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## **Barry Whelan: Attempts to have Frank Ryan released from Spain, 1938-40**

The Spanish Civil War was vast in every sense – military, political, cultural, technological etc etc and in this vastness there are seemingly endless avenues of inquiry we as historians can investigate and write upon, and yet, from an Irish perspective it is the involvement of one man in the Spanish Civil War and what he did there and what became of him afterwards that still fascinates and draws in generation after generation. That man of course was Frank Ryan. I hope in this brief talk to outline just one strand of his war – the diplomatic efforts to secure his release from Spanish incarceration up to his hand over into German custody. Ryan was initially sentenced to death in June 1938 and this sentence was later commuted to 30 years imprisonment. The man charged with getting Ryan out of prison was Leopold Kerney. He had joined the diplomatic service during the War of Independence in 1919 where he served in France carrying our propaganda and trade activities for the republic until he sided with the anti-Treatyites during the Irish Civil War. Like Ryan, he too had been on the losing side of a civil war. Like Ryan, he was a committed republican. In time Kerney would become deeply attached to Ryan, form a friendship with him and do everything in his power to secure his release. Kerney's perceived failure to secure Ryan's freedom and the subsequent connection between Ryan's release and German Military Intelligence would blight Kerney's reputation, even now in the eyes of some.

The challenges to securing Ryan's liberation from Kerney's standpoint were significant. Most overseas missions are served by various Secretaries (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>), attaches (military, cultural), typists etc. Kerney had none of these resources. He mainly had to represent Ireland in Spain on his own with the aid of a part time typist, after Dublin finally agreed reluctantly to this. His health had not been good prior to Ryan's capture. The diplomat had been struck down with polio that required lengthy periods of rest, recuperation as well as painful surgery. Until Franco entered Madrid in April 1939, Kerney was with most of the diplomatic corps in San Jean de Luz in southern France, when Ireland was still formally recognising the Second Republic until February 1939. He had little or no contacts inside Franco's regime or importantly with the military who held the real levers of power in the dictatorship and he had no personal connections either with the inner circle that Franco surrounded himself with especially his brother-in-law Ramon Serrano Suner and legal advisor Martinez Fuset. It is hard to paint the full picture but Spain was in total chaos and would remain so for a very long time. Franco's ascent to power did little to improve this. Administratively the government ministries were scattered across the country with conflicting jurisdictions and authority between civil servants and military governors. It would take over a year before all ministries were transferred to Madrid alone. Petrol rationing, destroyed railway and telephone lines, poor roads all made travelling and communication for the Irish minister extremely difficult. Despite all these outward difficulties on 16 June

1939 Kerney finally secured his first face-to-face meeting with Ryan. In time Kerney would supply the prisoner with food, vitamins, clothing, money, etc all of which he could only acquire from Portugal. All around Burgos Central Prison, for example, the Irish diplomat reported “semi-starvation” everywhere. This should give you an impression of conditions on the ground in Spain at the time and yet despite this difficult reality Kerney’s correspondence reflect his determination to get Ryan out, as he wrote to his Frank’s sister Eilis: ‘I am sorry we are not yet able to give you the good news for which you have been waiting so long, but rest assured that we have Frank constantly in mind and that we shall not be satisfied until we succeed in obtaining his release.’

