connection of Catholicism and Irishness in the nineteenth century when Irish nationalism begins to mobilize in its modern form.

Colonization and the Integration of Catholicism with Nationalism

8   Much of the era of colonization is characterized by the cultural domination by imperial powers over the subjugated people's beliefs and religious practices. As several works have indicated, this domination was based on a cultural predisposition or rationalization for the subjugation of the colonies.[14] While the idea of imperialism may have conspired to create colonies, it inevitably led to the creation of resistance to that domination[15]. Those who rebelled against colonization sought to end what they perceived as unjust and inhumane domination. Even if many attempted to conform to the new culture of the imperialist, they were rejected because of their race, status, or ethnic origin. The very logic of imperial domination engendered the response of resistance and, ultimately, the drive for national self-determination and an end to colonial rule. The origins of Irish nationalism and the rebirth of Catholicism in the nineteenth century derived from the effects of a reaction against British imperialism and an attempt to reinvent a Gaelic culture, preserve a Catholic religious identity, and reinvigorate Catholic religious practice. The emergence of Irish nationalism and the rebuilding, both physically and spiritually, of the Church in Ireland must be understood as highly interrelated processes. As in other colonial settings, the means by which nationalism emerged and engaged society was based on a desire to achieve independence.

9   In the Irish case, political independence coincided with religious independence. Whelan even considers the revival of Catholicism in the nineteenth century as a response to a religious revival among Protestants in the early nineteenth century[16]. Yates depicts these reform movements as parallel processes[17]. However one interprets internal reforms in the different churches in Ireland, it is clear that O'Connell strengthened the unity and link between the Catholic Church and the Irish people as the basis of Irish nationalism[18]. The attempt of Protestantism to overwhelm Catholic belief and practice yielded a response as Catholics, especially the hierarchy, felt threatened. British imperialism was not just a matter of political control or economic advantage. It took the form of a cultural effort to transform Ireland into a land much more akin to the values and practices of those in England. Jenkins emphasizes that the attempt to integrate Ireland into the United Kingdom after the Act of Union was destined to fail and the Catholic Church played an important role in motivating Catholics to resist British rule and seek their own separate political destiny[19].

10   The desire to overthrow the yoke of this British tyranny united the different elements of Irish society. A dominant religion, in the case of Ireland the Catholic Church, played an important role in forging the unity that was necessary for nationalism to become an effective mass movement[20]. To understand how Catholicism emerged as part of the nationalist movement, one must understand that nationalist movements are typically

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secular political movements that may incorporate religion as well as a wide array of cultural forces designed to break the hold of power of the colonizer. Thus, this process does not mean that religious elites need to lead political movements for religions to play a role in the politics of nationalism. Politicians and nationalist revolutionaries can employ religion as a force for their own secular political cause. In the case of Irish nationalism, the Catholic Church became a powerful political actor because of its desire to resist the attempt to convert the Irish masses to Protestantism that began in earnest in the early nineteenth century[21]. While not all scholars agree with this "second reformation" argument, it is clear that by the middle of the nineteenth century the Irish Catholic Church was increasingly successful in gaining its independence and negotiating effectively with the British government[22]. Not only did the Church hierarchy but religious groups like the Christian Brothers played key roles in helping to mobilize Irish nationalism, not just from the pulpit but from an emerging and enlarging educational system[23]. By the late nineteenth century, Catholicism was successfully conjoined with Irish nationalism by its identity as a persecuted Church, by the faithfulness of its followers, and by the ability of the Church to organize and meet the spiritual needs of the Irish public.

11   As Gaelic Ireland increasingly lost its viability under the rule of the British and receded to the Western corners of the island, the Irish masses needed some common bond upon which they could maintain or create their national identity. Catholicism served this function perfectly because it united the Irish majority in their devotion to the same faith. While Smith identifies an ancient argument for the island's sacred status[24], most scholars focus on the strengthening nexus between Catholicism and Irish nationalism in the nineteenth century. Whyte contended that the liberal attack on the Church and its influence in society united Catholics in the Anglo-American world, including Ireland[25]. Fahey has argued that Irish Catholicism revived as Irish society began to industrialize and link itself with the outside world, but even in rural Ireland during the early nineteenth century there was a unity between priests and the people in Ireland that provided much deference to ecclesiastical figures[26]. De Beaumont contended that the Irish response to British imperialism was due to the oppression of the Catholics based on the penal laws[27]. While the Irish case clearly has some unique factors that may account for the fusion of Catholics and nationalism, Martin cites a common pattern where a dominant religion fuses with nationalism to become part of the national identity[28]. Therefore, one of the commonalities upon which Irish nationalists could forge a nation was the widespread adherence and devotion to the Catholic faith, one that Larkin identifies in his work on the devotional revolution in Ireland[29].

