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Criminality and Vigilante Politics: The Scottish Protestant Case

by
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INTRODUCTION

In the reporting of 'terrorist' or 'vigilante' crimes, it is common for commentators to engage in a rhetorical contest with those charged with such crimes. The actors claim political motivation, asserting that they only acted as they did because legitimate and conventional means of political action were either barred to them or had been tried and found wanting. Their detractors assert that they are really criminals first and foremost and that they would have committed these, or similar, crimes, even if there had been no political conflict to which they could attach their actions. One can find many theoretical antecedents for what the author calls the 'essential criminality' thesis: the idea that, irrespective of the reasons they give, some people are generally predisposed to commit crimes. The biological and psychological schools of criminology, for example, from Lombroso to Eysenck, have argued that some people are 'driven' rather than rationally motivated to criminality.[1]

What makes 'essential criminality' interesting is that it is sometimes deployed by social scientists whom one would expect to stress situational over 'personality' factors. Rosenbaum and Sederburg, for example, assert that some people are attracted to vigilante political movements because such movements can act "as a semi-legitimate avenue for the expression of their anti-social tendencies."[2] What is implied is a substitution of motives. Actors in such movements assert that they are involved because they are committed to the goals of the movement; social scientists reject that claim and instead offer alternative motivational stories. The alternatives are many and varied. Lay people tend to replace the rational political motive with the rational economic motive. Almost all critics of the republican and loyalist paramilitaries in Belfast assert that such people are more interested in 'running rackets' than they are in the politics of the Northern Ireland conflict. The most common social science substitution is the replacement of the rational political by the irrational. The most articulate example of this is still Neil J. Smelser's theory of collective behaviour.[3] Smelser lays such stress on the part which social structural 'strains' play in generating discontent that he almost completely removes the rational decision-making capabilities of the people who join social movements. He supposes that structural strains cause problems which lead people to behave irrationally and one form of irrational (or 'expressive') action is to engage in collective action.

In a more attentuated form, such reasoning informs a good deal of the American social movements and collective action literature. The issue, of course, is not structural influences versus conscious motivation. Few structuralists suppose that people are automata; few idealists suppose that motives are created in a vacuum. What is important is the

balance and the links between structure, culture and individual motives. This paper suggests that the 'essential criminality' thesis unwarrantedly denies the actors' own accounts of their actions,[4] and explores the problems of imputing and denying motives to political 'criminals' through data on Protestant paramilitaries in Scotland.

In the early seventies, a small number of Protestants in Scotland felt that the political crisis in Ulster required a more robust response than was then being offered either by the British government or by established voices of Protestant politics such as Orange Order.[5] Small numbers of urban working class Orangemen, often with strong personal and kinship ties to Northern Ireland, formed Scottish branches of the Ulster Defence Association (UDA) and Ulster Volunteer Force (UVF).[6]

Such groups initially confined their activities to fund-raising and organizing demonstrations. A small number of UDA and UVF men in Scotland became involved, first in gun-running and later, in acts of terrorism in Scotland itself. A great deal of public hostility was generated by a television interview in which three UDA men declared their willingness to buy guns for Ulster. Shortly after, the manager of a gunshop in Edinburgh was murdered by his assistant, who sold the stolen weapons to the UDA. The police responded vigorously and effectively. Over the next three years, three UDA cells were arrested and convicted with various offences connected with the ill-fated guns. In 1979, a UVF cell in Glasgow bombed two bars frequented by Catholics.

In a classic competition of rhetorics, most of those convicted of terrorist crimes insisted that they had been motivated by a desire to help their fellow Protestants in Ulster and insisted on describing themselves as prisoners of war. Prosecuting counsel, judges and most of the media asserted that they were simply thugs, villains and common criminals. Five years after one man had been given an eighteen year sentence, the governor of the prison in which he was housed refused the author permission to continue a correspondence that the prisoner had initiated because interest in his offences would encourage him to "talk rather a lot of rubbish about 'political prisoners'." It was clear that the governor regarded the man's refusal to accept that he was just an ordinary criminal as an obstacle to his reform.