If we move matters away from Kerney briefly and look at the Ryan case from Dublin’s perspective, the Irish Government, Department of External Affairs, Department of the Taoiseach, Ryan’s supporters, the Old IRA etc, it was believed that getting him out should have been easy and there were several levers they thought they could pull to induce the Spanish to hand him into their custody. Both states were strongly Catholic. In fact Franco had moved rapidly to appoint an envoy to Dublin less than a month after coming to power. His first minister plenipotentiary – Juan Garcia Ontiveros – when he presented his credentials stressed the commonality of religion as a central element in bilateral relations. This message resonated with Irish listeners. Pull on the Catholic lever Dublin thought and surely a fellow Catholic state would comply? But they didn’t. Central to this not materialising was Ontiveros himself. When the Spanish diplomat arrived in Ireland he surrounded himself with General Eoin O’Duffy, members of the Irish Brigade, various religious orders, nuns and clergy. In his reports he repeatedly referred to Ryan, a man he had never met, as an “mystical extremist” and a communist based on conversations with these people and on secret correspondence sent to him by lay Catholics who attended Free Frank Ryan meetings and reported to Ontiveros that most of the attendees were communists ergo, in Ontiveros’s mind, Ryan must be a communist. When some female supporters of Ryan knocked on his residence at Killowen on Shrewsbury Road unannounced, Ontiveros described them – Maud Gonne MacBride, Margaret Pearse, Hanna Sheehy Skeffington and Ryan’s sister Eilis – as communist extremists. It may seem inconsequential in our time to be labelled a communist but in Francoist Spain at that time labelling someone communist was enough to get you killed (Law of Political Responsibilities, 1939). Franco himself viewed anyone who was a communist as being genetically inferior, a contagion that had to be cut out. He believed in and had commissioned Dr Antonio Vallejo Nágera to research his scientific theory of a red gene. Franco too believed in the medieval *limpieza de sangre* or purity of blood killings of any social undesirables done in the time of Moorish reconquest by the Catholic Monarchs. Kerney was aware of how vital it was to disprove the communist charge and he furnished the Spanish Foreign Minister – Colonel Juan Beigbeder – with letters from the Archbishop of Dublin – Dr Edward Byrne and from Ryan’s sisters (two of whom were nuns) to show he was not a communist and in fact attended mass. It is clear though that there was enough of a lingering tint of the accusation to stick. Kerney passed on

the fact to Dublin that Dr Nagera had interrogated Ryan 7 times during his imprisonment but it is clear that the Irish diplomat underestimated or was completely unaware of the importance of that psychologist's influence on Franco. Nagera had confirmed that Ryan had the "red" gene and should have been killed on capture.

The Irish had hoped that for historic reasons they could easily reach a modus vivendi with the Spanish. Both nations shared territorial grievances against Britain – Ulster and Gibraltar – it was frequently stated that the historic assistance Spain had afforded Ireland in the past made their friendship strong. Pull on the historic lever and again the Spanish should comply. The soundings seemed positive. The Franco regime was completely orientated towards the new Fascist order in Europe and was pulling its economy away from the Sterling area whilst making loud noises about reclaiming the Rock. But the Irish were naïve perhaps in their reliance on history and antipathy towards Britain as a strong bond between both states. Irish-Spanish relations were extremely patchy at best. The much talked about links via the Irish colleges in Spain, the diaspora there, the Irish who served in Spain's armies in the 17<sup>th</sup> century were distant memories. Even as recent as the War of Independence the Spanish generally knew little of Ireland having no journalistic presence on the island. The first diplomatic connection of note in the 20<sup>th</sup> century really began with the Irish Race Congress that was chaired by Leopoldo O'Donnell which descended into division. After that, there was only a small Spanish linkage to Ireland during the Eucharistic Congress and formal direct bilateral relations had only been initiated prior to the outbreak of the Spanish Civil War. The last of the Irish colleges in Spain at Salamanca had closed before the conflict and never reopened. Clearly whilst the Irish could see the historic ties that promised close cooperation stretching back to the Great Armada of 1588 and the O'Neill and O'Donnell clans, from a Spanish perspective that were, in truth, rather distant. When Ireland recognised the Franco regime prior to Britain it was viewed as an Anglo-Irish tete-a-tete in Madrid rather than as a goodwill gesture to General Franco.

From an Irish viewpoint the other strong lever they tried to pull was de Valera himself. No other Irish figure commanded respect amongst the Spanish or was as well known to them as the Taoiseach. Indeed at the first meeting between Ontiveros and de Valera to discuss the Frank Ryan case on 25<sup>th</sup> May 1939, the Spanish diplomat lauded the excellent qualities de Valera possessed as a leader and attributed them to his half-Spanishness. Look at articles from *ABC* and other periodicals even during the Irish Civil War and de Valera was held up high as a respected statesman of international standing – a "good Catholic". Surely the Irish thought, pull on the Dev lever on the Spanish might acquiesce in releasing Ryan? The Taoiseach as the last surviving commander from 1916 was under intense domestic pressure from the Old IRA to do everything personally to intervene and get an old comrade out of harm's way. He personally intervened on Ryan's behalf but again he, like general Irish perceptions on things, differed markedly to how their counterparts viewed them. Ontiveros and Franco saw a clear demarcation between Irish republicanism and Spanish republicanism. Dev in their eyes was a moderate constitutional politician who had clerical support. He was

always referred to in articles as a “good Catholic”. The condemnations they received about Ryan from clergy like Reverend James Cleary who described Ryan as a “communist”, placed Ryan in the red category and not the green. At this meeting on 25<sup>th</sup> May de Valera stressed the importance of releasing Ryan and viewed his detention as an obstacle to closer ties but Ontiveros in his report to Madrid stressed that the Taoiseach must not have known the full picture as the Spanish knew it, especially the rumours of Ryan as an assassin.