12   The faithfulness of Irish Catholics to their religious heritage has historically provided the Church with tremendous institutional power in society[30]. In the past the Church has been able to utilize its power to transmit its message effectively from the pulpit and through its control of the schools and the administration of social services. The result has been that Irish society became viewed as one of the most religious of the Catholic nations. The Church has been able to influence the values and behaviour of the Irish people to conform to its doctrine and teachings. The Church's capacity to influence behaviour obviously extends to political concerns that the Church hierarchy interprets as impinging upon the faith and morals of the Irish people. To the extent that Ireland's continued participation in the British Empire had ramifications relevant to fundamental Catholic doctrines, one would naturally expect the Church to play a role in directing the emerging Irish

nationalist movement. The Church's remarkable development in the nineteenth century allowed it to emerge in harmony with the needs and conditions of the Irish in that time period. Its control of education for Catholics gave it not only a formative power in shaping individual values, but it also gained respect in society as the source and reservoir of intellectual thought. The Church also emphasized those values that were necessary in post-famine Ireland. Frugality and celibacy outside of marriage helped serve a social purpose in removing economic pressure from an impoverished economy. The devotions to the Blessed Mother and the Sacred Heart provided solace and inspiration. In general, the religion that the Church taught conformed to the spiritual needs of an agrarian society. Thus, the Church played an important role in linking religious values and structures with the everyday living of the irish majority[31].

13 Although the Catholic bishops opposed violence as a means to pursue the Irish nationalist cause, the secular political need for a dynamic that could unify the Irish people nonetheless counteracted and overwhelmed the desires of the hierarchy. The rapidly growing support for Sinn Féin and the elevated status of those executed as martyrs in 1916 made the Church leaders overlook any theological argument against the practical political need to support the cause of Irish nationalism[32]. In fact, recent scholarship suggests that there was an informal alliance between the Church and nationalist revolutionaries because of a common belief that self-determination needed to go beyond home rule. In addition, the hierarchy also opposed partition as did the Irish nationalists[33]. While the bishops may not have approved of the means that Irish revolutionaries used to gain independence, they shared a common political vision for a united Ireland, free of British control.

14 Beyond attempting to secure the hierarchy's support but more importantly not become the target of the bishops' wrath, nationalists also sought to secure the support of the Catholic masses behind their effort at securing freedom and reinventing Celtic Ireland. Pearse's emphasis on blood sacrifice for the cause of the Irish nation paralleled the sacrifice of Christ on the Cross memorialized in every mass the faithful attended. Thus, nationalists were able to enlist Catholics for their cause since the vast majority of Catholics not only despised the English political domination of their island but also resented the historic British persecution of the Catholic Church[34]. The need for a common bond overlapped with an anti-British antagonism concerning the right to freely practice one's faith. The Catholic religious identity served as a means of organizing and mobilizing the lower strata of society around the goal of defending the nation[35]. By the late nineteenth century, Catholicism was an integral part, if not the defining element, of Irish national identity[36].

15 A communitarian ethic deeply rooted in the Irish past also fostered the successful integration of national and religious identity. In spite of their historical political decentralization and the numerous foreign invasions and settlements, the Irish Catholics have perceived themselves as culturally homogenous – as one ethnic group – since the nineteenth century. This sense of unity built upon a Celtic sense of self and adapted from an aristocratic Gaelic order helped the Irish integrate and equate their Catholic and national identities. Larkin has demonstrated that O'Connell's founding of the Catholic Association and his achievement in generating unity in Ireland around its traditional communitarian ethos was especially important in merging Irish nationalism and Roman Catholicism into an organic all-encompassing identity[37]. Another important characteristic of Irish Catholicism that helped promote the successful integration of national and

religious identity in Ireland was the traditional strand of authoritarianism in the Irish Church and Irish culture[38]. Because of its doctrine of infallibility and the fidelity of its followers, the Church was able to command an obedience and loyalty that made the Irish faithful willingly accept the directives of the Church. Eventually, as the Irish masses developed a devotion to the cause of nationalism, this movement could depend upon the fervent support of the Irish masses. This granted populist figures vast discretionary power to lead as they saw fit and to expect an unquestioning acceptance of their decisions.