It is interesting to note that the paramilitaries engaged in the same competition of rhetorics. Some explained the case with which the police broke up UDA and UVF cells by claiming that, while the cell members motivated by political considerations, their leaders had been 'bad yins,' people who were motivated solely by greed or a desire for status. In other words, the rank-and-file were good loyalists but the leaders were crooks.[7]

CRIMINAL RECORDS

Obviously, the best evidence for an essential criminality account of the actions of the Scottish paramilitaries would be evidence that these people had committed 'lay' crimes before their involvement in the UDA or UVF. Having collected details of the criminal records of seventy-six people who were charged in Scotland with crimes connected with the

UDA and UVF,[8] one discovers that of the seventy-six, only nine had criminal records. That is, 88% of the sample had no known 'previous'[9] record. One of the nine claimed that his 1972 armed robbery had also been political in motive, a claim which was apparently accepted by the prison authorities who permitted him to served his time in the UVF compound in Long Kesh.

It could be argued that those with no previous record had simply been fortunate in acting out their anti-social tendencies and in pursuing a criminal career without being caught. Such a defence, however, removes the argument from the realms of the testable and hence must be disregarded. A more refined defence for essential criminality would suggest that the sample contained a large number of young people. Perhaps they were recruited to the UDA or UVF before they were old enough to develop conventional criminal careers. In fact, only four of the sixty-eight people whose age at the time of conviction is known were younger than twenty-one. Most of the paramilitaries were aged between thirty and forty and thus had had plenty of time to develop conventional lives of crime.

Detailed consideration of the evidence is aided by a description of the criminal records of those with previous offences:

A. Theft/Assault/Culpable Homocide
B. Murder
C. Assault/Bank Robbery
D. Dishonesty/Breach of the Peace/National Assistance Fraud
E. Theft/Assault/Receiving Stolen Property
F. Desertion
G. Assault/Breach of the Peace
H. Armed Robbery
I. Living Off Immoral Earnings

H is the UFV fund-raising bank robber. F deserted the army. D's record of petty crimes is so insignificant (and so common-place in working class Glasgow) that the fact that it was mentioned at all in media accounts of the trial suggests a determined effort to blacken his character. A, B, C, and G had records for serious, and in two cases, fatal, assaults. However, in the context of Glasgow gang culture, their records were not unusual.

C, E and I best fit the picture of people habitually engaged in criminal behaviour. The first two, however, had only the most tenuous connections with the Protestant paramilitaries. C had progressed from 'approved' school to borstal prison. His only known connection with Protestant politics was a very short spell in an Orange flute band. His use of the claim to be fund-raising for the UDA while extorting money seems to have been opportunistic and spontaneous. The UDA insisted that he had nothing to do with them. E was a career villain with twenty-seven previous offences. A self-styled 'hard man,' he had become friendly with a group of UVF men while serving time in Perth Prison. One of them

later used E's scrap metal yard to store a van load of explosives while arrangements were made it to ship it to Belfast. E made no attempt to justify his offence by a political account: a good thing given that he had tried to sell the explosive to Scottish republicans!

Of all the cases, the one which best fits the stereotype of the professional criminal taking advantage of the existence of the UDA and UVF is I. Both before and after his period as a senior figure in the UDA, he made his living from petty crime. Yet is this enough to justify regarding his UDA activity as a 'cover'? The impression the author gathered, from interviewing him and others who worked with him, was that he was sincere in his commitment to the loyalist cause. His involvement in the UDA was not motivated by his being a villain anymore than the UDA involvement of his lieutenant, a janitor, was produced by his being a janitor. In fact, during his time with the UDA, he made an effort to stay out of trouble with the police because he was conscious that he could bring the organization and the cause into disrepute.