Back in Spain, Kerney used every lead and contact he had to influence Ryan’s case. His main point of contact was with the Ministry of Foreign Affairs. He had monthly meetings with the ministers for foreign affairs both of whom he got on well with – General Francisco Jordana and then his successor Colonel Juan Beigbeder. He impressed on both men the ideal scenario regarding Ryan: ‘if there was any gaoling to be done where an Irishman was concerned, the gaoler ought really to be de Valera rather than Franco.’ Kerney also approached the Irish diaspora via the O’Donnell family who were uniformly supporters of Franco and commanded strong military and economic influence in Spanish society as well as half-Irish descendants like Walter Meade who had contacts in the military to intercede of Ryan’s behalf. These manoeuvres enabled Kerney to meet senior generals such as General Kirkpatrick who was chairman of one of Franco’s powerful judicial committees as well as General Lopez Pinto who commanded the Burgos military district that housed the prison Ryan was in. The Irish diplomat managed to meet other cabinet ministers such as the Minister Without Portfolio Pedro Castillo who passed on the military tribunal’s sentence on Ryan which was mainly based on the flimsy charges that he had carried out propaganda work against the Nationalists whilst on convalescence. Kerney felt confident he could refute these claims but every step forward seemed to be met with bigger obstacles. Another serious charge that reached Kerney’s attention were accusations that Ryan was an assassin who had killed Admiral Henry Boyle Somerville. More worryingly these rumours were said to have originated from the British representative in Spain Sir Robert Hodgson, known for his pro-Franco sympathies. The outcome of this revelation was further effort expended by Kerney in refuting these charges but also a fear of any attempt to seek assistance in Ryan’s release from the British, who were petitioning for the release of their citizens held by Franco. Ryan agreed with Kerney that the British should be kept out of his case. When the British applied economic pressure on Franco it secured the release of their detainees but of course Ryan was not included in that exchange.

In Dublin Ontiveros’s presentation of his credential had been delayed as a direct result of Ryan’s imprisonment. Joseph Walshe confidentially informed the Spanish minister that graffiti in the city calling for “Release Frank Ryan or Else” meant it was not safe to proceed as planned with the ceremony. When known Ryan supporters were spotted around the minister’s residence Ontiveros feared for his life and two armed detectives were sent to guard the legation. On the day he finally presented his credentials his lengthy dispatch to Madrid highlighted that the entire route from Shrewsbury Road to Dublin Castle was lined with policemen and soldiers in case an attempt was made on his life. The Spanish minister

noted that most of the crowd cheered him as he went by and many gave the outstretched right arm salute. These people clearly represented the real voice of Irish domestic opinion and Ryan's supporters represented an extreme minority who were dissatisfied with Franco's triumph. Ontiveros had been, like the new wave of diplomats Franco picked, deliberately chosen as his representative to Ireland. He had been one of the first diplomats to side with Franco, he was a fervent fascist and his eldest son had been murdered by communists. It is not surprising then that he did everything possible to undermine the good efforts Kerney was doing on the ground in Spain to get Ryan released.

We know that Franco was personally interested in Ryan's case. On 20<sup>th</sup> November 1939 the Minister of Foreign Affairs Colonel Juan Beigbeder told Kerney that at his weekly meeting with Franco, whenever he raised the issue of Ryan and took out his file the dictator shook his head and refused to discuss any pardon because of what he termed the 'dangerous' nature of the prisoner. Franco biographers have stressed the paranoia the dictator showed about assassination attempts against him. He lived in fortified palaces and travelled in a six-wheeled, high power and bomb proof car, surrounded by Moorish bodyguards. If Ryan was an assassin and had made his way to Spain, surely it was best to keep him behind bars? Franco's brother-in-law too Ramon Serrano Suner who was Minister of the Interior and the architect of the new state, also held a visceral hatred of communists. His two brothers had been assassinated. Therefore at the very top of the regime there was a clear belief that Ryan should not be handed over. No efforts of Kerney's could in truth alter these perceptions well established. Franco came to see that Ryan represented something much bigger than what Ireland saw.