The Political Prominence of the Church after Independence

16   The effect of colonization on politics and culture does not end with the achievement of formal independence or even the recognition of sovereignty for a nation. Even though there is often far more cultural continuity than nationalists would hope for when they achieve independence, the end of imperial control of the colony means that the new independent state can use the institutions of the modern state for the purposes of achieving its national aspirations. Because the postcolonial state typically perceives itself as an island of authenticity surrounded by an alien world, it uses its power to pursue a nationalist agenda[39]. Thus, after independence, a religion wedded to the nationalist aspirations of those who now lead the government will grant informal power in the new state to religious leaders and develop policy that conforms to that religion's beliefs and values. Hence, the postcolonial state becomes the vehicle to implement nationalist policies and defers to religious leaders who are seen to be supportive of the nationalist cause for independence. In addition, when the nationalist struggle for independence has been linked to a persecuted Church, the national identity of the post-independence period is also linked with a religious identity.

17   After the founding of the Irish Free State, the Church hierarchy played a more conspicuous role in Irish political life than they had in the era of British rule. The influence and power of the Church after independence was demonstrated by the deference early Irish governments showed to the bishops and the Holy See[40]. In making policy, nationalist-motivated politicians who had effectively utilized references to the unique Catholic heritage of Ireland before independence continued to do so afterward. The passive role of the Church hierarchy during the Rising and its active opposition to the cause of violent revolution minimized its direct political influence in the years immediately after independence. Even though the heroes of the nationalist revolution did not heed the advice of Church leaders concerning the use of violence in the struggle for independence, the policies of the new state reflected their continued faith in the Church and in most, if not all, of its social teachings[41]. These policies fulfilled the clergy's desire to maintain a viable rural community that linked national nostalgia with Catholic social principles. The Church endeavored to repel the threat it saw in an urban life-style. For the Church, this new life-style was antithetical to the traditional Irish national identity and threatened the ideal Catholic social order. As a result, the Church hierarchy quickly learned to cooperate with those whose previously violent methods they had condemned[42]. The continued strength of the Church meant that the large number of vocations could serve not only the domestic needs of the Irish but also fulfill a missionary agenda that was prominent in the early years after the Free State was founded. This missionary

activity was seen as an important part of the Irish nationalist project[43]. Thus, the Church's strength as a social institution meant that it could complacently oversee Irish politics without worrying that state policy might deviate from its teachings. Unfortunately, the tightening merger of Catholic and Gaelic identities after independence contributed to the institutionalization of the religious divide that separates north and south in Ireland[44].

18   By the time de Valera wrote and Ireland enacted a new constitution in 1937, the Catholic religion was guaranteed a special role in society and the entire document adapted principles of corporatism that were popular in Church thinking at that time[45]. Even though Cooney and Whyte claim that the bureaucratic tendency of the state to expand its sphere of control in society collided with the Church's desire to retain its sphere of influence[46], the historic symbiosis of Catholic and Irish national identities permitted corporatism to be a successful means of organizing politics in post-independence Ireland. De Valera's constitution provided an effective and formal merger between the Catholic Church and the Irish nationalist elites[47]. As long as the Irish masses continued to equate their national and religious identities, there was no need to separate these two conceptually distinct aspects of Irish political identity. The fusion of Catholic and Irish national identities forged in the colonial period became strengthened as the postcolonial state sought to realize the goals of the nationalist revolution. Hence, British imperialism can clearly be seen as a force that strengthened the Catholic nature of Irish society in the late nineteenth and early twentieth centuries.

19   While nationalists like de Valera may seek to live aloof from the world of Western powers or imperialists, their economic policies of isolation and frugal comfort must compete with the culture of material prosperity and self-satisfaction that so permeates the culture of the wealthiest states. The allure of material prosperity, jobs, and higher incomes becomes very tempting. After the energy of the era of national independence has faded, the more practical concerns of the people make realizing the idealized past an increasingly difficult proposition for those who govern postcolonial polities[48]. Ireland, like many postcolonial states, has abandoned its effort to isolate itself and has increasingly sought to integrate with other societies beyond the narrow confines of a parochial national identity, and the Church has been put in a defensive position attempting to maintain a postcolonial nationalism that is threatened by modernity[49].