This leads to the general problem of determining motives. One can never observe 'cause' and 'motive'; one can only infer it. The reason why I's villainy was suggested as a cause of his UDA involvement, while a similar status was not suggested for the janitor's occupation, is that a common characteristic — law-breaking — links I's villainy and his 'terrorist' activity. However, there are two reasons for hesitating to turn this link into a causal story. Firstly, the shared characteristic of law-breaking is based on an observer's rather than an actor's judgement. The man in question did not see the two spheres of action as similar. He admitted that he was 'criminally-minded' and seemed not to resent the attitude of the law-abiding public towards his villainy, but he insisted that his involvement in the UDA was honourable and what all right-thinking loyalists should have done. The second problem is the general one, that two things are related does not mean that one causes the other. They may share a common cause (which, in an essential criminality approach, could be 'faulty socialization' or personality disorder) or they may be related in a complex fashion, all the links of which are not yet visible.

While only nine of seventy-six cases had previous records, all were working class. This suggests that class background is a reasonable place to start an explanation of paramilitary activity.

For reasons too complex to be explained here, Ulster unionism has more appeal to working class Protestants than it has to the middle classes, who have alternative sources of identity and who stand to gain materially and culturally from shifting Ulster politics from a structure based on Protestant dominance to one informed by those rational calculations common in most European countries.[10] It is also the case that working class Protestants (and Catholics) have born the brunt of the violence of the last sixteen years. The urban working class Protestants of the West and central lowlands of Scotland have considerable kinship ties with Ulster. They also have another set of links to anti-republicanism through service in the British army. Finally, they have a century of conflict with working class Catholics in Scotland. Hence working class

Protestants in Scotland are more likely than other sections of the population to be sympathetic to the Ulster loyalist cause.

The urban working class in lowland Scotland has a culture which accords high status to 'hard men.'[11] Disputes over scarce resources, territory and 'face,' are often settled by violent means. The important point is that there are usually plenty of opportunities for people who like violence to express their anti-social tendencies without waiting for a political conflict to provide a respectable rhetoric.

What emerged clearly from the author's interviews was that most of those who became active in the UDA and UVF: (a) were committed to loyalist politics; (b) were willing to use illegal means to pursue their goals; and (c) accepted the risks and consequences of being caught. Other loyalists, who shared the first and second characteristics, but not the third, were not necessarily despised by the paramilitaries, however. One man in particular, who was respected as a loyalist organizer, was regarded in a way similar to that of mafia 'soldiers' viewing the 'counsellor.' It was accepted that he was good at what he did and that he was 'just not cut out for the rough stuff.'

A vital point that emerged from the research was a reminder of the *situational* nature of motivation. The main reason the police had little trouble in identifying and successfully prosecuting the paramilitaries in Scotland was the lack of support they received from their communities. The initial fund-raising for Ulster loyalist prisoners was widely regarded as legitimate. The shift to gun-running was less well-supported. The commission of serious crimes in Scotland — the pub bombings, for example — caused many peripheral supporters to reject the paramilitaries and to inform on them to the police. The UDA and UVF in Belfast managed to retain the support of a larger section of their communities when they committed serious crimes because the IRA campaign was an immediate and serious threat to Ulster Protestants. Because the situation in Scotland was one of sympathetic support for one party to a conflict which was raging *somewhere else*, a different pattern of motives evolved.

CONCLUSION

The above offers only the beginnings of an understanding of why some people rather than others become involved in Protestant paramilitary activities. Its main point is that there is very little evidence for the claim that the Scottish Protestant paramilitaries were people who were essentially criminal. While appreciating why those who rejected either their goals or the means they used to pursue those goals should want to portray them as being villains and hoodlums, one should recognize that there is no strong evidence to support such a portrayal. It seems that a more accurate view can be constructed if one considers the social location of attitudes towards the Northern Ireland conflict and attitudes towards the law and considers how these interact. Obviously, this second element can be viewed as a shared 'predisposition' in that a lack of respect for the law and a culture of physical violence are widespread among the urban working class. However, this predisposition does not

particularly characterize those who became involved in "politics by other means." Good data for comparison is not available but it may be speculated that the conviction rate for this sample of paramilitaries is lower than the average for their social groups.