When the Second World War broke out Spain, like Ireland adopted a policy of neutrality. Again, this was heralded in Dublin as another example of two Catholic and neutral states marching in unison. But both neutral policies were markedly different and neither cooperated on any issue during the entire course of the war. The Irish policy of neutrality was more strict in its adherence though with an obvious leaning to the Western democracies whilst Spanish neutrality was non-existent as the regime provided ample assistance to the Axis. Being a neutral still gave the Irish little or no access to Franco, the man who mattered most in securing Ryan's release as Franco was the only man in Spain who could grant an *indulto* or pardon. In fact during the entire time that Kerney fought for Ryan's freedom – over two years – he was only able to secure one single meeting with Franco and that was on the day he presented his credentials and was only for formality purposes, lasting 15 minutes. Contrast this with the Germans whose ambassador could arrange direct appointments with Franco or Suner with little advanced notice but also senior German agents could meet the head of state easily and we know that some did in June 1940 in relation to Ryan. Nothing shows more the real focus of Franco's gaze I think. A country like Ireland was good to be associated with as a fellow Catholic and neutral but real political and economic power lay with the Axis. When the Germans became interested in Ryan it offered Franco a lever he could use, after all he owed them everything in getting him to

power, he owed Germany 400 million Reichsmarks and Italy 2 billion Lire. Handing Ryan to the German Military Intelligence, the Abwehr, was a way of paying off this debt, getting rid of a dangerous man and another good will gesture to the Germans.

It is difficult in the space of 30 minutes to condense the efforts Kerney made on Ryan's behalf to get him handed over into Irish custody and I have avoided the endless meetings, successes and setbacks he encountered. What is clear is that the diplomat met the prisoner often, frequently never claimed travel expenses for these 300 mile trips, provided him with food (particularly fatty foods to build up Ryan's loss of bodyweight), medicine, vitamins, warm clothing to improve his health, had him transferred to a better prison cell, had him exempted from hard labour, had regular access to a doctor, provided him with reading material and perhaps most importantly comradeship and hope. But Kerney like Ireland was a small fish in the bigger pool of players. Ireland had no influence on Franco. The one time we might have been able to influence him was to block an economic trade deal but even that seemed unlikely and was rejected by Joseph Walshe, Secretary of the Department of External Affairs who replied to this suggestion: "I earnestly hope your splendid efforts on behalf of Ryan will soon succeed. The sooner he is released, the sooner we can have normal and more useful relations with the Spanish Government. I think your suggestion about bartering trade concessions for Frank Ryan's release or giving the slightest hint to the Spanish Government that you have such an idea in your mind would be thoroughly bad, and you should carefully avoid giving any such impression."

Kerney unwittingly did secure Ryan's release but not in the manner he had hoped. Franco agreed to hand Ryan over to German Military Intelligence. As Kerney stated at the time: "It also has to be noted that Franco rejected all Irish appeals in favour of Ryan, even when precedents had been created by the release of others; if he had granted a pardon Ryan would have remained under Irish control and supervision; he authorised and ordered a very unusual procedure; as a concession to Germany and not as a concession to Ireland; he authorised the placing of this alleged dangerous communist at Germany's disposal – a gesture which could conceivably have unpleasant consequences for the Irish Government, and therefore anything but a friendly gesture towards Ireland."

To conclude, getting Ryan handed over to the Germans ironically probably did extend Ryan's life by several years. He would have died sooner in Spanish prison given the appalling conditions and rampant infectious diseases there. But even had Kerney managed to get Ryan handed over and deported back to Ireland to be imprisoned there it is unlikely that Ryan would have lived long. His health was poor and the tragedy of Ryan's last years meant that sooner or later he was going to succumb to his poor health wherever he ended up. Did Ryan feel animosity towards Kerney or a sense of abandonment that he was handed over to Nazi Germany – the state that had helped secure Franco's victory and whose political creed was the antithesis to Ryan's? In a confidential letter delivered by Budge Clissmann during the war Ryan wrote to Kerney: 'If you have any qualms of conscience about possible bad

results of your intervention on my behalf – then, Don't! [...] Let that be on record, as coming from me! [...] I sincerely hope that you will regard me as a worry no longer, and that you will have that so well deserved holiday. My best wishes to you, to your wife and family”