Beyond Postcolonial Nationalism and the Separation of Irish and Catholic Identity

20   It is the task of those that follow the generation of liberation to seek an accommodation between the idealized values of the nation and the traditional religious identity with the materialism that dominates modernity. While the postcolonial state may pursue policies in accord with a desire to attain cultural authenticity and a pre-imperial past, the post-postcolonial leaders now govern based on a different set of values. These values are shaped not just by the dominant values of the West but by the political constraints and domestic politics of the postcolonial state[50]. One scholar has identified this period of modernity trying to replace revivalism as the "demythologizing project[51]". The government now pursues material prosperity as a means of maintaining popular support. Deference to traditional religious elites wanes as politicians must now pay attention to public opinion polls and the concerns of corporate leaders.

21   In the Irish case, Seán Lemass led the effort to modernize the Irish economy in the late 1950s, by reducing, if not ending, the history of emigration and economic underdevelopment. While Lemass never claimed he was abandoning de Valera's vision of an isolated and autonomous Gaelic Ireland, he nevertheless pursued these policies not as an isolated political elite but one that recognized the growing dissatisfaction among the populace with the poverty that was too pervasive and inescapable in the Ireland of the 1950s. By the 1970s Ireland had joined the European Community and had achieved a period of rapid economic growth, unprecedented in its history. This economic success only served to whet the appetite of the Irish public and government for greater economic achievement. The result of this increased desire at the personal and governmental level for more economic prosperity has been the phenomenal growth of the Irish economy from 1995-2007 known as the Celtic Tiger. Ireland's integration into this global culture is seen as threatening its historical nationalism which was based on a parochial conception of national identity and a fusion of Catholicism and nationalism[52]. The rapid secularization that has come to Ireland as part of its change threatens to undermine one of the historic bases of Irish identity.

22   While some have been critical of efforts to apply theories of secularization to democracies and especially the Irish case[53], the decline in the status and power of the Church in Ireland means that at least one of the theories of secularization should apply. The key question is to determine how secularization is manifest in a particular national context[54]. Despite the continuing power of the Church in terms of its control of primary and secondary education as well as its ideological or ideational control exhibited by its parish priests and hierarchy, the Church no longer possesses its historic role both in defining Irish identity and establishing the cultural values of Irish society. By the late 1950s and early 1960s, the integration of Catholicism and national identity which had delayed or prevented the secularization that had come to the rest of Europe finally yielded to those forces associated with the arrival of industrialization and urbanization[55]. Many scholars argued that the ascendance of science and reason in the Western world meant the diminution of the mystical force of religion. Modernity tended to bring cultural and political pluralism. Ultimately, this liberalism was seen to be in conflict with traditional religious faith, including Christianity. In the past thirty to forty years numerous efforts have been made to decipher the relationship between economic and social modernization and the decline of religion. Theories of secularization have proliferated and so have definitions and diverse meanings for this concept. Many assumed that a dichotomy existed between an ethnic, rural society supportive of traditional religion and a conservative personal morality and an urban, cosmopolitan society more liberal theologically and in terms of personal morality. However, these static dichotomies could not detect the process of change and interaction between different religious and socio-psychological orientations of different national groups.

23   In societies like Ireland, secularization means that the historic dominant religion, one that helped to define national identity, loses its monopolized position in society[56]. Thus, the privatization of religiosity accompanies the secularization of society. Tolerance of differing religions and patterns of belief become the norm and a more pluralistic and ecumenical society is the result. While some of the faithful may become defensive of the religious traditions being abandoned, the increased polarization between religious and non-religious should not be seen as a reversal of the secularization process[57]. The Catholic Church has attempted to make its peace with modernity and a more pluralistic,

democratic society since Vatican II[58]. This Council attempted to forge an uneasy truce between the secular values of modern industrial societies and the Catholic tradition. Religion was to be demystified, to conform more to the existing culture. These changes, while most dramatic in some parts of the developing world where liberation theology attempted to remove the Church from supernatural concerns, have not been as evident in the Irish Church. A conservative hierarchy and the traditional fusion of Catholicism and historic Irish nationalism have made it difficult for both priest and prelate to bring about an aggiornamento of Catholicism in Ireland. Even though a changing and more secular lay elite emerged beginning in the 1960s, the Church has yet to accommodate this anti-clerical trend in Irish society[59]. Corkery argues that Irish theology needs to take into account the cultural changes in society. The traditional desire for discipline and self-denial has not allowed Irish Catholicism to make an accommodation with liberalism or with valuing individual self-expression[60]. The Church is thus put in a defensive position as it continues to interpret the materialism of affluence and indifference to spiritual values as its most immediate threats. This cultural change threatens not only the loyalty of the Irish public to the Church but also threatens to sever the historic link between Catholicism and nationalism in Ireland[61].