The suggestion that paramilitary activity is explained by a combination of attitudes towards the Northern Ireland conflict and attitudes towards the law and violence may be so obvious that it does not need expression. Unfortunate as it may be, some comment is necessary. There is an ever present danger in social science to do strange things with motives. Partisans frequently operate with two different modes of explanation. They see their own acts as being reasonable and appropriate responses to the circumstances in which they find themselves, but they dismiss as irrational the acts of those with whom they disagree. It is the author's belief that, unless one can show good reason to use reductionist and determinist explanations for particular actions, one must proceed on the assumption that all action has its explanation in a complex of motives which stem from background beliefs and current 'definitions of the situation.' Understanding of vigilante politics will not be improved by a blanket dismissal of the actors' accounts of their behaviour and an assertion that such people are motivated to crime irrespective of the circumstances in which their 'criminal' acts were committed.

Footnotes

1. I. Taylor, P. Walton and J. Young, *The New Criminology* (London: Routledge and Kegan Paul, 1973), Chs. 1 and 2.
2. H.J. Rosenbaum and P.C. Sederberg, *Vigilante Politics* (University of Pennsylvania Press, 1976), p. 21.
3. N.J. Smelser, *The Theory of Collective Behaviour* (London: Routledge and Kegan Paul, 1966).
4. A detailed account of my view of the right treatment of actors' accounts in the explanation of social action is given in R. Wallis and S. Bruce, "Accounting for action: defending the common sense heresy," *Sociology*, vol. 17(1), pp. 97-111, which also discusses the reductionist weakness of various approaches to the study of social movements.
5. For a general account of the Ulster conflict, see M. Farrell, *Northern Ireland: the Orange State* (London: Pluto Press, 1980). For an analysis of loyalism, see S. Nelson, *Ulster's Uncertain Defenders: Loyalists and the Northern Ireland Conflict* (Belfast: Appletree Press, 1984).
6. A. Aughey and C. McIlheney, "The UDA: paramilitaries and politics," *Conflict Quarterly*, vol. II(2), pp. 32-45. The Scottish branches of the paramilitaries are the subject of Ch. 7 of S. Bruce, *No Pope of Rome: Militant Protestantism in Modern Scotland* (Edinburgh: Mainstream, 1985).
7. The information on which these observations are based, and all unattributed quotation, comes from interviews with paramilitary activitists conducted during 1984. I would like to acknowledge a grant from the British Economic and Social Research Council which made this work possible.
8. A possible weakness in the previous conviction data is that it relies on what was made public in court. It thus leaves open the possibility that the previous records of those defendants who were co-operating were suppressed in order to make the prosecution case more credible. However, removing all the people who co-operated with the prosecution makes no difference to the overall results. In fact, the only mistake I have so far found went in the other direction. The Scottish press, in their accounts of the UVF pub bombing trials, attributed to Colin Campbell of the UVF the previous convictions

of a different Colin Campbell. I repeated the error in *No Pope of Rome* (p. 172) and I would like to take this opportunity to rectify that mistake.

9. The picture is similar for terrorists in Northern Ireland. Of 467 defendants who faced terrorist charges in the first half of 1975, 39% of the Protestants and 55% of the Catholics had no previous convictions. Only 9% of the Protestants and 16% of the Catholics had convictions for 'serious' offences. For details, see T. Hadden and K. Boyle, "Who are the terrorists?," *Fortnight*, May 7, 1976, pp. 6-8, and K. Boyle, T. Hadden and P. Hillyard, *Ten Years On In Northern Ireland* (London: The Cobden Trust, 1980), pp. 14-23.
10. R. Wallis, S. Bruce and D. Taylor, *No Surrender: Paisley and the Politics of Ethnic Identity in Northern Ireland* (Belfast: The Queen's University of Belfast, 1986); and S. Bruce, *God Save Ulster!: the Religion and Politics of Paisleyism* (Oxford: Oxford University Press, 1986).
11. On Glasgow gang culture see J. Patrick, *A Glasgow Gang Observed* (London: Methuen, 1973). For a more personal account of growing up as a 'hard man', see the autobiography of a convicted murderer: J. Boyle, *A Sense of Freedom* (London: Pan Books, 1977).