24   The profound cultural changes that have come with the rapid socioeconomic development of Ireland have also been accompanied by a variety of Church scandals. These have tended to reinforce the troubled role for the Church in Irish society. While some may ask if we are witnessing the end of Irish Catholicism[62], it is more prudent to predict that the Church will play a greatly reduced role in Irish society in coming decades. As vocations have decreased significantly in recent decades, the Church has lost much of its institutional capacity to provide education, health and social services. Instead, the state and the private sector have become increasingly important in the lives of people in the Irish Republic, replacing at least to some extent the traditional role played by the Church. This means that the symbolic or social power of the Church has been dramatically reduced in recent years[63]. Coakley contends that the result of this transition has meant that a civic and more inclusive nationalism is replacing an ethnic and exclusive nationalism[64].

Conclusion

25   This article has demonstrated that the historic relationship between religion and national identity in Ireland can best be understood by focusing on and appreciating the impact of Ireland's encounter with the British Empire. Before the British attempted to exert political control over the island, Ireland's Catholicism may have provided a common religious set of beliefs and experiences for many on the island, but religion was not associated with political identity. In the era of the Celts, Catholicism in no way united the warring factions and clans that comprised the decentralized Irish society from the time of Patrick to the arrival of the Anglo-Normans. Gradually, the effort to impose an alien religion along with an alien ruler created a fusion in the minds of the Irish between these two conceptually distinct elements of identity. Thus, by the nineteenth century, as Irish nationalism emerges as a mass movement, it became linked with the devotional revolution of the same century creating a nexus between religious and national identity.

26   By the time of the struggle for independence early in the twentieth century, Catholicism had become a defining element of what many believed it meant to be Irish. Like other

postcolonial states, the Irish government after independence strove to realize not just the dreams of an ancient Celtic or Gaelic past but developed policies that paid formal deference to the traditional religion, in this case Roman Catholicism. Irish society has rapidly changed in recent decades, abandoning aspirations of the frugal comfort of a mythical national past for the material comforts modernity has to offer. This has helped to not only diminish the political relevance of Catholicism as a hierarchical Church but perhaps more importantly delinked the connection between Catholic identity and national identity. This historic and evolving relationship can only be fully grasped if we understand the legacy of imperialism and how it has shaped Irish history. While the impact of imperialism may be less obvious in the future, the trajectory of the relationship between national and religious identity in Ireland can only be understood as emanating from the imperial process.

NOTES

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9. Hughes, *The Church in Early Irish Society*, p. 263-274.

10. Corish, *The Irish Catholic Experience*, p. 30-62.

11. *Ibid.*, p. 63-95; Jane Ohlmeyer, "A Laboratory for Empire? Early Modern Ireland and English Imperialism", in Kevin Kenny (ed.), *Ireland and the British Empire*, Oxford, Oxford University Press, 2004, p. 33-35.

12. For an excellent overview of these dissenting Protestants, see Richard L. Greaves, *God's Other Children: Protestant Nonconformists and the Emergence of Denominational Churches in Ireland, 1660-1700*, Stanford, Stanford University Press, 1997.

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ABSTRACTS

Ireland's long and contested status as an internal colony of Britain has been important in the historical development of how the Irish remember their past. This article analyzes the historic relationship between religion and politics in Ireland by focusing on the impact of British rule in Ireland and its aftermath on the formation and evolution of Irish identity. My research suggests that one cannot appreciate the role of religion in Irish politics without taking into consideration the impact of British rule in Ireland.

Le statut toujours contesté de l'Irlande en tant que « colonie interne » de la Grande Bretagne a eu un effet important sur le souvenir historique que les Irlandais conservent de leur passé. Cet article analyse la relation historique entre politique et religion en Irlande à travers une étude de l'impact de la domination britannique et de ses conséquences sur la formation et l'évolution de l'identité irlandaise. Cette recherche suggère qu'il n'est guère possible de comprendre le rôle de la religion dans la politique irlandaise sans tenir compte de l'influence de la domination britannique en Irlande.

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